

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL

6 December 2021

Dear Councillor,

You are summoned to attend an **ORDINARY MEETING** of the **COUNCIL** to be held at **THE PODS, (SPORTS HALL), ASHBY ROAD, SCUNTHORPE** at **10.00 am** on **Tuesday 14 DECEMBER 2021**.

1. Mayor's Remarks
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests
3. To approve as a correct record the minutes of the Ordinary Meeting of the Council held on 11 October 2021 (Pages 1 - 6)
4. Calculating the Council Tax Base 2022/2023 (Pages 7 - 16)
Report of the Director: Governance and Partnerships
5. Treasury Management Mid-Year Report 2021-22 (Pages 17 - 28)
Report of the Director: Governance and Partnerships
6. Periodic Electoral Review (Pages 29 - 86)
Report of the Director: Governance and Partnerships
7. Members' Code of Conduct (Pages 87 - 102)
Report of the Monitoring Officer
8. North Lincolnshire Youth Justice Plan 2021-2023 (Pages 103 - 168)
Report of the Interim Director: Children and Community Resilience
9. Statement of Licensing Policy - Licensing Act 2003 (Pages 169 - 238)
Report of the Deputy Chief Executive
10. Statement of Principles - Gambling Act 2005 (Pages 239 - 290)
Report of the Deputy Chief Executive
11. External Audit Procurement Process (Pages 291 - 292)
Report of the Director: Governance and Partnerships

12. Adoption of Worlaby Parish Neighbourhood Plan (Pages 293 - 300)
Report of the Director: Economy and Environment
13. Statutory Co-opted Members (Children and Education Scrutiny Panel) -
Parent Governor Representatives
(having recently being elected by North Lincolnshire school parent governors
for a three year term of office 2021-2024 - To appoint Mr Colin Howsam of
Barrow-upon-Humber and Mr Jamie Mitcheson of Scunthorpe as Parent
Governor Representatives
14. To receive the minutes of the under mentioned committee/panels/board
(previously circulated) and to consider any recommendations made and to
pass such resolutions as may be necessary - See Order of Business (to be
circulated to members before the meeting)
Planning Committee -
(8 and 22 September, 20 October and 17 November 2021)

Licensing Committee -
(23 September, 11 November, 18 November and 2 December 2021)

Audit Committee -
(3 November 2021)

Standards Committee -
(10 November 2021)

Health Scrutiny Panel –
(5 October 2021)

Governance Scrutiny Panel
(5 and 19 November 2021)

Places Scrutiny Panel
(4 October and 10 November 2021)

Children and Education Scrutiny Panel
(25 October and 4 November 2021)

Health and Wellbeing Board
(27 September 2021)
15. To consider any questions on the discharge of the functions of the
Humberside Fire Authority
16. Questions from members of the public (including town and parish councils)
17. To consider a joint motion of which notice has been given and to pass such
resolutions as may be necessary (none received)

Yours sincerely

B McIntyre
Director: Governance and Partnerships

NOTE: ANY MEMBER WHO WISHES TO PUT A QUESTION UPON OR MOVE ANY AMENDMENT TO THE MINUTES MUST INFORM THE DIRECTOR: GOVERNANCE AND PARTNERSHIPS IN WRITING BEFORE 9.30 A.M. ON FRIDAY 10 DECEMBER 2021.

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NORTH LINCOLNSHIRE COUNCIL

11 October 2021

- Present -

THE MAYOR - Councillor Peter Clark

Councillors M Ali, S Armitage, S Bainbridge, J Briggs, A Davison, J Davison, T Ellerby, J England, J Evison, L Foster, T Foster, T Gosling, M Grant, M Kirk, J Longcake, E Marper, T Mitchell, C O'Sullivan, R Ogg, N Poole, H Rayner, J Reed, D Robinson, D Rose, C Ross, H Rowson, J Saunby, C Sherwood, N Sherwood, D Southern, S Swift, K Vickers, P Vickers, J Walshe, R Waltham MBE, D Wells and L Yeadon

The Council met at The Pods, Ashby Road, Scunthorpe.

2783 **MAYOR'S REMARKS**

The Mayor welcomed all members and officers to the meeting. He referred to the recent sad death of Roni Wilson, Councillor Stuart Wilson's wife and on behalf of all councillors expressed their thoughts for Councillor Wilson and his family at this sad time. The council then observed a minute's silence in memory of Roni Wilson.

The Mayor summarised recent events he had attended including the recent Lincolnshire Day at Normanby Hall. On behalf of the Council, he also congratulated Peter Thorpe on his appointment as the council's new Chief Executive and invited him to respond. Peter Thorpe thanked the Mayor and stated that it was a great privilege to be appointed and serve as Chief Executive and Head of Paid Service of North Lincolnshire Council and looked forward to working with all members in delivering their ambitions for North Lincolnshire and its people.

2784 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS**

Councillor M Ali

Licence holder with schools transport contract.

Crosby Community Association – Trustee

Councillor T Ellerby

Scunthorpe and Gainsborough Water Management Board – Member.

2785 **MINUTES**

Resolved – That the minutes of the Ordinary Meetings of the Council held on 25 January and 25 February 2021 (budget meeting), Annual Meeting of 25 May and Special Meeting of 26 July 2021, having been circulated amongst the members, be taken as read and correctly recorded and be signed by the Mayor.

2786 **TREASURY MANAGEMENT ANNUAL REPORT 2020/2021**

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The Director: Governance and Partnerships submitted a report informing Council of the Treasury arrangements, activity and performance during 2020-21. The key points being:-

- The level of borrowing was within Prudential Indicator Limits and the Council was able to maintain its policy of avoiding new borrowing, and
- Investment returns dropped to near zero due to the impact of the Covid 19 pandemic. The Council had taken a cautious approach to investing.

The Mid-Year and Annual Treasury Management Review was attached as an Appendix to the report and covered key issues including: -

- Investments – The Treasury Management Strategy (TMS) for 2020/21 assumed that interest rates would continue at the start of the year at 0.75% rising to 1.25% by 2022/23. As a result of the Covid 19 pandemic, bank rates were cut back to 0.25% and then 0.10% to counteract the impact of the national lockdown on the economy.
- Borrowing Requirement – The TMS expected that new borrowing would be required to finance new capital expenditure, replace maturing debt and the rundown of reserves. However, the Council had continued to maintain a position where its need to borrow to finance its capital programme (Capital Financing Requirement (CFR)) was not fully funded by loan debt; cash supporting the Councils reserves, balances and cash flow was used as an interim measure.
- Repayment of Debt – During 2020/21 the Council repaid £51.6m at scheduled payment dates.
- The cost of servicing the council's debt was £10.9m or 9.39% of the council's net revenue stream. This remained below the 10%-12% range which was seen as the maximum affordable level.
- Investment Outturn – The Council maintained an average balance of £49.9m of internally managed funds with an average rate of return of 0.03%.
- Borrowing Outturn – A loan of £9m was drawn for cash flow purposes to fund advanced pension contributions resulting in a net saving of £0.283m
- No loans were drawn in advance of need and no debt rescheduling was carried out, and
- Investment income was £13k compared to a budget of £75k.

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The Director in her report explained that the annual report was a requirement of the Prudential Code and provided the Council with assurance on the Treasury Management operation in 2020/21, and that the Council had nominated the Audit Committee to be responsible for ensuring effective scrutiny of treasury management arrangements.

Resolved – That the Treasury Management Performance for the 2020/21 financial year be noted.

2787 ANNUAL REPORT OF THE AUDIT COMMITTEE 2020/21

The Director: Governance and Partnerships submitted a report which presented to Council the third annual report of the Audit Committee. It summarised the activities of the committee and demonstrates how it had discharged its duties for the period May 2020 to May 2021. A copy of the annual report was attached as an appendix.

The report stated that the annual report of the Audit Committee was considered good practice and provided a mechanism to demonstrate transparently the effectiveness of the committee and provided assurance on the effectiveness of its role.

The annual report had been approved by the Audit Committee at its meeting of 21 July 2021 and recommended that it be presented to Council in support of the requirements of the Council's Code of Governance.

Resolved – That the annual report of the Audit Committee for 2020/21 be received.

2788 STANDARDS COMMITTEE - ANNUAL REPORT 2020/21

The Director: Governance and Partnerships submitted a report which attached as an appendix the ninth annual report of the Standards Committee under its standards regime and associated published Standards Arrangements pursuant to the Localism Act 2011.

The report covered the period 1 July 2020 to 30 June 2021 and detailed the work and activities of the Standards Committee throughout that time.

The report was approved by the Standards Committee at its meeting on 8 July 2021 with a request that the Monitoring Officer provide a copy to all Town and Parish Councils in the area.

Following receipt of this report by Council, the Monitoring Officer would continue to deal with relevant legislation and guidance, deal with complaints against councillors and provide training to North Lincolnshire Council and town and parish members and clerks, using the report to inform the itinerary.

Resolved – That the report of the Standards Committee for the period 1 July 2020 to 30 June 2021 be received.

2789 URGENT KEY DECISIONS - ANNUAL SUMMARY

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The Director: Governance and Partnerships submitted a report in accordance with requirements of the Council's Constitution 'Access to Information Procedure Rules' executive key decisions taken over the last year where the making of the decision was agreed as urgent. The report in an appendix summarised five executive key decisions taken as urgent over the last year and stated that the required public notice of the decisions to be taken were published on the council's website, and the required agreement for the decisions to be made were obtained from the chairs of the relevant scrutiny panels.

Resolved – That the annual report summarising executive key decisions where the making of the decision was agreed as urgent be received and noted.

2790 **STATUTORY CO-OPTED MEMBER - CHURCH REPRESENTATIVE VACANCY ON CHILDREN AND EDUCATION SCRUTINY PANEL**

That Lynsey Norris (Lincoln Diocesan Assistant Director of Education) be appointed to the vacancy.

2791 **MINUTES OF COMMITTEES, PANELS AND BOARD - PLANNING COMMITTEE**

Resolved - That the minutes of the meetings of the Planning Committee held on 16 December 2020, 27 January, 24 February, 24 March, 26 April, 2 and 30 June, and 28 July 2021 be received with the exception of minutes 2076 (vii) and 2014(i) -

2792 **APPLICATION PA/2020/1732**

With regard to the excepted portion it was -

Moved by Councillor N Sherwood and seconded by Councillor C Ross -

That the minute be received.

Motion Carried

2793 **LICENSING COMMITTEE**

Resolved - That the minutes of the meetings of the Licensing Committee held on 7, 14 and 19 January, 4 March, 7 April, 15 June, 1 July, 12, 16 and 24 August and 2 September 2021 be received with the exception of minute 1748 –

2794 **LICENSING ACT 2003, APPLICATION FOR GRANT PREMISES LICENCE, NASZA BIDRONKA, 88-90 FRODINGHAM ROAD, SCUNTHORPE**

With the regard to the excepted portion it was –

Moved by Councillor K Vickers and seconded by Councillor P Vickers -

That the minute be received.

Motion Carried

2795 **AUDIT COMMITTEE**

COUNCIL
11 October 2021

Resolved – That the minutes of the meeting of the Audit Committee held on 27 January, 8 April and 21 July 2021 be received, approved and adopted.

2796 **STANDARDS COMMITTEE**

Resolved – That the minutes of the meetings of the Standards Committee held on 14 and 20 July, 16 February, 17 and 25 March (x2), 29 June, 8 July (x2) and 1 and 15 September 2021 be received.

2797 **HEALTH SCRUTINY PANEL**

Resolved – That the minutes of the meetings of the Health Scrutiny Panel held on 22 February, 12 March and 29 July 2021 be received.

2798 **GOVERNANCE SCRUTINY PANEL**

Resolved – That the minutes of the meeting of the Governance Scrutiny Panel held on 9 April 2021 be received with the exception of minute 68 –

2799 **ITEM REQUESTED FOR CALL-IN - MINUTE 6 OF THE ENVIRONMENT AND SPATIAL PLANNING CABINET MEMBER MEETING HELD ON 6 APRIL 2021 - NORTH LINCOLNSHIRE LOCAL DEVELOPMENT SCHEME REVISED FEBRUARY 2021 - SCUNTHORPE**

With the regard to the excepted portion it was –

Moved by Councillor D Robinson and seconded by Councillor T Gosling -

That the minute be received.

Motion Carried

2800 **PLACES SCRUTINY PANEL**

Resolved – That the minutes of the meeting of the Places Scrutiny Panel held on 3 February 2021 be received.

2801 **CHILDREN AND EDUCATION SCRUTINY PANEL**

Resolved – That the minutes of the meetings of the Children and Education Scrutiny Panel held on 1 February, 16 March and 20 July 2021 be received with the exception of minutes 54 and 59-

2802 **DISCUSSION WITH THE CHILDREN AND FAMILIES CABINET MEMBER - CLLR J REED**

With regard to the excepted portion (a) it was –

Moved by Councillor T Foster and seconded by Councillor L Yeadon-

That the minute be received.

Motion Carried

2803 **CHILDREN'S SERVICES AND EDUCATION - OVERVIEW FOR ELECTED MEMBERS, PRESENTATION BY SENIOR OFFICERS**

With regard to the excepted portion (b) it was –

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Moved by Councillor T Foster and seconded by Councillor L Yeadon-

That the minute be received.

Motion Carried

2804 **HEALTH AND WELLBEING BOARD**

Resolved – That the minutes of the meetings of the Health and Wellbeing Board held on 18 January, 22 March and 28 June 2021 be received with the exception of minute 27 –

2805 **INTEGRATED WORKING - CHILDREN, COVID-19 WINTER GRANT SCHEME -**

With regard to the excepted portion (b) it was –

Moved by Councillor R Waltham MBE and seconded by Councillor J Reed -

That the minute be received.

Motion Carried

2806 **APPOINTMENT AND EMPLOYMENT COMMITTEE**

Resolved – That the minutes of the Appointment and Employment Committee held on 15 June, 16 and 22 July 2021 be received.

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

CALCULATING THE COUNCIL TAX BASE 2022/23

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider and approve the Council Tax base to be used for each part of the Council's area for formula grant and tax setting purposes.
- 1.2 The key elements of this report are:
 - To note the council tax base for grant purposes, as submitted to the Department for Levelling Up, Housing and Communities (DLUHC).
 - To set a tax base for setting Council Tax for the council, local parishes and major precepting authorities.
 - To consider strengthening the empty property surcharge for properties empty for longer than five years.

2. BACKGROUND INFORMATION

2.1. North Lincolnshire Council has the power in statute to raise a tax on households in its area to pay for the provision of local services. It is designated as the billing authority for the area. This means that it is responsible for levying a council tax to meet its own demands and to meet the precepts of lower and higher tier authorities in the area. The precepting bodies are:

- Humberside Police and Crime Commissioner
- Humberside Fire Authority
- Parish and Town Councils in North Lincolnshire

It also provides details of its tax base to levying bodies to which it must pay a contribution for the cost of services provided in the area. That includes the Environment Agency (Anglian and Severn Trent Regions) and the Port Health Authority.

2.2. Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base) Regulations 2012 requires the council to determine its tax base for council tax purposes each year. This is the basis on which the council tax is raised. The Council keeps a database of the properties in its area. Properties are recorded in 8 national bands by value (A to H) as determined by the independent Valuation Office Agency. Band H taxpayers pay twice as much as those in band D and three times as

much as those in band A. The number of properties is expressed as a number of Band D equivalent properties for the purposes of calculating what £1 on the council tax would raise

- 2.3. All precepting bodies have a right to receive the tax base figure for the area or their part of the area no earlier than 1 December and no later than 31 January in advance of the relevant tax year. It is this tax base that they will use to calculate a precept to fund their services, which they will direct the Council to collect on their behalf. The tax base is subject to change as new properties are built or converted and old properties demolished, so the tax base needs to be recalculated each year. The Government also requires information on the council tax base to determine the council's share of national grant funding and notional spending power.
- 2.4. North Lincolnshire Council will use the tax base to calculate a combined council tax requirement for 2022/23 for itself, Humberside Police & Crime Commissioner, Humberside Fire Authority and Parish and Town Councils. The council tax collected is pooled in a collection fund and then distributed to North Lincolnshire Council and the precepting bodies, based on their tax decisions.
- 2.5. The calculation of the tax base is informed by the number of Band D equivalent properties and is adjusted by anticipated collection rates and the cost of applicable discounts made to relevant households. This includes several nationally determined discounts and the local Council Tax Support Scheme (CTSS). The CTSS requires working age households to pay a proportion of their council tax bill.

3. OPTIONS FOR CONSIDERATION

- 3.1. To note the council tax base applied for grant purposes.
- 3.2. To maintain the current level of council tax support scheme and discretionary reliefs and consider changes to the empty property surcharge.
- 3.3. To set the council tax base for the council, parishes and major precepting bodies in 2022/23.

4. ANALYSIS OF OPTIONS

Tax Base for Grant Purposes 2022/23

- 4.1. The Government uses taxbase data when it determines the amount of formula grant to be paid to each local authority. It makes use of the CTB form which billing authorities are required to submit every October. The submission is summarised in Appendix 1. It is assumed that councils will be able to collect 100% of the tax levied on this base and the Government uses the information to determine the council's share of formula grant. This data is also used by Government to notionally estimate the Council's spending power, published in the Local Government finance settlement.

Tax Base for Council Tax Purposes 2022/23

- 4.2. To determine the taxbase for Council Tax purposes for the council and those which precept on it, a comprehensive calculation is carried out which makes a series of adjustments to the gross taxbase in order to result in a revised estimate which provides the basis for the council tax requirement.
- 4.3. The gross taxbase is equivalent to the number of properties on the rating list at a point in time. A series of national discounts and exemptions are applied to the gross taxbase, together with local discounts (CTSS) and the empty property surcharge. Officer judgements in respect of property growth, non-collection and other adjustments then combine into a taxbase estimate.
- 4.4. Appendix 2 sets out the calculation steps which demonstrate how the revised taxbase has been arrived at and includes commentary which sets out the key assumptions which support the taxbase estimate. This report proposes a taxbase of 50,801.0 band D equivalents, which represents a 2.3% increase from the approved 2021/22 taxbase.
- 4.5. The taxbase estimate for 2021/22 incorporated prudent adjustments in respect of the potential impact due to the Covid-19 pandemic. As set out by the Government in the Autumn Budget in October 2021, the economic recovery continues with emergency support able to wind down. The Office for Budget Responsibility expect that there will now be less economic scarring than had originally been expected. A stronger economy – together with reduced uncertainty – enables the Council to reconsider how and when to unwind the Covid-19 adjustments it made last year.
- 4.6. There remain short and medium-term risks to the taxbase associated with economic recovery. Pressures to the cost of living were acknowledged by Government in the Autumn Budget and could increase the risk of non-collection. In addition, the effect of unwinding emergency support is not yet fully clear and could lead to changes in local employment. The Council has robust taxbase management processes in place to ensure line of sight in respect of material changes to the assumed position.
- 4.7. The taxbase increase referred to in 4.4 comprises adjustments in respect of the following (with band D impact):
 - An increase in the number of gross properties (481)
 - An increase in the collection percentage estimate (288)
 - Additional empty property surcharge cases (176 – see 4.8)
 - A natural reduction in council tax support recipients (161)
 - A reduction in the number of single adult households (58)

Further detail on each factor can be found in appendix 2.

- 4.8. This report proposes one policy change in respect of the empty property surcharge. In 2019/20, the Council introduced a 100% surcharge on properties empty for longer than two years. This was intended to stimulate a reduction in the number of long-term empty properties, in support of the

Council's priority to have flourishing communities. A recent review of the policy, measuring its effectiveness to date, has identified that the Council needs to strengthen the incentive and improve housing support and guidance. It is proposed that a 200% empty property surcharge be implemented for properties empty for longer than five years in 2022/23. It is then proposed that a 300% empty property surcharge be implemented for properties empty for longer than ten years in 2023/24. Further detail on this change can be found in appendix 2.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1. The Council must calculate the tax base each year in accordance with The Local Government Finance Act 1992 and The Local Authorities (Calculation of Tax Base) Regulations 2012.
- 5.2. Changes to the taxbase increase the tax base by 2.3% from the 2021/22 base, reflecting an increases in resources of £1.8m in 2022/23 at the current North Lincolnshire Council band D level of tax.
- 5.3. The actual amount collected in any year may differ from the estimate so that a surplus or deficit can arise on the Collection Fund. This surplus or deficit is shared between the council and the major precepting authorities and is applied in the following year as required by legislation. If long-term collection rates fall below that assumed, there is a risk that a deficit may arise on the fund, which would need to be made up in a subsequent year. However, the fund has a track record of high long-term collection rates, fund surpluses and low levels of council tax write offs suggesting moderate risk.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1. Not applicable.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1. No impact assessment is required for the purpose of this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1. Whilst no consultation is required in respect of changes to the empty property surcharge, awareness raising communications were issued in June 2021 to signal the Council's direction of travel. A contact letter will be issued to all potentially affected homeowners in early December to raise further awareness and to provide signposting to support and advice options.

9. RECOMMENDATIONS

- 9.1. That the council taxbase for grant purposes is noted (appendix 1).

- 9.2. That the council taxbase for the Council and other precepting bodies in 2022/23 be set at 50,801.0 band D equivalents (appendix 2 and 3).
- 9.3. That the empty property surcharge be increased to 200% for properties empty for longer than five years from 2022/23.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

Church Square House
High Street
Scunthorpe
North Lincolnshire
DN15 6NL

Author: NinaTorr/Adam Hopley
Date: Wednesday 24th November 2021

Background Papers used in the preparation of this report

Local Government Finance Act 1992, 2003, 2012
The Local Authorities (Calculation of Council Tax Base Regulations 1992, 1994 and 2012)
Local Government and Public Involvement in Health Act 2007 - The North Lincolnshire Council (Reorganisation of Community Governance) Order 2017
The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018
CTB (October 2021) Submission to DLUHC

COUNCIL TAX BASE FOR GRANT PURPOSES

Appendix 1

Data Extracted from CTB1 Form	Band A (disabled relief)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	TOTAL
Number of dwellings equivalents	183.0	30,920.4	14,330.5	10,346.0	7,223.5	3,705.8	1,533.0	494.5	10.0	68,746.6
Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
Total number of band D equivalents	101.7	20,613.6	11,145.9	9,196.4	7,223.5	4,529.3	2,214.3	824.2	20.0	55,868.9
Band D equivalents in lieu (MOD Properties)										12.4
Tax base for Grant Purposes										55,881.3

Table 1 – Council Tax Base Calculation Summary

Council Tax Base Calculation Summary	Band D Equivalents		Total Yield (£000)*	
	2021/22	2022/23	2021/22	2022/23
Gross Properties	61,427.9	61,851.0	96,408	97,072
National Discounts and Exemptions:				
Exempt properties	(956.0)	(959.8)	(1,500)	(1,506)
Disabled reduction	(90.4)	(91.0)	(142)	(143)
Single person discount	(4,987.6)	(4,929.9)	(7,828)	(7,737)
50% discounts (DSGD)	(92.6)	(91.9)	(145)	(144)
Family annex discount	(10.2)	(9.8)	(16)	(15)
Council Tax Support Scheme:				
Pensioner	(2,872.4)	(2,754.8)	(4,508)	(4,324)
Working Age	(1,960.8)	(1,917.2)	(3,077)	(3,009)
Technical Increases to Taxbase:				
Empty property premium (>2 years)	152.2	259.2	239	407
MoD properties	12.0	12.4	19	19
Taxbase Adjustments & Assumptions:				
Property growth	293.1	351.0	460	551
Natural reduction in CTSS recipients	50.0	49.9	78	78
Empty property premium (>5 years)	-	68.7	-	108
General Non-Collection Adjustment	(1,324.8)	(1,036.7)	(2,079)	(1,627)
Council Tax Base	49,640.3	50,801.0	77,908	79,730

* 2021/22 band D rate (general rate plus ASC precept) £1,569.45

Table 2 – Council Tax Base and Rate Regional Comparison

2021/22 Council Tax Base, Rate and Yield Comparator Analysis (yield rank)	Band D Taxbase	Band D Rate (£)	Yield (£000)
North Lincolnshire (46)	49,640.3	1,569.45	77,908
North East Lincolnshire (49)	44,405.4	1,669.11	74,118
East Riding of Yorkshire (11)	117,313.4	1,554.76	182,395
Hull (35)	61,962.0	1,497.13	92,765
Unitary average	78,660.1	1,605.67	126,302

Analysis of Council Tax Base

1. This appendix sets out further information around the adjustments made to the gross taxbase to result in the taxbase for budget setting purposes, supported by data, trends and other information as appropriate.

Property Growth

2. The Valuation Office Agency (VOA) maintain a list of domestic properties, which the Council must then bill from. As a minimum, the VOA report weekly changes to the rating list, incorporating additions and deletions, and other changes. On the rating list at 12/09/2021, the Council had 76,545 properties which converts to 61,851.6 band D properties. This means the average property in North Lincolnshire is either a band B or C property.
3. Since last year, the taxbase has grown by 475 properties equating to 423 band D equivalents. In the twelve months previously, there had been 257 property completions equating to 240 band D equivalents. This in part reflects a timing delay in respect of property completions during 2020, which are now caught back up. Average forward growth has been assumed in the calculation to reflect property completions between now and October 2022.

National Discounts and Exemptions

4. There are a series of centrally determined council tax discounts and exemptions, such as the 25% single person discount and disabled banding relief. A discount or exemption reduces the collectable taxbase. The majority of discounts and exemptions tend to remain fairly static over time, with some fluctuation in year.
5. The single person discount has steadily grown over recent years and is currently applied to over 26,000 properties representing just over 34% of the gross tax base. Households are required to confirm eligibility annually and a recent review process resulted in the discount being removed from at least 231 band D properties that are no longer eligible.

Council Tax Support Scheme

6. There are no changes to the council tax support scheme proposed for 2022/23. Notwithstanding this, there are fewer households eligible for council tax support which reflects a natural reduction in the cohort, with most of the reduction within the pensioner category. A further reduction is assumed in 2022/23, which reflects the trend since October 2013. In total, the cost of the current scheme is expected to equate to 4,622 band D equivalents (7.5% of the gross tax base). There are currently 10,656 properties in receipt of some form of council tax support.

Empty Property Surcharge

7. As set out in the main report, a 200% empty property surcharge is proposed for properties empty for longer than five years in 2022/23. In addition, a 300% empty property surcharge is proposed for properties empty for longer than ten years from 2023/24 onwards. The changes proposed are principally borne out of the

Council's desire to see a significant reduction in the stock of long-term empty properties, which have implications for communities and restrict local housing supply. The consequence of the change is that a minimal amount of additional council tax will be collectable from a small cohort in the short-term, until property owners have taken the necessary action to reduce the current empty status.

8. In addition, there are approximately 422 additional properties which have now passed the threshold of being empty for longer than two years. As such, these will now be charged the 100% surcharge with a clear pathway of further surcharge increases if action is not taken to resolve this. For taxbase setting purposes, it has been assumed that half of these properties will become liable for the surcharge.
9. Between years, there is expected to be a consequential increase in council tax liabilities for properties subject to the surcharge. In total, this could amount to an additional £0.3m and reflects the swelling of properties empty for longer than two years, together with the policy adjustment for properties empty for longer than five years. There is an opportunity to utilise some of this resource to increase investment in housing support and guidance, to further support success in the policy aim. There are circumstances where owners might be constrained in their ability to resolve their empty status (e.g. negative equity/live far from the area), and it is the case that some owners might benefit by having advice and guidance on how to move forward in their specific circumstances. It is important to note that other Council's have already implemented this model and are seeing quicker reductions in their stock of long-term empty properties

Collection Rate

10. The collection rate is an estimate of how much is expected to be collected as a percentage of the amount that would have been collected if everyone liable had paid what they were supposed to. A long-term collection rate is set, but collection up to this level will take several years. For example, a collection rate of 98.1% was set for 2018/19. At the end of that year, 95.4% had been collected. At the end of October 2021 – two and a half years after the financial year-end – it had increased to 98.0%.
11. Last year, a step-change reduction to the collection rate was incorporated to reflect heightened risk at the time. The level of risk is judged to have receded slightly as considered in the main report, which enables the collection rate to be re-increased towards previous levels assumed. Accordingly, a 98.0% long-term collection estimate has been assumed for 2022/23.

Summary

12. The Council tax base set out in this report represents an increase from the level that had previously been assumed in 2022/23 (50,081.5). This enables an increase in spending power over the 2022/25 medium term financial plan period, and allows for greater investment in housing support. Proactive taxbase management will continue to be required in year so that the Council has early sight of progress against the targets set.

COUNCIL TAX BASE BY PARISH 2022/23

Appendix 3

Parish/Town or Area	Tax Base after discounts	Allowance for Non-Collection	MOD Properties	Tax Base 2022/23
Alkborough	171.3	(3.4)		167.9
Amcotts	80.1	(1.6)		78.5
Appleby	237.5	(4.8)		232.7
Ashby Parkland	244.5	(4.9)		239.6
Barnetby le Wold	565.0	(11.3)		553.7
Barrow on Humber	1,068.8	(21.4)		1,047.4
Barton on Humber	3,840.5	(76.8)		3,763.7
Belton	1,226.5	(24.5)		1,202.0
Bonby	199.0	(4.0)		195.0
Bottesford	3,707.0	(74.1)		3,632.9
Brigg	1,770.2	(35.4)		1,734.8
Broughton	1,740.2	(34.8)		1,705.4
Burringham	219.2	(4.4)		214.8
Burton Stather	984.9	(19.7)		965.2
Cadney cum Howsham	159.0	(3.2)		155.8
Crowle	1,632.5	(32.7)		1,599.8
East Butterwick	43.5	(0.9)		42.6
East Halton	211.3	(4.2)		207.1
Eastoft	150.4	(3.0)		147.4
Elsham	175.8	(3.5)		172.3
Epworth	1,622.3	(32.4)		1,589.9
Flixborough	539.7	(10.8)		528.9
Garthorpe & Fockerby	144.9	(2.9)		142.0
Goxhill	830.6	(16.6)		814.0
Gunness	649.7	(13.0)		636.7
Haxey	1,730.3	(34.6)		1,695.7
Hibaldstow	830.0	(16.6)		813.4
Horkstow	59.2	(1.2)		58.0
Keadby with Althorpe	509.9	(10.2)		499.7
Kirmington & Croxton	132.5	(2.7)		129.8
Kirton Lindsey	1,130.0	(22.6)	12.4	1,119.8
Luddington & Haldenby	121.8	(2.4)		119.4
Manton	44.5	(0.9)		43.6
Melton Ross	73.8	(1.5)		72.3
Messingham	1,366.4	(27.3)		1,339.1
New Holland	259.2	(5.2)		254.0
North Killingholme	91.8	(1.8)		90.0
Owston Ferry	470.1	(9.4)		460.7
Redbourne	164.7	(3.3)		161.4
Roxby cum Risby	158.7	(3.2)		155.5
Saxby all Saints	92.9	(1.9)		91.0
Scawby cum Sturton	837.2	(16.7)		820.5
Scunthorpe	16,931.7	(338.6)		16,593.1
South Ferriby	217.8	(4.4)		213.4
South Killingholme	315.4	(6.3)		309.1
Thornton Curtis	105.0	(2.1)		102.9
Ulceby	589.7	(11.8)		577.9
West Butterwick	290.1	(5.8)		284.3
West Halton	119.6	(2.4)		117.2
Whitton	88.5	(1.8)		86.7
Winteringham	347.9	(7.0)		340.9
Winterton	1,408.9	(28.2)		1,380.7
Wootton	198.5	(4.0)		194.5
Worlaby	205.3	(4.1)		201.2
Wrawby	533.4	(10.7)		522.7
Wroot	186.1	(3.7)		182.4
Tax Base 2022/23	51,825.3	(1,036.7)	12.4	50,801.0

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

TREASURY MANAGEMENT MID-YEAR REPORT 2021/22

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1. This report provides an overview of the Council's treasury performance during the first six months of 2021/22 and sets out national factors that affect the Council's Treasury activity.
- 1.2. The key points are that the Council's:
 - Investment returns remain at near zero due to the impact of the Covid 19 pandemic. The Council has continued to take a cautious approach to investing.
 - Borrowing remains comfortably within the control levels set and no new borrowing was undertaken.
 - Treasury activity was compliant with the Prudential Indicators set for the financial year.

2. BACKGROUND INFORMATION

- 21 This report fulfils the Authority's legal obligation under the Local Government Act to have regard to both the CIPFA Code and the department for Levelling Up, Housing and Communities (DLUHC), previously the Ministry of Housing, Communities & Local Government (MHCLG) Investment Guidance. The CIPFA Code requires that Council receive a report at the start of the financial year, mid-year and year end. The Audit Committee also receive regular updates regarding treasury activity, providing assurance on the effectiveness of the Council's treasury management arrangements.
- 22 The CIPFA Code sets out the following objectives for treasury management:

“It is important that treasury management policies adequately reflect risk and in particular security, liquidity and yield risk, in that order of importance. No treasury management transaction is without risk and management of risks is the key purpose of the treasury management strategy.”
- 23 Council agreed the Treasury Management Strategy Statement (TMSS) for 2021/22 in February 2021.

3. OPTIONS FOR CONSIDERATION

3.1 This is a report on past performance for Council to consider the mid-year performance and treasury management activity. Full details of the mid-year review are attached in appendix 1.

4. ANALYSIS OF OPTIONS

4.1 The key messages are:

- Interest rates remain near all-time lows at 0.10%. The bank rate is not expected to increase quickly, a forecast rise to 0.25% in June 2022 with a further increase to 0.75% in the final quarter of 2023/24. As a result, there is opportunity for reducing our average cost of borrowing.
- The Council aims to achieve optimum return on its investments in accordance with its priorities of security, liquidity and risk appetite.
- The Council's investment balances during the first six months of the year were £48.9m and as such is always in a position to meet its liabilities, while managing risks associated with carrying cash balances.
- The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
- It is anticipated that further borrowing will not be required during this financial year.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Not applicable

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Risk and external factors are considered in the monitoring report.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1. Not applicable.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 Not applicable.

9. RECOMMENDATIONS

- 9.1 That Council receives and notes the treasury management mid-year report 2021/22.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Author: Tracy Elliott
Date: 22nd November 2021

Background Papers used in the preparation of this report

Council

2021-22 Treasury Management Strategy
2021-22 Capital Programme

CIPFA Publications

Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (2017 Edition)
The Prudential Code for Capital Finance in Local Authorities (2017 Edition)

Legislation and Central Government Guidance

Local Government Act 2003
The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003
MHCLG



Mid-Year Review 2021/22 Treasury Management

1. Background

1.1 Capital Strategy

In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following: -

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- an overview of how the associated risk is managed;
- the implications for future financial sustainability.

1.2 Treasury management

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

2. Introduction

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017).

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is Audit Committee:

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first half of the 2021/22 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council's investment portfolio for 2021/22;
- A review of the Council's borrowing strategy for 2021/22;
- A review of compliance with Treasury and Prudential Limits for 2021/22.

3. Economics and interest rates

3.1 Economics update

MPC meeting 24.9.21

- The Monetary Policy Committee (MPC) voted unanimously to leave Bank Rate unchanged at 0.10% and made no changes to its programme of quantitative easing.
- A potential danger was highlighted that labour shortages could push up wage growth by more than it expects and that, as a result, CPI inflation would stay above the 2% target for longer. It also discounted sharp increases in monthly inflation figures in the pipeline in late 2021 which were largely propelled by events a year ago e.g., the cut in VAT in August 2020 for the hospitality industry, and by temporary shortages which would eventually work their way out of the system: in other words, the MPC had been prepared to look through a temporary spike in inflation.
- At MPC meeting, there was a concern that more recent increases in prices, particularly the increases in gas and electricity prices in October and due again next April, are, indeed, likely to lead to faster and higher inflation expectations and underlying wage growth. This could lead to inflation rising to 4% before reducing again to the 2% MPC target.
- Financial markets are now pricing in a first increase in Bank Rate from 0.10% to 0.25% in February 2022, but this looks ambitious as the MPC has stated that it wants to see what happens to the economy, and particularly to employment once furlough ends at the end of September. At the MPC's meeting in February it will only have available the employment figures for November: to get a clearer picture of employment trends, it would need to wait until the May meeting when it would have data up until February. At its May meeting, it will also have a clearer understanding of the likely peak of inflation.
- The MPC's forward guidance on its intended monetary policy on raising Bank Rate versus selling (quantitative easing) holdings of bonds is as follows: -
 1. Placing the focus on raising Bank Rate as "the active instrument in most circumstances".
 2. Raising Bank Rate to 0.50% before starting on reducing its holdings.
 3. Once Bank Rate is at 0.50% it would stop reinvesting maturing gilts.
 4. Once Bank Rate had risen to at least 1%, it would start selling its holdings.

3.2 Interest rate forecasts

The Council's treasury advisor, Link Group, provided the following forecasts on 29th September 2021 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View		29.9.21								
	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE	0.10	0.10	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.75
3 month ave eamings	0.10	0.10	0.20	0.20	0.30	0.40	0.50	0.50	0.60	0.70
6 month ave eamings	0.20	0.20	0.30	0.30	0.40	0.50	0.60	0.60	0.70	0.80
12 month ave eamings	0.30	0.40	0.50	0.50	0.50	0.60	0.70	0.80	0.90	1.00
5 yr PWLB	1.40	1.40	1.50	1.50	1.60	1.60	1.60	1.70	1.70	1.70
10 yr PWLB	1.80	1.80	1.90	1.90	2.00	2.00	2.00	2.10	2.10	2.10
25 yr PWLB	2.20	2.20	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.60
50 yr PWLB	2.00	2.00	2.10	2.20	2.20	2.20	2.20	2.30	2.30	2.40

The COVID-19 outbreak has had economic impact both in the UK and economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings.

As shown in the forecast table above, one increase in Bank Rate from 0.10% to 0.25% has now been included in quarter 2 of 2022/23, a second increase to 0.50% in quarter 2 of 23/24 and a third one to 0.75% in quarter 4 of 23/24.

Significant risks to the forecasts

- COVID vaccines do not work to combat new mutations and/or new vaccines take longer than anticipated to be developed for successful implementation.
- The pandemic causes major long-term scarring of the economy.
- The MPC tightens monetary policy at the wrong time.

The balance of risks to the UK economy: -

There remains a number of risks to economic growth in the UK, including residual risks from Covid and its variants - both domestically and their potential effects worldwide.

Forecasts for Bank Rate

Bank Rate is not expected to increase quickly after the initial rate rise as the supply potential of the economy has not generally taken a major hit during the pandemic, so should be able to cope well with meeting demand without causing inflation to remain elevated in the medium-term, or to inhibit inflation from falling back towards the MPC's 2% target after the surge to around 4% towards the end of 2021. Three increases in Bank rate are forecast in the period to March 2024, ending at 0.75%. However, these forecasts may need to be revised again as the economic situation evolves.

The Bank Rate being cut to 0.10% was an emergency measure to deal with the Covid crisis hitting the UK in March 2020. At any time, the MPC could decide to remove that last cut from 0.25% to 0.10% on the grounds of it no longer being warranted and as a step forward in the return to normalisation. In addition, any Bank Rate under 1% is historically both highly unusual and highly supportive of economic growth.

Forecasts for PWLB rates and gilt and treasury yields

As the interest forecast table for PWLB certainty rates above shows, there is likely to be a steady rise over the forecast period.

There is likely to be exceptional volatility and unpredictability in respect of gilt yields and PWLB rates due to a number of economic factors.

Gilt and treasury yields

Since the start of 2021, there has been a lot of volatility in gilt yields, and hence PWLB rates. This volatility is likely to continue over the medium term but PWLB rates are most likely to increase slowly in line with the forecasts shown above.

4. Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy Statement, (TMSS), for 2021/22 was approved by this Council on 25 February 2021.

- There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

5. The Council's Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

5.1 Prudential Indicator for Capital Expenditure

This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget.

Capital Expenditure	2021/22 Original Estimate £m	Current Position £m	2021/22 Revised Estimate £m
Total capital expenditure	49.26	14.406	55.68

5.2 Changes to the Financing of the Capital Programme

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Capital Expenditure	2021/22 Original Estimate £m	2021/22 Revised Estimate £m
Total capital expenditure	49.260	55.68
Financed by:		
Capital receipts	10.500	10.500
Capital grants	24.008	28.336
Revenue	0.016	0.060
Total financing	34.524	38.836
Borrowing requirement	14.736	16.844

5.3 Changes to the Prudential Indicators for the Capital Financing Requirement (CFR), External Debt and the Operational Boundary

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

Prudential Indicator – Capital Financing Requirement

We are on target to achieve the original forecast Capital Financing Requirement.

Prudential Indicator – the Operational Boundary for external debt

	2021/22 Original Estimate	2021/22 Revised Estimate
	£m	£m
Prudential Indicator – Capital Financing Requirement		
CFR –	264.554	264.554
Total CFR	264.554	264.554
Net movement in CFR	0.000	0.000
Prudential Indicator – the Operational Boundary for external debt		
Borrowing	269.554	269.554
Other long-term liabilities	2.000	2.000
Total debt (year-end position)	271.554	271.554

5.4 Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2021/22 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	2021/22 Original Estimate £m	Current Position £m	2021/22 Revised Estimate £m
Borrowing	200.855	155.959	152.616
Other long term liabilities	0.000	0.000	0.00
Total debt	200.855	155.959	152.616
CFR (year end position)	264.554	264.554	264.554

A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised limit for external debt	2021/22 Original Indicator £m	Current Position £m	2021/22 Revised Indicator £m
Borrowing	304.554	155.959	304.544
Other long term liabilities	5.000	0.000	5.000
Total	309.554	155.959	309.554

6. Borrowing

The Council's capital financing requirement (CFR) for 2021/22 is £264.554m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing), or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.

It is anticipated that further borrowing will not be undertaken during this financial year.

7. Debt Rescheduling

No debt rescheduling has been undertaken to date in the current financial year.

8. Compliance with Treasury and Prudential Limits

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the half year ended 30th September 2021, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2021/22. The Director Governance and Partnerships reports that no difficulties are envisaged for the current or future years in complying with these indicators.

All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

9. Annual investment strategy

The Treasury Management Strategy Statement (TMSS) for 2021/22, which includes the Annual Investment Strategy, was approved by the Council on 25 February 2021. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested creditworthiness approach.

As shown by the interest rate forecasts in section 3.2, interest rates are expected to remain close to zero.

Creditworthiness.

At the beginning of the Covid-19 pandemic there was a concern that many financial institutions would have their credit rating reduced. In the main, this did not happen.

Investment Counterparty criteria

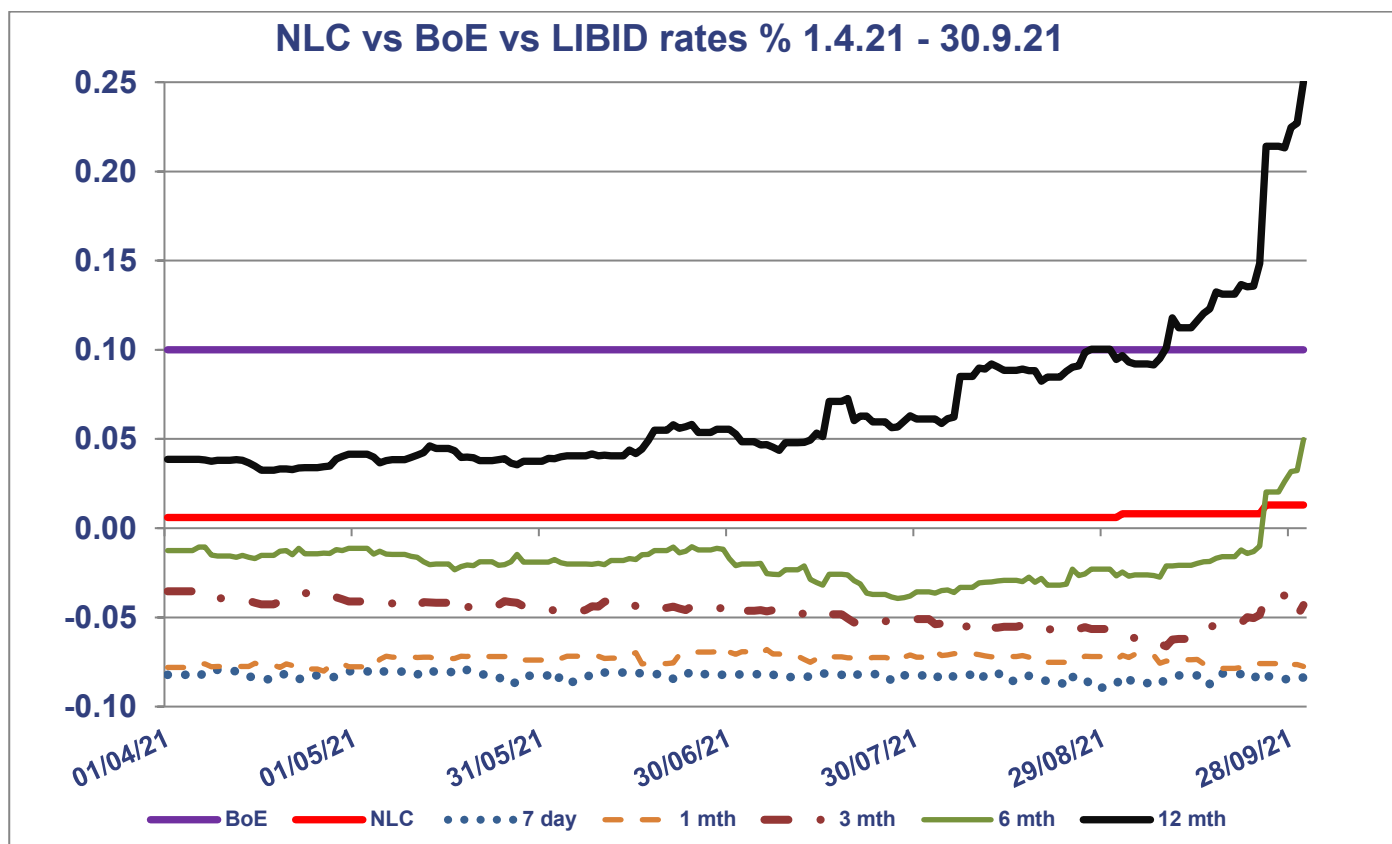
The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

Investment balances

The average level of funds available for investment purposes during the first half of the year was **£48.9 m**. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme.

Investment rates during half year ended 30th September 2021

As highlighted earlier in this report, the levels shown below use the traditional market method for calculating LIBID rates – i.e., LIBOR – 0.125%. Given the ultra-low LIBOR levels this year, this produces negative rates across some periods.



	Bank Rate	7 day	1 mth	3 mth	6 mth	12 mth
High	0.10	-0.08	-0.07	-0.04	0.05	0.25
High Date	01/04/2021	09/04/2021	06/07/2021	01/04/2021	30/09/2021	30/09/2021
Low	0.10	-0.09	-0.08	-0.07	-0.04	0.03
Low Date	01/04/2021	27/08/2021	26/04/2021	08/09/2021	27/07/2021	16/04/2021
Average	0.10	-0.08	-0.07	-0.05	-0.02	0.07
Spread	0.00	0.01	0.01	0.03	0.09	0.22

Investment performance year to date as at 30th September 2021

Period	LIBID benchmark return	Council performance	Investment interest earned
7 day	-0.08%	0.013%	£153.41
1 month	-0.07%	0.008%	£376.71
3 month	-0.05%	0.006%	£866.10
6 month	-0.02%	0.006%	£1,597.44

As illustrated, the Council outperformed the benchmark by 0.026%.

Fund investments

- Money Market Funds (MMFs)
- DMO Deposits
- Interest earning call accounts

Investments As at 30 September 2021			
Type	Counterparty	Rate	Principal O/S (£)
Fixed	DMADF (Debt Management Account Deposit Facility)	0.010%	44,500,000.00
Call	Bank of Scotland plc	0.010%	3,000,000.00
Call	Barclays Bank plc	0.010%	3,555,310.69
MMF	BlackRock Institutional Sterling Liquidity	0.007%	3,000,000.00
MMF	Goldman Sachs MMF	0.000%	3,000,000.00
			57,055,310.69

Following BoE, Monetary Policy Committee (MPC) meeting in September 2021, there is now an expectation that interest rates will rise in next 2 quarters. The Council is exploring possible investment opportunities with improved returns. The outcome of this will be reported in the annual outturn report for 2021-22.

Approved limits

The approved limits within the Annual Investment Strategy were not breached during the period ended 30th September 2021.

10. Other**1. Barclays Approval Sequence**

Due to system requirements of Barclays.net, the order of approvals in the workflow of payments above £50k has changed. This does not affect the controls in place for the approval of payments.

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

PERIODIC ELECTORAL REVIEW

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update Council on progress of the periodic electoral review of North Lincolnshire being undertaken by the Local Government Boundary Commission for England (LGBCE).
- 1.2 To consider the recommendation of the Electoral Review Working Group on a proposed response/representation to the LGBCE's consultation on its 'Draft Recommendations for the New Electoral Arrangements for North Lincolnshire Council'.

2. BACKGROUND INFORMATION

- 2.1 At its special meeting on 26 July 2021, the Council approved by majority a phase 2 submission to the LGBCE on 'warding arrangements' which was submitted as the council's submission to the LGBCE. The submission set out proposed numbers, names, boundaries and the number of councillors to be elected in each ward. Submissions on warding arrangements addressed 'electoral quality', 'community identities and interests', and 'effective and convenient local government' in accordance with LGBCE criteria. The LGBCE in phase 1 of the electoral review had already concluded that the appropriate council size continues to be 43 councillors for North Lincolnshire.
- 2.2 The LGBCE from 26 July to 21 September 2021 analysed all phase 2 submissions received from residents, key stakeholder groups and organisations, town and parish councils and North Lincolnshire Council and concluded its draft recommendation on new electoral arrangements for North Lincolnshire Council. These draft recommendations were published on 5 October and the LGBCE initiated consultation on them from residents and the above groups/organisations until 13/14 December 2021. The LGBCE's draft recommendation are included as appendix 1 of the report.
- 2.3 The Electoral Review Working Group met on 29 November 2021 to consider a proposed response/representations to the LGBCE's consultation on its 'Draft Recommendations for the New Electoral Arrangements for North Lincolnshire Council'. Its proposed

response/representation is attached in appendix 2 and by majority recommended it be submitted to council for it to consider and approve as the council's response to the LGBCE.

2.4 The LGBCE will again analyse all responses/representations received and will only consult further (within 5 weeks) where it is minded to make significant changes to its draft recommendations and where it 'lacks sufficient evidence of local views in relation to those changes'. The LGBCE will then reach conclusions on its final recommendations and publish them by 1 March 2022. In the summer of 2022, an order will be made and laid before parliament and following confirmation form the basis of the next North Lincolnshire Council elections in May 2023.

2.5 Further reports will be presented to Council as required. The electoral review timetable is detailed in Appendix 3.

3. OPTIONS FOR CONSIDERATION

3.1 The Council is under a duty to respond to the electoral review and through full Council determine a response/representation to the LGBCE on its 'Draft Recommendations for New Electoral Arrangements for North Lincolnshire Council'. The Electoral Review Working Group was established by Council to recommend a response/representation for Council to consider.

4. ANALYSIS OF OPTIONS

4.1 The Electoral Review Working Group, as authorised by Council, has by majority recommended a response/representation at Appendix 2, and it is now for Council to consider and approve before submitting to the LGBCE by 13/14 December 2021.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no direct resource implications associated with consideration of this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 There are no other relevant implications.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

- 8.1 No conflicts of interest have been identified or declared.
- 8.2 The LGBCE is responsible for leading on the public consultation aspects of the electoral review process.

9. **RECOMMENDATIONS**

- 9.1 (i) That Council receives and considers the recommendations of the Electoral Review Working Group at Appendix 2 of this report; and
- (ii) that Council adopts the Electoral Working Group's recommendations as its submission to the LGBCEs draft recommendations on new electoral arrangements at Appendix 1 of this report.

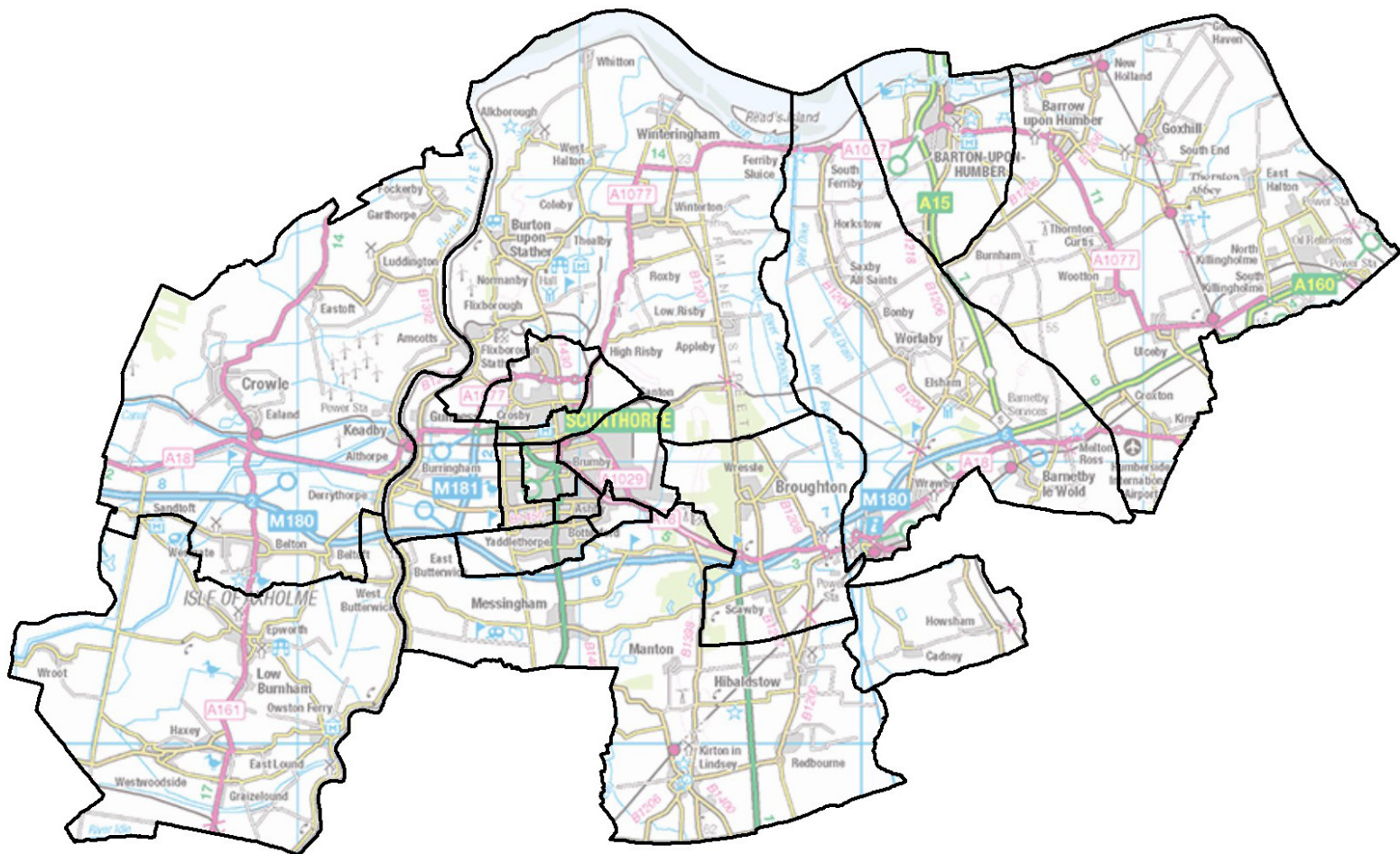
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Author: RAMell
Date: 2 December 2021

Background Papers used in the preparation of this report:

LGBCE Electoral Reviews Technical Guidance April 2014.
Reports to full Council, 25 January, 25 February and 26 July 2021.
LGBCE Draft Recommendations on New Electoral Arrangements for North Lincolnshire Council (and consultation overview documents).



New electoral arrangements for North Lincolnshire Council Draft Recommendations

October 2021

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A note on our mapping:

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Draft recommendations on the new electoral arrangements for North Lincolnshire Council

Electoral review

October 2021

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Introduction

Who we are and what we do

1 The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament.¹ We are not part of government or any political party. We are accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons. Our main role is to carry out electoral reviews of local authorities throughout England.

2 The members of the Commission are:

- Professor Colin Mellors OBE (Chair)
- Andrew Scallan CBE (Deputy Chair)
- Susan Johnson OBE
- Peter Maddison QPM
- Amanda Nobbs OBE
- Steve Robinson
- Jolyon Jackson CBE (Chief Executive)

What is an electoral review?

3 An electoral review examines and proposes new electoral arrangements for a local authority. A local authority's electoral arrangements decide:

- How many councillors are needed.
- How many wards or electoral divisions there should be, where their boundaries are and what they should be called.
- How many councillors should represent each ward or division.

4 When carrying out an electoral review the Commission has three main considerations:

- Improving electoral equality by equalising the number of electors that each councillor represents.
- Ensuring that the recommendations reflect community identity.
- Providing arrangements that support effective and convenient local government.

5 Our task is to strike the best balance between these three considerations when making our recommendations.

¹ Under the Local Democracy, Economic Development and Construction Act 2009.

6 More detail regarding the powers that we have, as well as the further guidance and information about electoral reviews and review process in general, can be found on our website at www.lgbce.org.uk

Why North Lincolnshire?

7 We are conducting a review of North Lincolnshire Council ('the Council') as its last review was carried out in 2001 and we are required to review the electoral arrangements of every council in England 'from time to time'.² In addition, the value of each vote in borough council elections varies depending on where you live in North Lincolnshire. Some councillors currently represent many more or fewer electors than others. This is 'electoral inequality'. Our aim is to create 'electoral equality', where votes are as equal as possible, ideally within 10% of being exactly equal.

8 This electoral review is being carried out to ensure that:

- The wards in North Lincolnshire are in the best possible places to help the Council carry out its responsibilities effectively.
- The number of electors represented by each councillor is approximately the same across the borough.

Our proposals for North Lincolnshire

9 North Lincolnshire should be represented by 43 councillors, the same number as there are now.

10 North Lincolnshire should have 17 wards, the same number as there are now.

11 The boundaries of all but five wards should change.

How will the recommendations affect you?

12 The recommendations will determine how many councillors will serve on the Council. They will also decide which ward you vote in, which other communities are in that ward, and, in some cases, which parish council ward you vote in. Your ward name may also change.

13 Our recommendations cannot affect the external boundaries of the borough or result in changes to postcodes. They do not take into account Parliamentary constituency boundaries. The recommendations will not have an effect on local taxes, house prices, or car and house insurance premiums and we are not able to consider any representations which are based on these issues.

² Local Democracy, Economic Development & Construction Act 2009 paragraph 56(1).

Have your say

14 We will consult on the draft recommendations for a 10-week period, from 5 October 2021 to 13 December 2021. We encourage everyone to use this opportunity to comment on these proposed wards as the more public views we hear, the more informed our decisions will be in making our final recommendations.

15 We ask everyone wishing to contribute ideas for the new wards to first read this report and look at the accompanying map before responding to us.

16 You have until 13 December 2021 to have your say on the draft recommendations. See page 29 for how to send us your response.

Review timetable

17 We wrote to the Council to ask its views on the appropriate number of councillors for North Lincolnshire. We then held a period of consultation with the public on warding patterns for the borough. The submissions received during consultation have informed our draft recommendations.

18 The review is being conducted as follows:

Stage starts	Description
16 March 2021	Number of councillors decided
18 May 2021	Start of consultation seeking views on new wards
26 July 2021	End of consultation; we began analysing submissions and forming draft recommendations
5 October 2021	Publication of draft recommendations; start of second consultation
13 December 2021	End of consultation; we begin analysing submissions and forming final recommendations
1 March 2022	Publication of final recommendations

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Analysis and draft recommendations

19 Legislation³ states that our recommendations should not be based only on how many electors⁴ there are now, but also on how many there are likely to be in the five years after the publication of our final recommendations. We must also try to recommend strong, clearly identifiable boundaries for our wards.

20 In reality, we are unlikely to be able to create wards with exactly the same number of electors in each; we have to be flexible. However, we try to keep the number of electors represented by each councillor as close to the average for the council as possible.

21 We work out the average number of electors per councillor for each individual local authority by dividing the electorate by the number of councillors, as shown on the table below.

	2021	2027
Electorate of North Lincolnshire	129,632	136,802
Number of councillors	43	43
Average number of electors per councillor	3,015	3,181

22 When the number of electors per councillor in a ward is within 10% of the average for the authority, we refer to the ward as having 'good electoral equality'. Sixteen of our proposed wards for North Lincolnshire will have good electoral equality by 2027, with one ward, Burringham & Gunness, having 11% more electors than the borough average.

Submissions received

23 See Appendix C for details of the submissions received. All submissions may be viewed on our website at www.lgbce.org.uk

Electorate figures

24 The Council submitted electorate forecasts for 2027, a period five years on from the scheduled publication of our final recommendations in 2022. These forecasts were broken down to polling borough level and predicted an increase in the electorate of around 6% by 2027.

25 We considered the information provided by the Council and were satisfied that the projected figures are the best available at the present time. In response to the

³ Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009.

⁴ Electors refers to the number of people registered to vote, not the whole adult population.

warding patterns consultation, the Labour Group referred to a number of areas that may be subject to future development. However, it is our understanding that these are areas referred to in the Local Plan, but not yet subject to approved planning applications. We are not persuaded that these developments should be included in the forecast figures. We received no significant comments to suggest that the forecasts were not accurate. We have therefore used these figures to produce our draft recommendations.

Number of councillors

26 North Lincolnshire Council currently has 43 councillors. The Council, the Labour Group on the Council ('Labour Group') and a local resident all expressed support for the retention of the existing council size. Having looked at the evidence provided, we have concluded that keeping this number the same will ensure the Council can carry out its roles and responsibilities effectively.

27 We therefore invited proposals for new patterns of wards that would be represented by 43 councillors.

28 We received a number of general comments about the number of councillors that should represent North Lincolnshire Council, but no significant new evidence was provided to persuade us to move away from a council size of 43. We have therefore used this number as the basis of the draft recommendations.

Ward boundaries consultation

29 We received 51 submissions in response to our consultation on ward boundaries. These included borough-wide proposals from the Council and the Labour Group. The remainder of the submissions provided localised comments for warding arrangements in particular areas of the borough.

30 The Council's scheme provided a mixed pattern of two- and three-councillor wards, with four wards having variances over 10% from the average by 2027. It stated that it did not wish to have single-councillor wards, but did not provide any significant reasoning. The Labour Group provided a mixed pattern of single-, two- and three-member wards with two wards over 10%. We note that there were a number of areas of agreement between the proposals.

31 A number of respondents proposed transferring areas of North Lincolnshire to neighbouring boroughs. However, we are unable to alter the external boundaries of the borough as part of this review. A number of respondents proposed changes to the external boundaries of parishes or the creation of parishes in areas that do not currently have them. Again, we are unable to create or abolish parishes, or make

changes to the external boundaries of parishes, as part of an electoral review. A number of respondents also put forward comments referring to the impact of borough wards on the formulation of Parliamentary boundaries. However, we cannot take account of the boundaries of Parliamentary constituencies as part of an electoral review. A local resident argued for a uniform pattern of single-councillor wards. However, we can only give consideration to such a pattern after a formal request from the Council. We have not received such a request as part of this review.

32 We note the comments from the Council about single-councillor wards, but it did not provide strong evidence against the inclusion of single-councillor wards. We have therefore considered all options as part of these draft recommendations, when seeking to balance the statutory criteria.

33 We have carefully considered the all the evidence received and are basing the draft recommendations on elements of both borough-wide proposals. Our draft recommendations also take into account local evidence that we received, which provided further evidence of community links and locally recognised boundaries. In some areas we considered that the proposals did not provide for the best balance between our statutory criteria and so we identified alternative boundaries.

34 As a result of the unprecedented circumstances related to the outbreak of COVID-19, we were unable to conduct a visit to the area to look at the various different proposals on the ground. However, we were able to conduct a detailed, virtual tour of North Lincolnshire. This helped us to decide between the different boundaries proposed.

Draft recommendations

35 Our draft recommendations are for 10 three-councillor wards, six two-councillor wards and one single-councillor ward. We consider that our draft recommendations will provide for good electoral equality while reflecting community identities and interests where we received such evidence during consultation.

36 The tables and maps on pages 9–26 detail our draft recommendations for each area of North Lincolnshire. They detail how the proposed warding arrangements reflect the three statutory⁵ criteria of:

- Equality of representation.
- Reflecting community interests and identities.
- Providing for effective and convenient local government.

⁵ Local Democracy, Economic Development and Construction Act 2009.

37 A summary of our proposed new wards is set out in the table starting on page 35 and on the large map accompanying this report.

38 We welcome all comments on these draft recommendations, particularly on the location of the ward boundaries, and the names of our proposed wards.

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North Scunthorpe and rural area



Ward name	Number of councillors	Variance 2027
Burringham & Gunness	1	11%
Burton upon Stather & Winterton	3	-2%
Crosby & Park	3	8%
Town	2	8%

Burringham & Gunness and Burton upon Stather & Winterton

39 In response to the warding patterns consultation, the Council and Labour Group put forward different proposals for this area. The Labour Group proposed to retain the existing single-councillor Burringham & Gunness ward, as well as the creation of a single-councillor Burton & Flixborough ward and a two-councillor Winterton ward. Its proposed Burringham & Gunness and Burton & Flixborough wards would have 11% more and 14% more electors than the borough average by 2027. Its Winterton ward would 8% more electors than the average by 2027. The Labour Group proposed to include Appleby and Roxby-cum-Risby parishes in its Winterton ward, arguing that these parishes have a greater affinity with Winterton than Broughton.

40 The Council proposed a two-councillor Burringham, Gunness & Skippingdale ward, transferring part of the existing Crosby & Park ward and the Skippingdale Estate area of Flixborough parish to its proposed ward. The Council argued that this arrangement would unite the Skippingdale Estate in a single ward, while reflecting the fact that electors look to Burringham and Gunness for services. However, the Council also stated that residents in the Skippingdale Estate do not have links to Flixborough and consider themselves part of Scunthorpe. It also stated that its proposed two-councillor ward reflected its preference for a warding pattern that did not include any single-councillor wards.

41 The Council also proposed a three-councillor Burton upon Stather & Winterton ward. Its proposals would include Appleby and Roxby-cum-Risby parishes in the ward. As with the Labour Group submission, the Council argued that residents in these parishes look to Winterton for services and amenities, rather than Broughton. A resident argued for the inclusion of Roxby in a ward with Winterton.

42 North Lincolnshire Conservatives ('the Conservatives') and Holly Mumby-Croft MP both expressed general support for the Council's proposals. Andrew Percy MP also supported the Council's proposals in this area, arguing that they would unite the Skippingdale Estate in a single ward, linking it to the Lodge Moor and Hilton Avenue areas in Burringham & Gunness ward. He also stated that the Skippingdale area considers itself part of Scunthorpe.

43 Burton upon Stather Parish Council argued that it should be retained in a three-councillor Burton upon Stather & Winterton ward, arguing that residents look to Winterton for amenities, with children from the area attending school there. Ashby Parkland, Burringham and Gunness parish councils expressed support for the retention of the existing single-councillor ward. Parish Councillor Martin argued that the Skippingdale Estate area of Flixborough parish has few links to Flixborough, suggesting it is removed to create a separate parish. A resident argued that the Lodge Moor area of Gunness parish should be included in a Scunthorpe ward. He also suggested that Flixborough parish could be transferred to the Burringham &

Gunness ward to offset the loss of Lodge Moor. A resident argued that High Stanton should remain in a ward with Appleby.

44 We have given careful consideration to the evidence received. We have been persuaded by the argument for uniting the Skippingdale Estate area of Flixborough parish with the rest of the estate, noting that the Council's proposals achieve this. However, we also note that in doing so, the proposals transfer a larger part of Scunthorpe to a ward with the more rural parishes of Ashby Parkland, Burringham and Gunness. These parishes expressed support for the existing ward. We note the Council's preference to avoid single-councillor wards, but we are not bound by this preference and we are able to consider any pattern of wards that provides for the strongest balance in our statutory criteria.

45 We consider that the Council's proposals do not reflect the community links of the urban part of Scunthorpe. Indeed, in our view its evidence appears somewhat contradictory, citing links for these areas to Burringham and Gunness while also stating that they are part of Scunthorpe. We also note that as a result of its proposals for this area, its proposals for Crosby & Park and Town & University wards would have poor electoral quality by 2027 (these are discussed in more detail in the Crosby & Park and Town section, below).

46 We note that the Labour Group's proposals retain the split of the Skippingdale Estate, which we believe should be avoided if possible. We have therefore explored the option of uniting the Skippingdale Estate area of Flixborough parish within the Crosby & Park ward. This has a knock-on effect for electoral equality in this area, but we believe this can be accommodated (it is discussed in more detail in the Crosby & Park and Town section, below).

47 We acknowledge that transferring the Skippingdale area does not address the issue of Lodge Moor and Hilton Avenue, which also share links with Scunthorpe. However, also including these areas within a Scunthorpe ward would worsen electoral equality in Burringham & Gunness ward to 29% fewer electors than the borough average by 2027. We do not consider this to be an acceptable level of electoral equality for this area. We are therefore retaining the existing Burringham & Gunness ward, while adopting a modified version of the Council's Burton upon Stather & Winterton ward. These wards would have 11% more and 2% fewer electors than the borough average by 2027.

48 Removing the Skippingdale area of Flixborough parish would significantly worsen electoral equality in the Labour Group's proposed single-councillor Burton & Flixborough ward to 21% fewer electors than the borough average by 2027. Again, we do not consider this to be an acceptable level of electoral equality for this area. However, removing the Skippingdale area from the Council's proposed three-councillor Burton upon Stather & Winterton ward would provide for good electoral

equality, with the ward forecast to have 2% fewer electors than the borough average by 2027. We also note that Burton upon Stather Parish Council's argument to be retained in a ward with Winterton is reflected in the Council's proposals. We are therefore adopting a modified version of the Council's three-councillor Burton upon Stather & Winterton ward as part of our draft recommendations.

Crosby & Park and Town

49 In response to the warding patterns consultation, the Council and Labour Group put forward different proposals for this area. The Labour Group proposed to retain the existing three-councillor Crosby & Park and two-councillor Town wards. It argued that the railway line to the south forms a clear and identifiable boundary for Town ward, separating north Scunthorpe from the south.

50 The Council proposed modifications to the existing Crosby & Park and Town wards. As discussed in the Burringham & Gunness and Burton upon Stather & Winterton section above (paragraph 40), the Council proposed to transfer an area of Crosby & Park ward to its Burringham, Gunness & Skippingdale ward, arguing that this puts the whole Skippingdale Estate in a single ward. However, as a result its proposed Crosby & Park ward would have 11% fewer electors than the borough average by 2027.

51 The Council proposed the inclusion of an area to the south of the railway line in its Town ward. It argued that this area, bounded by the A18 (Kingsway), contains the University Campus North Lincolnshire and should sit in a town centre ward that is the subject of regeneration. It added that residents in the area will access facilities in the town. It proposed calling this Town & University to recognise the importance of the university in the ward. Its proposed Town & University ward would have 13% fewer electors than the borough average by 2027.

52 As discussed in the Burringham & Gunness and Burton upon Stather & Winterton section above (paragraph 43), a resident argued that the Lodge Moor area of Gunness parish should be included in a Scunthorpe ward. Two local residents argued that the northern part of Scotter Road, to the north of the railway line, should not be in Town ward, but rather a ward to the south.

53 The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals.

54 We have given careful consideration to the evidence received. We note that the Council's proposals for this area have relatively poor levels of electoral equality, with two wards with variances over 10% from the average. In addition, as discussed in paragraphs 44–48), we have been persuaded that the Skippingdale Estate should be retained in a single ward. In light of the poor electoral equality and our concerns

about splitting the estate, we have not adopted the Council's proposals in this area as part of our draft recommendations.

55 We note that it is possible to unite the Skippingdale Estate in the Labour Group's proposed Crosby & Park ward, if a small area is transferred from its Crosby & Park ward to its Town ward. The amendment between these wards is necessary to retain electoral equality. In doing so, it is possible to create a three-councillor Crosby & Park and a two-councillor Town ward both with 8% more electors than the borough average by 2027.

56 As acknowledged in the Burringham & Gunness and Burton upon Stather & Winterton section above, this does not address the issue of the Lodge Moor and Hilton Avenue area, which we agree may look to Scunthorpe. However, removing this area from Burringham & Gunness ward would worsen electoral equality there to 29% fewer electors than the borough average, which we do not consider to be an acceptable level of electoral equality for this area.

57 We also acknowledge the Council's desire to place the university campus in a town ward. However, including this area within the proposed Town ward would worsen electoral equality there to 14% more electors than the borough average by 2027. If we were to adjust the boundary with Crosby & Park ward, this would create two wards with 10% more electors than the borough average. Given the alternative proposal for two wards with 8% variances in this area, we are not persuaded to adopt wards with 10% more electors.

58 We note the comments from local residents about the northern area of Scotter Road. However, the residents provided limited evidence to support this proposal. While we note that including this area in Brumby ward would improve electoral equality in Brumby and Town wards, we believe the railway line provides a clear boundary here.

59 We also considered the addition of another councillor to the Crosby & Park and Town area, which would bring the total for North Lincolnshire to 44. By doing so, we note that it would be possible to bring in the Skippingdale Estate, Lodge Moor and Hilton Avenue areas into a Scunthorpe ward. It would be possible to create a two-councillor Town ward, including the area with the university campus, while dividing the Crosby & Park area into two two-councillor wards, all with good levels of electoral equality.

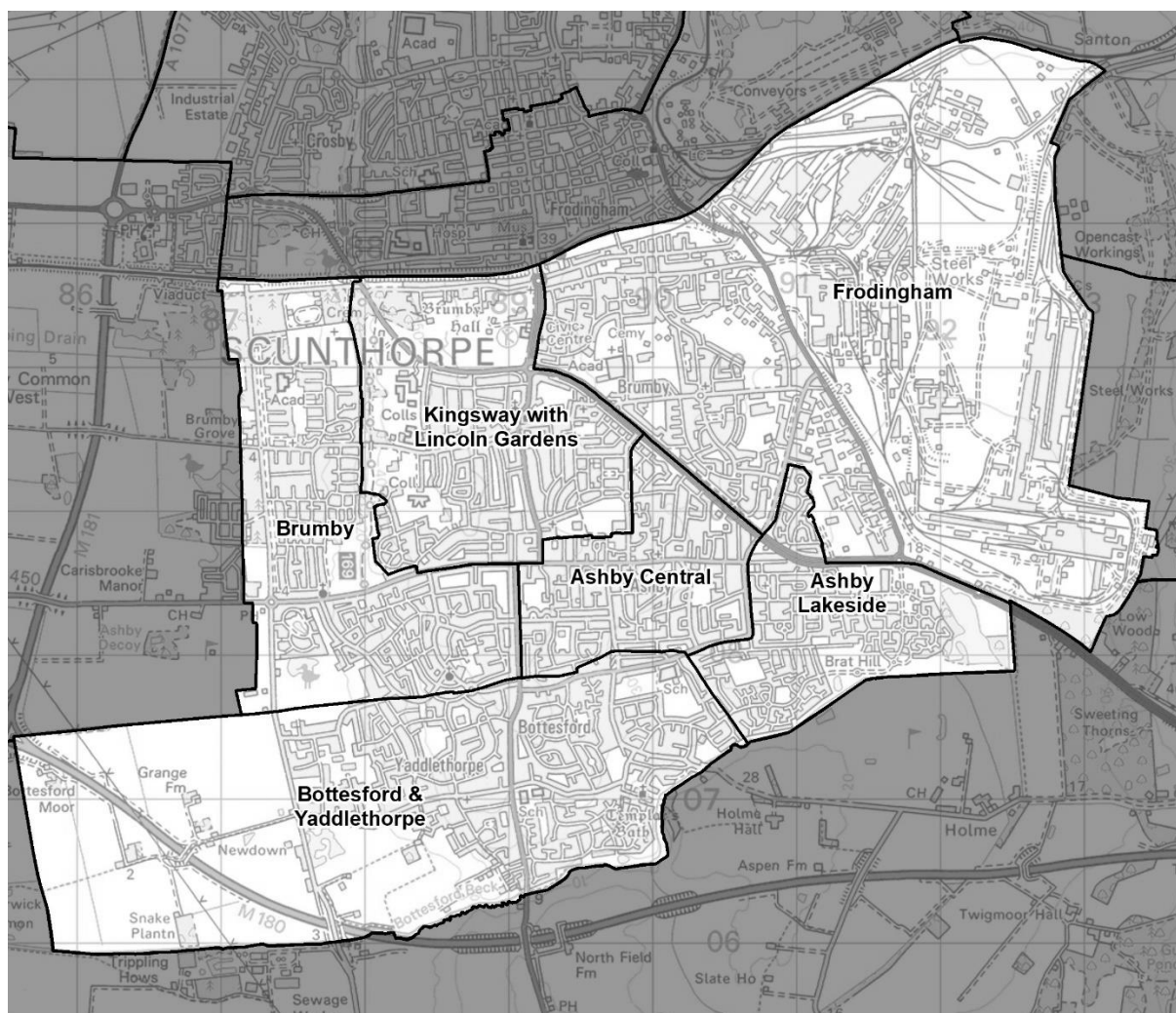
60 However, while this provides a good solution for the urban area, it does not avoid the knock-on effect to Burringham & Gunness. As stated above, if this area loses Lodge Moor and Hilton Avenue it would have 29% fewer electors (under a 44-councillor council) than the borough average by 2027 and we would not accept a ward with this poor level of electoral equality. However, the geography of the area,

with the River Trent to the west, makes it hard to identify ways to address this. It would be possible to combine the remainder of Burringham & Gunness ward with the Labour Group's proposal for a single-councillor Messingham ward, creating a two-councillor ward with 10% fewer electors. However, we note that this ward would have somewhat limited internal links, with the only connection in the ward running via East Butterwick. In addition, the ward would wrap around a large area of Scunthorpe.

61 Therefore, on balance, given the concerns about the impact on Burringham & Gunness and Messingham, and the required increase in council size to 44, we are not adopting this option. However, we would welcome local views on this alternative from local groups and stakeholders.

62 We are adopting the Labour Group proposal for this area, subject to the inclusion of the Skippingdale Estate area of Flixborough parish in a three-councillor Crosby & Park ward and an amendment to the boundary with the two-councillor Town ward. These wards would both have 8% more electors than the borough average by 2027.

South Scunthorpe



Ward name	Number of councillors	Variance 2027
Ashby Central	2	-3%
Ashby Lakeside	2	-7%
Bottesford & Yaddletorpe	3	-3%
Brumby	3	-7%
Frodingham	2	-4%
Kingsway with Lincoln Gardens	2	4%

Ashby Central, Ashby Lakeside, Brumby, Frodingham and Kingsway with Lincoln Gardens

63 In response to the warding patterns consultation, the Council and Labour Group put forward different proposals for this area. The Council proposed a minor modification to the existing three-councillor Ashby & Lakeside and two-councillor Frodingham wards, transferring the Grange Farm area to the north of the A18 (Queensway) from Ashby & Lakeside to Frodingham. The Council argued that the A18 is a dual carriageway and provides a natural boundary between the areas. Its

proposed Ashby Lakeside and Frodingham wards would have 1% more and 6% more electors than the borough average by 2027.

64 The Council proposed more significant changes in the rest of the area, arguing for a three-councillor Old Brumby & Kingsway ward and a two-councillor Scunthorpe West ward. It stated that its proposed Old Brumby & Kingsway ward would be connected by West Common Lane and preserve the Old Brumby area. As discussed in the Crosby & Park and Town section, above, the Council proposed including the area to the north of the A18 (Kingsway) in its Town ward, arguing it contains the University Campus North Lincolnshire and should sit in a town centre ward. It added residents there will access facilities in the town.

65 The Council also stated that its Scunthorpe West ward would combine the Manor Farm, Riddings and Westcliff estates, and that these are distinct communities that share many services and amenities. The Council's proposed Old Brumby & Kingsway ward would have 3% more electors than the borough average by 2027, while its proposed Scunthorpe West would have 13% more.

66 The Labour Group proposed the retention of the existing three-councillor Brumby ward, with a minor modification to the existing two-councillor Frodingham ward, which would not affect any electors. The Labour Group argued that its Brumby ward reflected the fact that Ridge Walk is a greenbelt area that separates the Brumby and Kingsway communities, with Messingham Road acting as a boundary between Brumby and Ashby in the east. It proposed to transfer an area of industrial estate from Frodingham ward to its Ashby Lakeside ward. While this proposal doesn't move electors, the Labour Group argued it creates a clearer boundary, running along the A1029. Its proposed Brumby and Frodingham wards would have 7% fewer and 4% fewer electors than the borough average by 2027, respectively.

67 The Labour Group proposed more significant changes in the rest of the area, modifying the boundary of the existing Kingsway with Lincoln Gardens ward where it meets Ashby ward. To secure electoral equality in its proposed three-councillor Kingsway with Lincoln Gardens ward, the Labour Group proposed to include an area to the north of Ashby High Street in its Ashby Central ward, noting that many of these roads run directly off the High Street. Having transferred part of the existing Kingsway with Lincoln Gardens ward, it also proposed to divide the existing Ashby ward to create a two-councillor Ashby Central ward and a two-councillor Ashby Lakeside ward, using Grange Lane South as a boundary between the two wards. Its Ashby Central, Ashby Lakeside and Kingsway with Lincoln Gardens wards would have 3% fewer, 7% fewer and 4% more electors than the borough average by 2027, respectively.

68 Councillor Foster requested limited, or no changes, to the existing Brumby ward. He did, however, suggest that the ward should be renamed as Scunthorpe

South, reflecting the fact that Brumby lies two miles away from the ward. The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals.

69 We have given careful consideration to the evidence received. We note that the Council's Scunthorpe West ward would have poor electoral equality, with 13% more electors than the borough average by 2027. We do not consider this to be an acceptable level of electoral equality in this urban area, noting that options with better levels of electoral equality have been provided. We also have some concerns about the Council's proposed Old Brumby & Kingsway ward, noting that while it is linked east to west by West Common Lane, the Ridge Walk greenbelt area appears to provide a natural break between the communities in its ward.

70 In addition, we note that while the Council's Old Brumby & Kingsway ward uses the existing boundary with Ashby & Lakeside ward, this boundary cuts off a number of roads. For example, Parkers Lane and the roads of Smithfield Road and Appleton Way have no direct access into the Council's proposed Old Brumby & Kingsway ward. Their only access is into Ashby & Lakeside ward. We note that the Labour Group proposal addresses this issue, as well as securing good electoral equality for its Brumby and Kingsway with Lincoln Gardens wards, which use clear boundaries.

71 We are of the view that the Labour Group's proposal to divide Ashby into two wards secures good electoral equality, while generally using good boundaries. We note that unlike the Council, it retains the Grange Farm Estate in its Ashby Lakeside ward, rather than transferring it to Frodingham ward. While we are of the view that this area would sit more comfortably in Frodingham ward since the A18 is a clear boundary, doing so would worsen electoral equality in the Labour Group's proposed Ashby Lakeside ward to 16% fewer electors than the borough average by 2027. We do not consider this to be an acceptable variance in this area. However, we note that the Grange Farm area does have access into the Labour Group's Ashby Lakeside ward via Grange Lane North and Grange Lane South.

72 On balance, we consider that the Labour Group proposals provide a stronger warding pattern for this area, using clearer boundaries and securing better electoral equality. We are therefore adopting them as part of the draft recommendations. However, while we acknowledge the Labour Group's proposal to use a clearer boundary between its proposed Frodingham and Ashby Lakeside wards around Grange Farm Estate, we consider that the existing boundary creates a more compact warding pattern. Finally, we note the comments from Councillor Foster about the Brumby ward name. While we acknowledge his concerns, we are not persuaded that Scunthorpe South is a sufficiently clear name, given the lack of other 'Scunthorpe' ward names with compass point references. We would welcome local views on an appropriate name for the area.

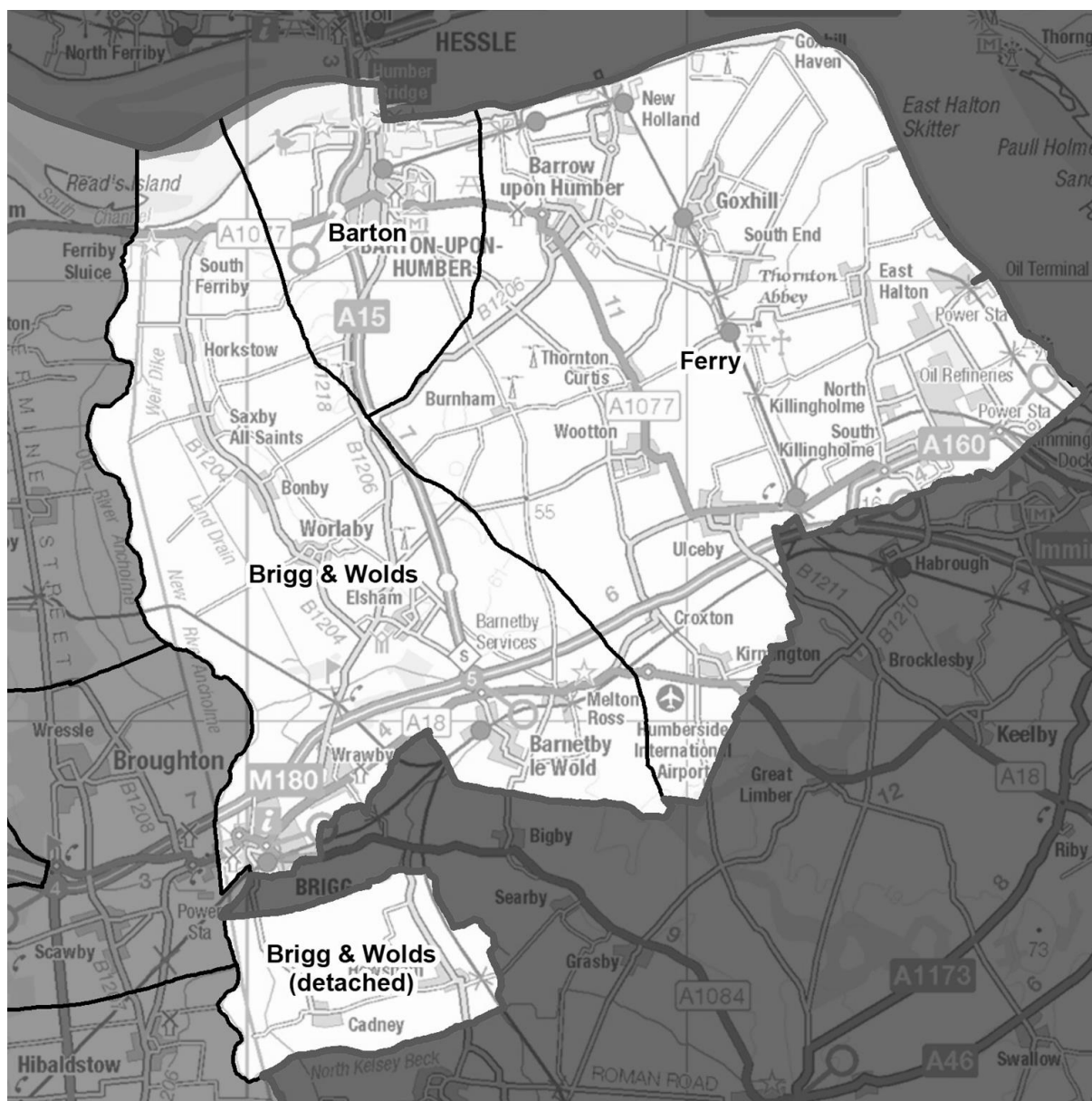
73 Our draft recommendations are for two-councillor Ashby Central, Ashby Lakeside, Frodingham and Kingsway with Lincoln Gardens wards and a three-member Brumby wards. These wards would have 3% fewer, 7% fewer, 4% fewer, 4% more and 7% fewer electors than the borough average by 2027, respectively.

Bottesford & Yaddlethorpe

74 In response to the warding patterns consultation, the Council and Labour Group both proposed to retain the existing three-councillor Bottesford ward, although the Council argued that it should be renamed Bottesford & Yaddlethorpe. The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals. Bottesford Town Council expressed support for the existing three-councillor Bottesford ward. The existing ward comprises Bottesford parish and is forecast to have good electoral equality, with 3% fewer electors than the borough average by 2027.

75 We have given careful consideration to the evidence received, noting the agreement over the retention of the existing ward. Given the agreement over the boundaries, we are retaining the existing ward. We note that the Council proposes including Yaddlethorpe in the name to reflect the fact that this is prominent community, making up a sizeable proportion of the ward. We have been persuaded by this argument and have named this ward Bottesford & Yaddlethorpe as part of our draft recommendations. We would welcome local views on this name. Our three-councillor Bottesford & Yaddlethorpe ward would have 3% fewer electors than the borough average by 2027.

East North Lincolnshire



Ward name	Number of councillors	Variance 2027
Barton	3	3%
Brigg & Wolds	3	8%
Ferry	3	-3%

Barton and Ferry

76 In response to the warding patterns consultation, the Council and Labour Group both proposed to retain the existing three-councillor Barton and Ferry wards. Both submissions argued that the existing wards would have good electoral equality and meet the other statutory criteria. The Labour Group stated that Barton is a town in its own right and that the ward is based on the town council boundary. The Conservatives and Holly Mumby-Croft MP both expressed general support for the

Council's proposals. A local resident put forward persuasive evidence for the retention of the existing Barton ward, although he also suggested South Ferriby parish could be linked to Barton as it is its nearest town, rather than Brigg.

77 We have given careful consideration to the evidence received, noting the support for retaining the existing wards. We are of the view that both existing wards secure good electoral equality and are based on whole parishes. We note the comment from a resident about linking South Ferriby parish with the Barton ward. However, while we acknowledge that it does have good road links into Barton, the submission did not mention any specific community links. We also note that South Ferriby has good links into the Brigg & Wolds ward via the B1204, and a warding arrangement that includes South Ferriby in Barton ward would worsen electoral equality in Barton ward to 9% more electors than the borough average by 2027. Given the good links into Brigg & Wolds and limited community identity evidence received for this proposal, we have not adopted it as part of our draft recommendations.

78 We are therefore retaining the existing Barton and Ferry wards as part of our draft recommendations. These three-councillor wards would have 3% more and 3% fewer electors than the borough average by 2027.

Brigg & Wolds

79 In response to the warding patterns consultation, the Labour Group proposed to retain the existing Brigg & Wolds ward, arguing that Brigg is one of the major market towns in the area and that the ward includes the 'accompanying' villages.

80 The Council proposed to add Cadney parish to the existing Brigg & Wolds ward, arguing that it has little in common with Ridge ward and uses school, shop and doctor facilities in Brigg. The Council acknowledged that Cadney would be detached from its Brigg & Wolds ward but argued that this was a reflection of the 'unique' borough boundary in the area. The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals.

81 We received a number of comments from residents in this area. One argued for the inclusion of Cadney parish in Brigg & Wolds ward.

82 A number of residents argued that the Brigg parish boundary should be amended to reflect the town's growing size. One specifically argued that the Waters Edge area of Broughton should be in Brigg & Wolds ward.

83 Others proposed that anomalies with the borough boundary should be addressed. However, we are unable to alter the external boundaries of the borough or parishes as part of this review. A number of respondents proposed amendments to ward boundaries to reflect access between areas or create stronger boundaries.

However, these amendments would require the creation of parish wards with too few electors, or none, to be viable. They would also further worsen electoral equality in Brigg & Wolds ward. We have therefore not adopted these amendments as part of our draft recommendations.

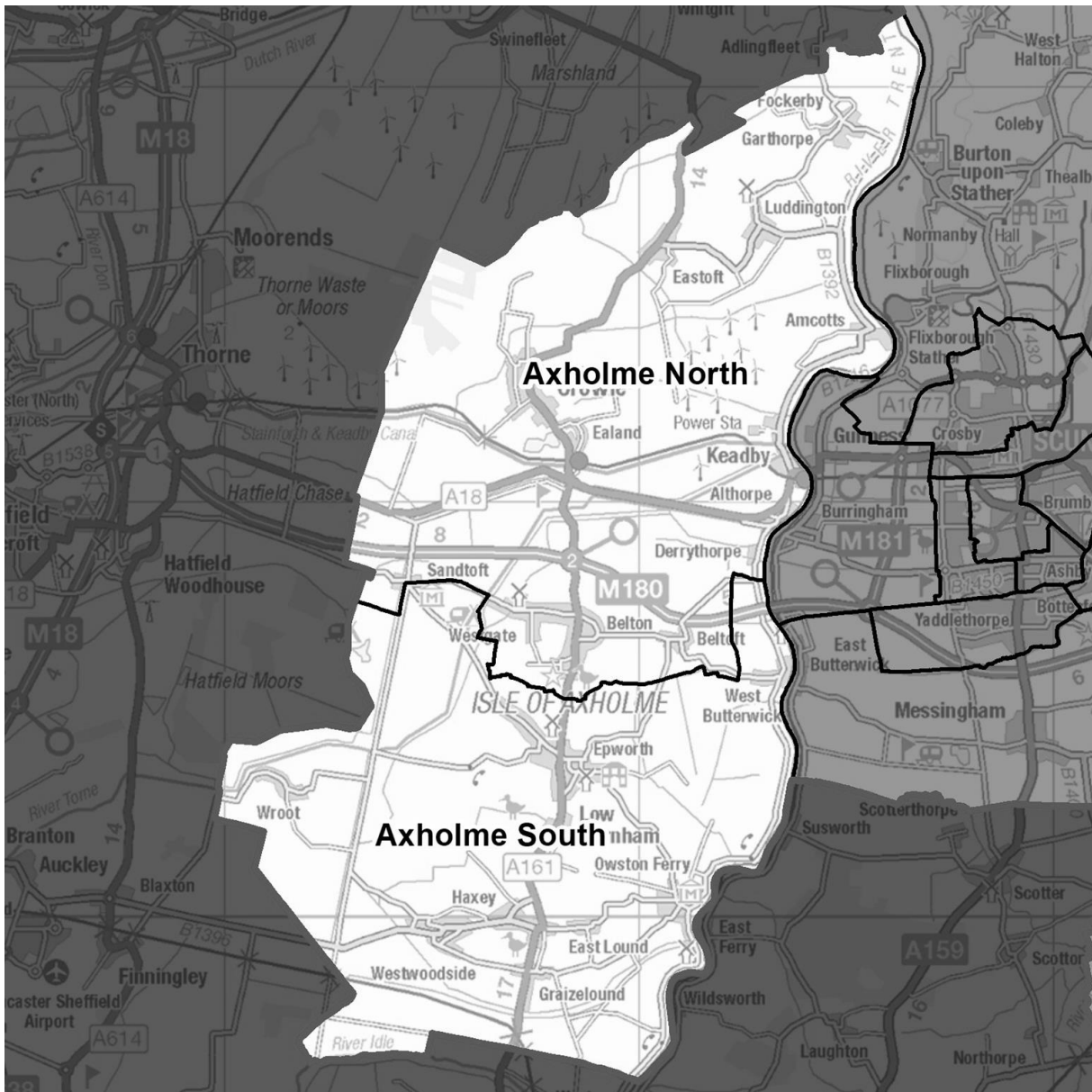
84 One resident argued that Scawby should be in a ward with Brigg but did not provide good evidence to support this. This would worsen electoral equality in Brigg & Wolds ward to over 20% more electors than the borough average by 2027. It would also have a significant knock-on effect to the proposals in the wider area. We have therefore not adopted this proposal as part of our draft recommendations.

85 We have given careful consideration to the evidence received. We acknowledge the argument for retaining the existing ward. However, we also note the argument for including Cadney parish in Brigg & Wolds. We consider that that this parish has a unique position, with no direct access into any area of the borough, including the Ridge ward that it currently lies in. We note that the parish's only access to Ridge ward runs out of the borough and via Brigg town. Therefore, although the Council's proposals create a detached ward, we believe that this area has a unique geography and meets our criteria that detached wards are only created to 'recognise particularly unusual circumstances'.⁶ We are therefore adopting the Council's proposals for Brigg & Wolds ward as part of our draft recommendations. This three-councillor ward would have 8% more electors than the borough average by 2027.

86 Finally, we note the argument for including the Waters Edge area of Broughton parish in Brigg & Wolds ward. However, this would worsen electoral equality in Brigg & Wolds to 13% more electors than the borough average by 2027. We do not consider there to be sufficient evidence to justify this relatively poor level of electoral equality.

⁶ LGBCE Electoral Review Technical Guidance, paragraph 4.56.

West North Lincolnshire



Ward name	Number of councillors	Variance 2027
Axholme North	3	-3%
Axholme South	3	1%

Axholme North and Axholme South

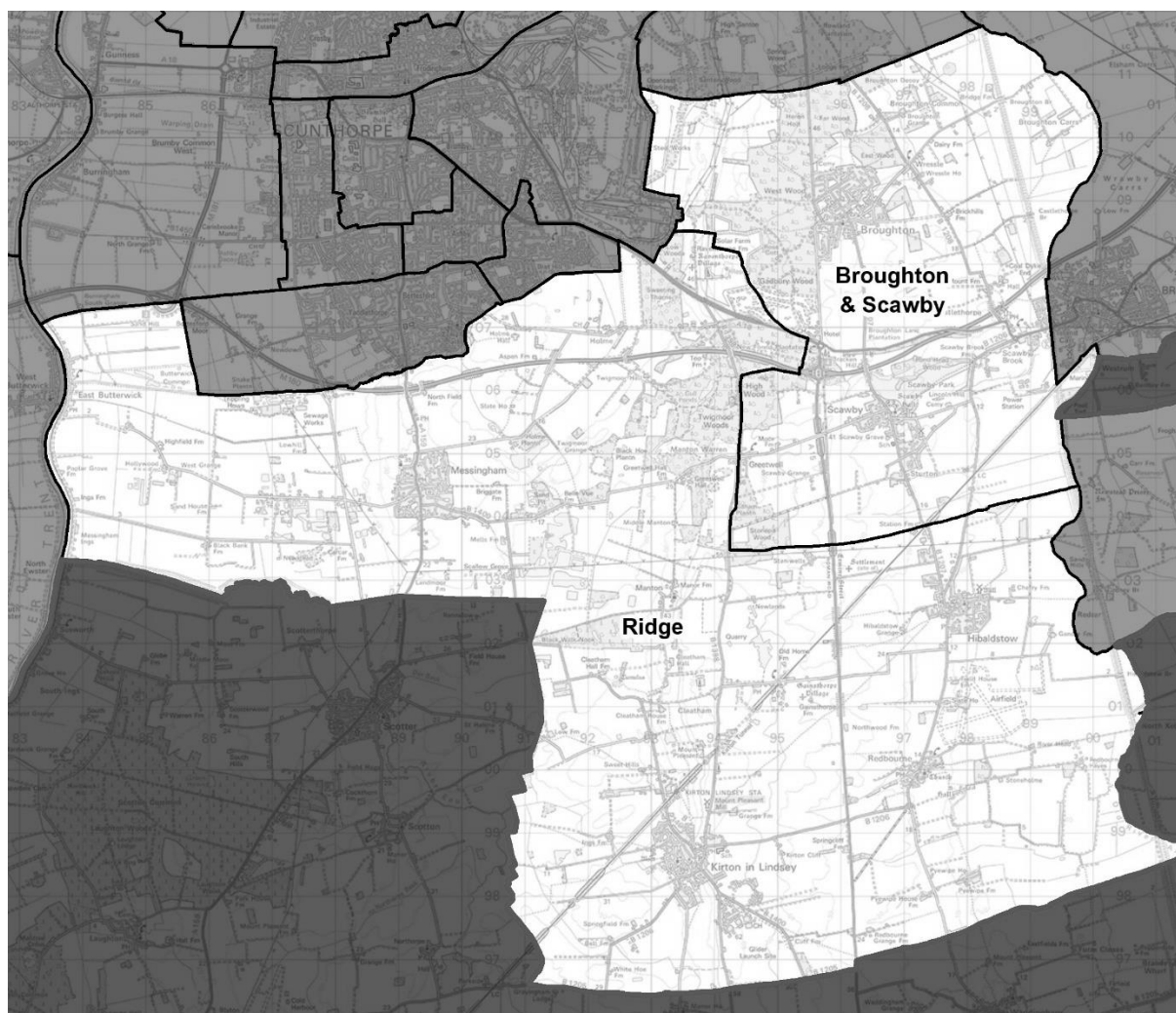
87 In response to the warding patterns consultation, the Labour Group proposed the retention of the existing two-councillor Axholme Central, Axholme North and Axholme South wards, noting that they would secure good electoral equality, with 3% fewer, 6% more and 5% fewer electors than the borough average by 2027, respectively. The Labour Group suggested that the towns in Axholme Central and Axholme North tend to look to Scunthorpe, while those in Axholme South look out of the borough to Doncaster.

88 The Council proposed to modify the existing wards to create two three-councillor wards of Axholme North and Axholme South. These wards would have 3% fewer and 1% more electors than the borough average by 2027, respectively. The Council argued that its proposal improved electoral equality. Andrew Percy MP expressed support for the Council's proposals, with particular focus on their impact on Parliamentary boundaries. However, as discussed in paragraphs 13 and 31, we cannot take account of the impact on Parliamentary constituencies.

89 The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals. Councillor Knowles argued that the existing ward functions well and should therefore not be changed. A local resident argued that the existing Axholme North ward should not be changed.

90 We have given careful consideration to the evidence received, noting the support for retaining the existing wards. However, in our view the evidence was not persuasive and we note that the Council's proposals provide better electoral equality. Therefore, on balance, we have been persuaded to propose two three-councillor wards of Axholme North and Axholme South as part of our draft recommendations.

South North Lincolnshire



Ward name	Number of councillors	Variance 2027
Broughton & Scawby	2	1%
Ridge	3	-6%

Broughton & Scawby

91 In response to the warding patterns consultation, the Council and Labour Group proposed an identical two-councillor Broughton & Scawby ward. This ward would have 1% more electors than the borough average by 2027. The Council argued that this proposal would unite the area of Scawby Brook already in Broughton parish with the rest of Scawby. It argued that the area also shares infrastructure concerns around the Broughton/Scawby crossroads. Scawby Parish Council requested that Scawby Brook remains in the ward.

92 Andrew Percy MP expressed support for a Broughton & Scawby ward, arguing that areas in Roxby-cum-Risby parish look to Winterton. The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals.

93 One resident argued that the Waters Edge area of Broughton parish should be in Brigg & Wolds ward. Another resident argued that Scawby should be in a ward with Brigg, but did not provide compelling evidence to support this. Two residents requested no change to the existing Broughton & Appleby ward.

94 We have given careful consideration to the evidence received. We note the support for the existing Broughton & Appleby ward, but this would have 16% fewer electors than the borough average by 2027. This is a relatively poor level of electoral equality and we note that there are proposals that seek to address this. We note the argument for a two-councillor ward comprising Broughton and Scawby parishes and the suggestion that the Waters Edge area of Broughton should be transferred to Brigg & Wolds. However, as stated in the Brigg & Wolds section (paragraphs 86), we have rejected this latter proposal because it would worsen electoral equality to 13% more electors than the borough average by 2027. Equally, the proposal to transfer the whole of Scawby parish to Brigg & Wolds ward would worsen electoral equality there to over 20% more electors than the borough average by 2027. We have therefore not adopted this proposal as part of our draft recommendations.

95 We are adopting the proposal for a two-councillor Broughton & Scawby ward as part of our draft recommendations. This would have 1% more electors than the borough average by 2027.

Ridge

96 The Council proposed modifications to the existing three-councillor Ridge ward. It proposed to transfer Scawby and Cadney parishes to its Broughton & Scawby and Brigg & Wolds wards, respectively. The Council made these modifications to improve the poor level of electoral equality in the existing Ridge ward, also arguing that these parishes have links into their proposed wards. The Council's proposed Ridge ward would have 6% fewer electors than the borough average by 2027. The Conservatives and Holly Mumby-Croft MP both expressed general support for the Council's proposals.

97 The Labour Group proposed a single-councillor Messingham ward comprising Messingham and East Butterwick parishes. It argued that Messingham has more 'affinity' with Scunthorpe, while the parishes to the east have more connection with Brigg or out of the borough. The Labour Group's proposed Messingham ward would have 5% more electors than the borough average by 2027. A local resident argued that Messingham should be removed from Ridge ward as it dominates the ward. The Labour Group proposed a two-councillor Hibaldstow & Kirton ward comprising Cadney, Hibaldstow, Kirton in Lindsey, Manton and Redbourne parishes. Its Hibaldstow & Kirton ward would have 5% more electors than the borough average by 2027.

98 A local resident stated that Ridge ward should have three councillors. Another resident expressed general support for the existing Ridge ward, stating it should not be increased in size. Finally, another resident argue that Ridge ward should be split into two wards.

99 We have given careful consideration to the evidence received. We note the Council's proposals for Ridge and that they accommodate the transfer of Cadney parish to Brigg & Wolds ward. As stated in the Brigg & Wolds section above (paragraphs 79–86), we support this, agreeing that it reflects the access of this area to Brigg.

100 We note that removing Cadney parish from the Labour Group's Hibaldstow & Kirton ward would worsen electoral equality there from 6% fewer than the borough average by 2027 to 11% fewer. We note the concerns that Messingham parish dominates the Ridge ward and that the Labour Group addresses this concern as part of their warding proposal. However, given the worsening of electoral equality that results from removing Cadney parish from its Hibaldstow & Kirton ward, we have not been persuaded to adopt this suggestion, given that we have received a proposal for a three-councillor ward that secures better electoral equality. This worsening of electoral equality would also apply to the proposal from a resident for two alternate wards for this area.

101 We are therefore adopting the Council's proposal as part of our draft recommendations in this area.

Conclusions

102 The table below provides a summary as to the impact of our draft recommendations on electoral equality in North Lincolnshire, referencing the 2021 and 2027 electorate figures against the proposed number of councillors and wards. A full list of wards, names and their corresponding electoral variances can be found at Appendix A to the back of this report. An outline map of the wards is provided at Appendix B.

Summary of electoral arrangements

	Draft recommendations	
	2021	2027
Number of councillors	43	43
Number of electoral wards	17	17
Average number of electors per councillor	3,015	3,181
Number of wards with a variance more than 10% from the average	1	1
Number of wards with a variance more than 20% from the average	0	0

Draft recommendations

North Lincolnshire Council should be made up of 43 councillors serving 17 wards representing one single-councillor ward, six two-councillor wards and 10 three-councillor wards. The details and names are shown in Appendix A and illustrated on the large maps accompanying this report.

Mapping

Sheet 1, Map 1 shows the proposed wards for North Lincolnshire Council. You can also view our draft recommendations for North Lincolnshire Council on our interactive maps at www.consultation.lgbce.org.uk

Parish electoral arrangements

103 As part of an electoral review, we are required to have regard to the statutory criteria set out in Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The Schedule provides that if a parish is to be divided between different wards it must also be divided into parish wards, so that each parish ward lies wholly within a single ward. We cannot recommend changes to the external boundaries of parishes as part of an electoral review.

104 Under the 2009 Act we only have the power to make changes to parish electoral arrangements where these are as a direct consequence of our recommendations for principal authority warding arrangements. However, North Lincolnshire Council has powers under the Local Government and Public Involvement in Health Act 2007 to conduct community governance reviews to effect changes to parish electoral arrangements.

105 As a result of our proposed ward boundaries and having regard to the statutory criteria set out in schedule 2 to the 2009 Act, we are providing revised parish electoral arrangements for Flixborough Parish Council.

106 We are providing revised parish electoral arrangements for Flixborough Parish Council parish.

Draft recommendations

Flixborough Parish Council should comprise nine councillors, as at present, representing two wards:

Parish ward	Number of parish councillors
Flixborough	2
Skippingdale	7

Have your say

107 The Commission has an open mind about its draft recommendations. Every representation we receive will be considered, regardless of who it is from or whether it relates to the whole borough or just a part of it.

108 If you agree with our recommendations, please let us know. If you don't think our recommendations are right for North Lincolnshire, we want to hear alternative proposals for a different pattern of wards.

109 Our website has a special consultation area where you can explore the maps. You can find it at www.consultation.lgbce.org.uk

110 Submissions can also be made by emailing reviews@lgbce.org.uk or by writing to:

Review Officer (North Lincolnshire)
LGBCE
PO Box 133
Blyth
NE24 9FE

111 The Commission aims to propose a pattern of wards for North Lincolnshire Council which delivers:

- Electoral equality: each local councillor represents a similar number of electors.
- Community identity: reflects the identity and interests of local communities.
- Effective and convenient local government: helping your council discharge its responsibilities effectively.

112 A good pattern of wards should:

- Provide good electoral equality, with each councillor representing, as closely as possible, the same number of electors.
- Reflect community interests and identities and include evidence of community links.
- Be based on strong, easily identifiable boundaries.
- Help the council deliver effective and convenient local government.

113 Electoral equality:

- Does your proposal mean that councillors would represent roughly the same number of electors as elsewhere in North Lincolnshire?

114 Community identity:

- Community groups: is there a parish council, residents' association or other group that represents the area?
- Interests: what issues bind the community together or separate it from other parts of your area?
- Identifiable boundaries: are there natural or constructed features which make strong boundaries for your proposals?

115 Effective local government:

- Are any of the proposed wards too large or small to be represented effectively?
- Are the proposed names of the wards appropriate?
- Are there good links across your proposed wards? Is there any form of public transport?

116 Please note that the consultation stages of an electoral review are public consultations. In the interests of openness and transparency, we make available for public inspection full copies of all representations the Commission takes into account as part of a review. Accordingly, copies of all representations will be placed on deposit at our offices and on our website at www.lgbce.org.uk A list of respondents will be available from us on request after the end of the consultation period.

117 If you are a member of the public and not writing on behalf of a council or organisation we will remove any personal identifiers. This includes your name, postal or email addresses, signatures or phone numbers from your submission before it is made public. We will remove signatures from all letters, no matter who they are from.

118 In the light of representations received, we will review our draft recommendations and consider whether they should be altered. As indicated earlier, it is therefore important that all interested parties let us have their views and evidence, **whether or not** they agree with the draft recommendations. We will then publish our final recommendations.

119 After the publication of our final recommendations, the changes we have proposed must be approved by Parliament. An Order – the legal document which brings into force our recommendations – will be laid in draft in Parliament. The draft

Order will provide for new electoral arrangements to be implemented at the all-out elections for North Lincolnshire Council in 2023.

Unproofed Draft

Unproofed Draft

Equalities

120 The Commission has looked at how it carries out reviews under the guidelines set out in Section 149 of the Equality Act 2010. It has made best endeavours to ensure that people with protected characteristics can participate in the review process and is sufficiently satisfied that no adverse equality impacts will arise as a result of the outcome of the review.

Unproofed Draft

Unproofed Draft

Appendices

Appendix A

Draft recommendations for North Lincolnshire Council

	Ward name	Number of councillors	Electorate (2021)	Number of electors per councillor	Variance from average %	Electorate (2027)	Number of electors per councillor	Variance from average %
1	Ashby Central	2	5,998	2,999	-1%	6,180	3,090	-3%
2	Ashby Lakeside	2	5,518	2,759	-8%	5,934	2,967	-7%
3	Axholme North	3	9,021	3,007	0%	9,304	3,101	-3%
4	Axholme South	3	9,393	3,131	4%	9,607	3,202	1%
5	Barton	3	9,311	3,104	3%	9,817	3,272	3%
6	Bottesford & Yaddletorpe	3	8,913	2,971	-1%	9,225	3,075	-3%
7	Brigg & Wolds	3	9,508	3,169	5%	10,316	3,439	8%
8	Broughton & Scawby	2	6,176	3,088	2%	6,406	3,203	1%
9	Brumby	3	8,393	2,798	-7%	8,916	2,972	-7%
10	Burringham & Gunness	1	3,015	3,015	0%	3,545	3,545	11%
11	Burton upon Stather & Winterton	3	8,652	2,884	-4%	9,355	3,118	-2%

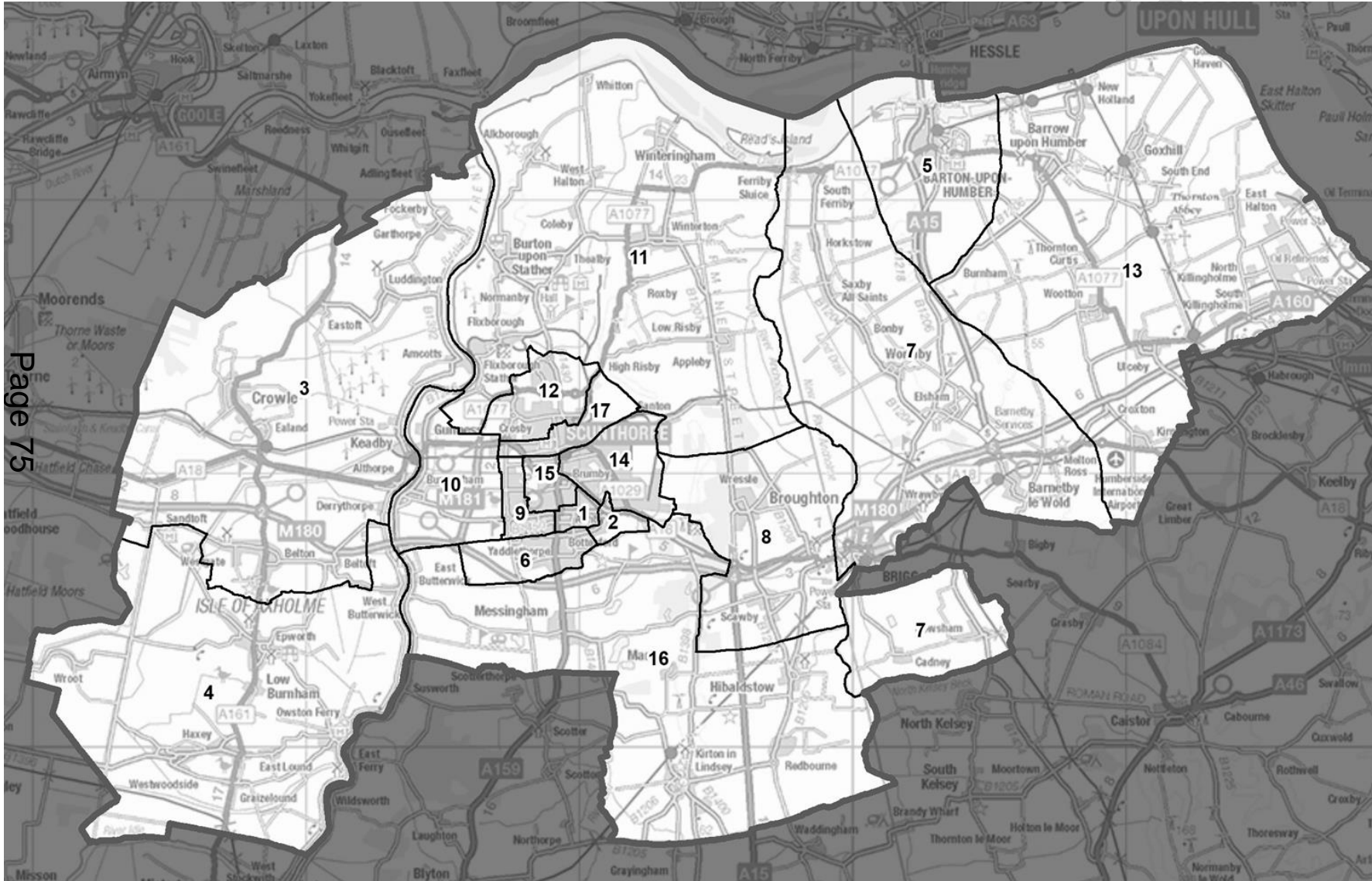
Ward name	Number of councillors	Electorate (2021)	Number of electors per councillor	Variance from average %	Electorate (2027)	Number of electors per councillor	Variance from average %
12 Crosby & Park	3	9,713	3,238	7%	10,347	3,449	8%
13 Ferry	3	9,018	3,006	0%	9,276	3,092	-3%
14 Frodingham	2	5,782	2,891	-4%	6,123	3,062	-4%
15 Kingsway with Lincoln Gardens	2	6,405	3,203	6%	6,617	3,309	4%
16 Ridge	3	8,151	2,717	-10%	8,962	2,987	-6%
17 Town	2	6,665	3,333	11%	6,872	3,436	8%
Totals	43	129,632	-	-	136,802	-	-
Averages	-	-	3,015	-	-	3,181	-

Source: Electorate figures are based on information provided by North Lincolnshire.

Note: The 'variance from average' column shows by how far, in percentage terms, the number of electors per councillor in each electoral ward varies from the average for the borough. The minus symbol (-) denotes a lower than average number of electors. Figures have been rounded to the nearest whole number.

Appendix B

Outline map



Page 75

Appendix B

Outline map

Number	Ward name
1	Ashby Central
2	Ashby Lakeside
3	Axholme North
4	Axholme South
5	Barton
6	Bottesford & Yaddlethorpe
7	Brigg & Wolds
8	Broughton & Scawby
9	Brumby
10	Burringham & Gunness
11	Burton upon Stather & Winterton
12	Crosby & Park
13	Ferry
14	Frodingham
15	Kingsway with Lincoln Gardens
16	Ridge
17	Town

A more detailed version of this map can be seen on the large map accompanying this report, or on our website: www.lgbce.org.uk/all-reviews/yorkshire-and-the-humber/north-lincolnshire/north-lincolnshire

Appendix C

Submissions received

All submissions received can also be viewed on our website at:

www.lgbce.org.uk/all-reviews/yorkshire-and-the-humber/north-lincolnshire/north-lincolnshire

Local Authority

- North Lincolnshire Council

Political Groups

- North Lincolnshire Conservatives
- North Lincolnshire Council Labour Group

Councillors

- Councillor L. Foster (North Lincolnshire Council)
- Councillor D. Knowles (Haxey Parish Council)
- Councillor S. Martin (Flixborough Parish Council)

Members of Parliament

- Andrew Percy MP (Brigg & Goole)
- Holly Mumby-Croft MP (Scunthorpe)

Parish and Town Councils

- Ashby Parkland Parish Council
- Bottesford Town Council
- Burringham Parish Council
- Burton upon Stather Parish Council
- Gunness Parish Council
- Scawby Parish Council

Local Residents

- 37 local residents

Appendix D

Glossary and abbreviations

Council size	The number of councillors elected to serve on a council
Electoral Change Order (or Order)	A legal document which implements changes to the electoral arrangements of a local authority
Division	A specific area of a county, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever division they are registered for the candidate or candidates they wish to represent them on the county council
Electoral fairness	When one elector's vote is worth the same as another's
Electoral inequality	Where there is a difference between the number of electors represented by a councillor and the average for the local authority
Electorate	People in the authority who are registered to vote in elections. For the purposes of this report, we refer specifically to the electorate for local government elections
Number of electors per councillor	The total number of electors in a local authority divided by the number of councillors
Over-represented	Where there are fewer electors per councillor in a ward or division than the average
Parish	A specific and defined area of land within a single local authority enclosed within a parish boundary. There are over 10,000 parishes in England, which provide the first tier of representation to their local residents

Parish council	A body elected by electors in the parish which serves and represents the area defined by the parish boundaries. See also 'Town council'
Parish (or town) council electoral arrangements	The total number of councillors on any one parish or town council; the number, names and boundaries of parish wards; and the number of councillors for each ward
Parish ward	A particular area of a parish, defined for electoral, administrative and representational purposes. Eligible electors vote in whichever parish ward they live for candidate or candidates they wish to represent them on the parish council
Town council	A parish council which has been given ceremonial 'town' status. More information on achieving such status can be found at www.nalc.gov.uk
Under-represented	Where there are more electors per councillor in a ward or division than the average
Variance (or electoral variance)	How far the number of electors per councillor in a ward or division varies in percentage terms from the average
Ward	A specific area of a district or borough, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever ward they are registered for the candidate or candidates they wish to represent them on the district or borough council

The
Local Government
Boundary Commission
for England

The Local Government Boundary Commission for England (LGBCE) was set up by Parliament, independent of Government and political parties. It is directly accountable to Parliament through a committee chaired by the Speaker of the House of Commons. It is responsible for conducting boundary, electoral and structural reviews of local government.

Local Government Boundary Commission for
England
1st Floor, Windsor House
50 Victoria Street, London
SW1H 0TL

Telephone: 0330 500 1525

Email: reviews@lgbce.org.uk

Online: www.lgbce.org.uk

www.consultation.lgbce.org.uk

Twitter: @LGBCE

Electoral Review Working Group's Recommendations to Council on further submissions to the LGBCE in response to the LGBCEs draft recommendations on new electoral arrangements.

a) Number of Councillors

Number of Councillors		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
North Lincolnshire Council is currently serviced by 43 councillors	-	To propose new patterns of wards that would be represented by 43 councillors.	-	Agree to the council size remaining at 43 councillors

b) Ward Boundaries

North Scunthorpe and Rural Area

Current Ward		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
Burringham and Gunness	-	That there be no proposed change to the ward boundary	-	Agree with the draft recommendation.
Burton upon Stather and Winterton	-	Unite the Skippingdale Estate area of Flixborough parish within the Crosby and Park Ward	-	Agree with the draft recommendation
Crosby and Park	-	Unite the Skippingdale Estate area of Flixborough parish within the Crosby and Park Ward	-	Agree with the proposal to unite Skippingdale Estate within the Crosby and Park Ward. However, members believe that due to its size and its distinct identity, the Skippingdale Estate should be reflected in the name of the ward. The new ward name should be Crosby, Park and Skippingdale.
		Transfer a small area of the Crosby and Park ward into Town ward to retain electoral equality.	-	Agree with the draft recommendation
Town		Transfer a small area of the Crosby and Park ward into Town ward to retain electoral equality.	-	Agree with the draft recommendation

South Scunthorpe

North Scunthorpe and Rural Area

Current Ward		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
Ashby	-	Create a new Ashby Central ward	-	Agree with the draft recommendation
Ashby	-	Create a new Ashby Lakeside ward	-	The working group agrees with establishing the new ward, however, recommends that the polling district ASH4 is removed from the Ashby Lakeside ward'
Bottesford	-	Change name of the ward to Bottesford and Yaddlethorpe	-	Agree with the draft recommendation
Brumby	-	That there be no proposed change to the ward boundary	-	Agree with the draft recommendation
Frodingham	-	That there be no significant change to the ward boundary	-	As per above commentary - the working group recommends that the polling district ASH4 is included within the Frodingham ward
Kingsway with Lincoln Gardens	-	That there be a modification to the ward boundary	-	Agree with the draft recommendation

East North Lincolnshire

Current Ward		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
Barton	-	That there be no proposed change to the ward boundary	-	Agree with the draft recommendation.
Brigg and Wolds	-	That there be no proposed change to the ward boundary, except for the inclusion of Cadney parish into the Brigg and Wolds ward.	-	Agree with the draft recommendation.
Ferry		That there be no proposed change to the ward boundary	-	Agree with the draft recommendation.

West North Lincolnshire

Ward		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
Axholme Central	-	That the ward be deleted, and part of the area included in the new Axholme North ward	-	Agree with the draft recommendation
Axholme North	-	That there be a modification to the ward boundary to include part of the former Axholme Central ward.	-	Agree with the draft recommendation.

Axholme South	-	That there be a modification to the ward boundary to include part of the former Axholme Central ward.	-	Agree with the draft recommendation
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South North Lincolnshire

Ward		Local Government Boundary Commission for England draft recommendation		Recommendation of the Periodic Electoral Review Elected Member Working Group
Broughton and Appleby	-	That the ward name and boundary be amended to create a new Broughton and Scawby ward	-	Agree with the draft recommendation
Ridge	-	That the ward boundary be amended to reflect Cadney and Scawby joining Brigg and Wolds and Broughton and Scawby wards respectively.	-	Agree with the draft recommendation.

LGBCE Review timetable for North Lincolnshire

Stage	Action	Duration
Preliminary Period	Informal dialogue with local authority. Focus on gathering preliminary information including electorate forecasts and other electoral data. Commissioner-level involvement in briefing group leaders on the issue of council size. Meetings also held with officers, group leaders, full council and, where applicable, parish and town councils. At the end of this process, the council under review and its political groups should submit their council size proposals for the Commission to consider.	October 2020 to 25 February 2021
Council size decision	Commission analyses submissions from local authority and/or political groups on council size and takes a 'minded to' decision on council size.	16 March 2021
Formal start of review		
Consultation on future warding/division arrangements	The Commission publishes its initial conclusions on council size. General invitation to submit warding/division proposals based on Commission's conclusions on council size.	18 May 2021 to 26 July 2021
Development of draft recommendations	Analysis of all representations received. The Commission reaches conclusions on its draft recommendations.	21 September 2021
Consultation on draft recommendations	Publication of draft recommendations and public consultation on them.	5 October 2021 to 13/14 December 2021
Further Consultation (if required)	Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes.	Up to 5 weeks
Development of final recommendations	Analysis of all representations received. The Commission reaches conclusions on its final recommendations and publishes them.	1 March 2022
Order made and laid before Parliament	Order subject to the negative resolution procedure.	Summer 2022
Order confirmed and elected upon	Order confirmed and will form the basis for the next elections.	May 2023

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

MEMBERS' CODE OF CONDUCT

1. OBJECT AND KEY POINTS IN THIS REPORT
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| <p>1.1 To invite Council to consider approving minor amendments to the Members' Code of Conduct (Code of Conduct) following recommendation by the Standards Committee.</p> |
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2. BACKGROUND INFORMATION

- 2.1 The Committee on Standards in Public Life published its report 'Local Government Ethical Standards' in January 2019. As part of its conclusions the Committee recommended that "The LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government."
- 2.2 The LGA began work on drafting a model councillor code of conduct in 2019, consulting on this in mid-2020. The Standards Committee submitted its views as part of this work, and all town and parish councils within North Lincolnshire were encouraged to consider and respond to the consultation.
- 2.3 The LGA first published its model councillor code of conduct (LGA Code) in December 2020, and since then three further versions have been published. The stated aim of the LGA was to provide a code that "is a template for local authorities to adopt in whole and/or with amendments to take into account local circumstances."
- 2.4 Supporting guidance to the LGA Code was published by the LGA on 8 July 2021 with the aim of promoting understanding and consistency of approach towards the LGA Code, but also in terms of standards issues generally.
- 2.5 Initial consideration by the Standards Committee at its meeting on 15 September 2021 (minute 380 refers) agreed that the LGA Code and associated guidance are largely aligned with current arrangements in North Lincolnshire and wholesale changes to the Council's Code of

Conduct were not considered necessary. Despite this, the Committee agreed that some minor amendments and improvements could be made to the Code of Conduct and resolved to request that the Monitoring Officer review the Code of Conduct in light of the LGA guidance and emerging sector practice and suggest potential changes.

- 2.6 This review has been completed and was reported to the Standards Committee on 10 November 2021. The Committee endorsed the proposed amendments to the Code of Conduct as set out in bold at Appendix 1 with a recommendation that they be referred to full Council for approval.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1: Not to approve amendments to the Council's Code of Conduct as detailed in this report at Appendix 1.
- 3.2 Option 2: To approve the amendments to the Council's Code of Conduct as detailed in this report at Appendix 1.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1: Although the Council's Code of Conduct would remain legislatively compliant it would not reflect emerging latest best practice from the sector and recent LGA guidance.
- 4.2 Option 2: Most of the provisions contained within the LGA Code and guidance closely align to the provisions of the Council's current Code of Conduct, but the relatively minor amendments that are proposed will ensure that it incorporates the latest best practice and developments and LGA guidance. In the main, these amendments seek to recognise that members may be bound by the Code of Conduct when communicating via social media; strengthen existing provisions concerning gifts and hospitality; and reinforce the obligation on members to comply with investigations and any sanctions imposed following a finding of breach.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no significant financial implications or resource implications arising from this report.
- 5.2 If full Council does decide to approve amendments to the Code of Conduct it would then be open for each town and parish council to

determine whether it adopts the revised Code of Conduct, continues with the existing Code of Conduct or adopts an alternative Code of Conduct. Council will note the Standards Committee's hope that, in the interests of consistency and uniformity, town and parish councils will continue to adopt the Council's Code of Conduct as has been the position since the Code was first introduced in 2012 following the Localism Act 2011.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The Council's Annual Governance Statement recognises the importance of having in place a robust ethical standards framework to help promote high standards of ethical conduct by members. The Code of Conduct is a crucial document within this framework.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The LGA consulted widely on its code and revised its final draft in light of representation received from the local government sector which included detailed representations by the Standards Committee.

8.2 The East Riding and Northern Lincolnshire Local Councils Association (ERNLLCA) has been consulted on the proposed amendments to the Code of Conduct and endorse the same and, subject to Council's approval, will recommend that its member councils adopt the revised Code of Conduct.

8.2 No conflicts of interest have been identified or declared.

9. RECOMMENDATIONS

9.1 Council approves Option 2 of this report and adopts the revised Code of Conduct as detailed in Appendix 1.

MONITORING OFFICER

Church Square House
30-40 Church Square
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Will Bell
Date: 23 November 2021

Background Papers used in the preparation of this report:

Committee on Standards in Public Life – Local Government Ethical Standards report
2019

Local Government Association – Councillor Code of Conduct

LGA Code of Conduct 2020 version 3

LGA Guidance on Model Councillor Code of Conduct, 8 July 2021.

1 NORTH LINCOLNSHIRE COUNCIL

CODE OF CONDUCT

1. INTRODUCTION

- 1.1 This Code of Conduct ('Code') has been adopted by North Lincolnshire Council ('Authority') as required by Section 27 of the Localism Act 2011 ('Act').
- 1.2 The Authority has a statutory duty under the Act to promote and maintain high standards of conduct by its Members.
- 1.3 This Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply from time to time. Members should also comply with the following "Nolan" principles:

Selflessness
Integrity
Objectivity
Accountability
Openness
Honesty
Leadership

2. WHO DOES THIS CODE APPLY TO AND WHEN DOES IT APPLY?

- 2.1 This Code applies to all Members of the Authority and to all co-opted Members of any committee, sub-committee or joint committee of the Authority.
- 2.2 This Code applies whenever a person is acting in his/her official capacity as a Member of the Authority or co-opted Member in the conduct of the Authority's business, or acting as a representative of the Authority, including -
- 2.2.1 at meetings of the Authority, its Committees and Sub-Committees, its Cabinet and Cabinet Committees;
- 2.2.2 when acting as a representative of the Authority;
- 2.2.3 in discharging their functions as a ward Councillor or as a member of the Executive;
- 2.2.4 at briefing meetings with officers;
- 2.2.5 at site visits; and
- 2.2.6 to all forms of communication and interaction including:**

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments

2.3 Any allegation received by the Authority that a Member has failed to comply with this Code will be dealt with under the Arrangements which the Authority has adopted for such purposes.

3. WHAT STANDARDS OF CONDUCT ARE MEMBERS EXPECTED TO OBSERVE?

3.1 You must treat others with respect and courtesy.

3.2 You must not bully or harass any person, as further defined in Appendix 2.

3.3 You must not do anything which may cause the Authority to breach any equality laws.

3.4 You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a Member of the Authority, into disrepute.

3.5 You must not knowingly prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.

3.6 You must act solely in the public interest and not use, or attempt to use, your position as a Member improperly to confer or secure for yourself or any other person an advantage or disadvantage.

3.7 You must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Authority.

3.8 You must only use, or authorise the use of, the Authority's resources for proper purposes (non-political with regard being had to any applicable Code of Recommended Practice on Local Authority Publicity) and in accordance with the Authority's procedural and policy requirements.

3.9 You must not disclose information which is given to you in confidence, or information which you believe, or ought to be aware, is of a confidential nature, except where:

3.9.1 you have the consent of the person authorised to give it;

3.9.2 you are required to do so by law;

- 3.9.3 the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- 3.9.4 the disclosure is reasonable in the public interest, made in good faith, and that you have consulted the Monitoring Officer.

3.10 You must:

3.10.1 undertake Code of Conduct training provided by the Authority.

3.10.2 co-operate with any Code of Conduct investigation and/or determination

3.10.3 not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings

3.10.4 comply with any sanction imposed on you following a finding that you have breached the Code of Conduct.

3.11 You must not accept gifts and hospitality regardless of value where it may lead any reasonable person with knowledge of the relevant facts to believe that you might be influenced by the gift or hospitality given.

4. DISCLOSABLE PECUNIARY INTERESTS ('DPI')

4.1 You have a Disclosable Pecuniary Interest (DPI) in any business of the Authority if that interest falls under any of the descriptions at Appendix 1 of this Code.

Disclosure Requirement

4.2 You must, within 28 days of 1st July 2012 or of taking office as a Member or co-opted Member (where that is later), notify the Authority's Monitoring Officer of any DPI as defined in Regulations made by the Secretary of State and set out in Appendix 1 of this Code, where the DPI is yours or your partner's (which means spouse or civil partner, a person with whom you are living with as husband or wife or a person with whom you are living with as civil partners). You must also notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your DPIs.

4.3 You must make verbal declaration of the existence and nature of any DPI at any meeting of the Authority at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. Where the interest is deemed a "sensitive interest" (see paragraph 4.5), you need only declare the existence of the DPI but not the detail.

- 4.4 If you are present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, and you have a DPI in any matter to be considered or being considered at the meeting, unless a dispensation has been granted,
- 4.4.1 you must not participate in any discussion of the matter at the meeting.
 - 4.4.2 you must not participate in any vote taken on the matter at the meeting.
 - 4.4.3 you must withdraw from the room or chamber whilst the matter is being discussed and voted on.
 - 4.4.4 if the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Sensitive Interest

- 4.5 Where you consider that disclosure of the details of a DPI could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a DPI, the details of which are withheld under Section 32(2) of the Act.

5. CRIMINAL SANCTIONS RELATING TO DISCLOSABLE PECUNIARY INTERESTS

- 5.1 A Member commits a criminal offence if, without reasonable excuse, you -
- 5.1.1 fail to notify the Monitoring Officer of any DPI within 28 days of election;
 - 5.1.2 fail to disclose a DPI at a meeting if it is not on the register;
 - 5.1.3 fail to notify the Monitoring Officer within 28 days of a DPI that is not on the register that you have disclosed to a meeting;
 - 5.1.3 participate in any discussion or vote on a matter in which you have a DPI (including taking a decision as an Executive Member acting alone);
 - 5.1.4 as an executive Member discharging a function acting alone, and having a DPI in such a matter, fail to notify the Monitoring Officer within 28 days of the interest; and
 - 5.1.5 knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

- 5.2 The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for a maximum of 5 years.

6. PERSONAL INTERESTS

- 6.1 You have a personal interest in any business of the Authority where either it relates to or is likely to affect -

6.1.1 any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority;

6.1.2 any body -

exercising functions of a public nature;

directed to charitable purposes; or

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management.

6.1.3 the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25, **such gift or hospitality to be registered within 28 days of receipt.**

- 6.2 You have a personal interest in any business of the Authority where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or relates to or is likely to affect any interests you have registered as a DPI.

- 6.3 *A relevant person is -*

6.3.1 a member of your family or any person with whom you have a close association; or

6.3.2 any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

6.3.3 any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

6.3.4 any body of a type described in sub-paragraphs 6.1.1 and 6.1.2.

Disclosure Requirement

- 6.4 If you have a personal interest as defined in paragraph 6.1, you must, within 28 days of 1st July 2012 or of taking office as a Member or co-opted Member (where that is later), notify the Authority's Monitoring Officer in writing of such interest. You must also notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your personal interests defined in paragraph 6.1.
- 6.5 Subject to paragraph 6.6, you must make a verbal declaration of the existence and nature of any personal interest you have under this paragraph, at any meeting of the Authority at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. Where the interest is deemed a "sensitive interest" (see paragraph 4.5), you need only declare the existence of the interest but not the detail.
- 6.6 Where you have a personal interest in any business of the Authority which relates to or is likely to affect a body defined in paragraphs 6.1.1 and 6.1.2 you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- 6.7 Having disclosed a personal interest and providing it is not a prejudicial interest, you may still continue to participate and vote on the matter at that meeting.
- 6.8 Where you have a personal interest in any business of the Authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

7. PREJUDICIAL INTERESTS

- 7.1 Where you have a personal interest in any business of the Authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest (unless the matter falls within one of the exempt categories detailed in paragraph 8) and where that business -
- 7.1.1 affects your financial position or the financial position of a person or body described in paragraph 6.3; or
- 7.1.2 relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 6.3.

Disclosure Requirement

- 7.2 Subject to paragraph 7.3, where you have a prejudicial interest in any business of the Authority, you must make verbal declaration of the existence and nature of such interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and, unless a dispensation has been granted, -
- 7.2.1 you must not participate in any discussion of the matter at the meeting.
- 7.2.2 you must not participate in any vote taken on the matter at the meeting.
- 7.2.3 you must, unless paragraph 7.3 applies, withdraw from the room or chamber whilst the matter is being discussed and voted on.
- 7.3 Where you have a prejudicial interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room or chamber where the meeting is held immediately after making representations, answering questions or giving evidence.
- 7.4 Where, as an executive member, you may discharge a function alone, and you become aware of a prejudicial interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

8. EXEMPT CATEGORIES

- 8.1 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of the Authority in respect of -
- 8.1.1 housing, where you are a tenant of the Authority provided that those functions do not relate particularly to your tenancy or lease;
- 8.1.2 school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- 8.1.3 statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- 8.1.4 an allowance, payment or indemnity given to Members;

8.1.5 any ceremonial honour given to Members; and

8.1.6 setting council tax or a precept under the Local Government Finance Act 1992.

9. **OVERVIEW AND SCRUTINY COMMITTEES**

9.1 In any business before an overview and scrutiny committee of the Authority (or of a sub-committee of such a committee) where –

9.1.1 that business relates to a decision made (whether implemented or not) or action taken by an executive or another of the Authority's committees, sub committees, joint committees or joint sub-committees; and

9.1.2 at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph 9.1.1 and you were present when that decision was made or action was taken, you may only attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room or chamber where the meeting is held immediately after making representations, answering questions or giving evidence.

10. **REGISTER OF INTERESTS**

10.1 Any interests notified to the Monitoring Officer will be included in the register of members' interests. A copy of this register will be available for public inspection and will be published on the Authority's website.

10.2 For the purposes of this Code a DPI is the subject of a 'pending notification' where it has been notified to the Authority's Monitoring Officer but has not yet been entered in the register of members' interests in consequence of that notification.

~~11. **EXPECTATION OF CO-OPERATION**~~

~~11.1 There is an expectation that all councillors will comply with requests from the Standards Committee (and its sub-committees) and the Monitoring Officer regarding allegations of breach of this Code of Conduct, including responding to allegations, preliminary evidence gathering before assessment or investigation, and formal standards investigations. Failure to do so may be regarded as a breach of this Code of Conduct for which sanctions may be applied.~~

2 APPENDIX 1

A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority - (a) Under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge) - (a) the landlord is the relevant authority; and

(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where -

(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either -

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

"the Act" means the Localism Act 2011;

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"M" means a member of a relevant authority;

"member" includes a co-opted member;

"relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

"relevant person" means M or any other person referred to in section 30(3)(b) of the Act;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX 2

Bullying and Harassment

The following should be read in conjunction with the paragraph 3.2 of this Code.

Bullying maybe characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, denigrate or injure the recipient.

1. Harassment maybe characterised as: unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images or by email and phone. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Some examples of bullying and harassment include:

- Spreading malicious rumours, or insulting someone by word or behaviour
- Exclusion or victimisation
- Ridiculing or demeaning someone
- Unfair treatment
- Deliberately undermining the competence of an employee by constant criticism.
- Unwanted sexual advances
- Threats to a person's wellbeing, reputation or employment.

These examples are not exhaustive and due regard will be had to any guidance issued by ACAS, from time to time, on the definition of bullying and harassment in the application of paragraph 3.2 of this Code.

Report of the Interim Director: Children and Community Resilience

Agenda Item: 8

Meeting: 14 December 2021

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

North Lincolnshire Youth Justice Plan 2021 - 2023

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request Council to approve the updated North Lincolnshire Youth Justice Plan 2021 – 2023.

2. BACKGROUND INFORMATION

- 2.1 The Crime and Disorder Act 1998 at Section 40 sets out responsibilities placed upon the youth offending partnership in relation to the production of an annual Youth Justice Plan. It states that it is the duty for each local authority, after consultation with the partner agencies, to formulate and implement an annual plan setting out:
- How youth justice services in the area are provided and funded;
 - How the Youth Justice Partnership is composed and funded, how it operates, and the functions it carries out.
- 2.2 The Youth justice plan must be submitted to the Youth Justice Board (YJB) and published in accordance with directions of the Secretary of State. The plan has to be approved by the chair of the Youth Justice Strategic Partnership Board.
- 2.3 In March 2021 the Youth Justice Board provided updated guidance on the required format and contents of Youth Justice Plans. This incorporated a suggested structure of content as follows:
- Introduction, Vision & Strategy
 - Governance, Leadership & Partnership Contribution
 - Resources & Services
 - Performance & Priorities
 - Responding to the pandemic and recovery from COVID-19
 - Challenges, risks and issues
 - Service Business & Improvement Plan
 - Sign off, submission and approval

3. OPTIONS FOR CONSIDERATION

- 3.1 The North Lincolnshire Youth Justice Plan is a 2 year plan (2021 - 2023). The Youth Justice Board requirement was that the plan be submitted to them by 30th June 2021. The revised plan was presented to and approved by the Youth Justice Strategic Partnership Board on 13/05/2021 and is signed off by the board chair. The plan is aligned with North Lincolnshire's One Family Approach.
- 3.2 The plan reviews the progress and successes achieved and how the partnership will continue to deliver improved outcomes for some of the most vulnerable young people with a focus on reducing anti-social behaviour and offending.
- 3.3 The plan was presented to and scrutinised by the North Lincolnshire Places Scrutiny Panel on 4th October 2021.

4. ANALYSIS OF OPTIONS

- 4.1 Submission of the plan to the Youth Justice Board is a condition of and triggers the payment of the YJB 'Good Practice' grant to the Youth Justice Partnership
- 4.2 The plan details the commitment to helping children to live safe, successful lives within their family, their school and their communities and to reduce their involvement in the criminal justice system. It sets out the priorities to build on the strong picture in North Lincolnshire with a focus on promoting resilience and engagement with communities and plans for further developing the youth justice partnership.
- 4.3 The North Lincolnshire Youth Justice Partnership fully embeds the One Family Approach and its success can be seen in the improved outcomes it continues to achieve:
 - The number of children who are enter the youth justice system for the first time has continued to reduce demonstrating our commitment to diverting children away from the criminal justice system where possible.
 - The number of custodial sentences in North Lincolnshire remains low.
 - The percentage of children in care who have been involved in offending remains very low
 - Partnership commitment is strong and evidenced through effective contributions at the Youth Justice Strategic Partnership Board
 - The Youth Justice Partnership quickly adjusted to new and innovative ways of working to ensure statutory functions continued throughout the COVID-19 pandemic

- Young people living in suitable accommodation at the end of an order has remained strong and above the national average.
- Prevention and out of court disposals continue to be a high and increasing proportion of the work of the partnership demonstrating the effectiveness of early help and interventions.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The Youth Justice Plan specifies how the Youth Justice Partnership will continue to meet its statutory requirements and how the Youth Justice Board Good Practice Grant is utilised within the partnership. Services continue to be provided within existing resources and there are no additional resource implications for the council.

5.2 The Youth Justice Plan forms part of the Council's Policy Framework as defined within the Council's Constitution.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The plan is a statutory requirement within the Crime and Disorder Act 1988.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 Partners were consulted and contributed to the formulation of the plan overseen by the Youth Justice Strategic Partnership Board who will also oversee the delivery of the plan.

8.2 The views and comments of young people are integral to and included within the plan.

9. RECOMMENDATIONS

9.1 That Council approves and supports the updated North Lincolnshire Youth Justice Plan which is a key document in the delivery of youth justice services in the area.

INTERIM DIRECTOR OF CHILDREN AND COMMUNITY RESILIENCE

Church Square House
SCUNTHORPE
North Lincolnshire
Post Code
Author: Paul Cowling
Date: 22/11/2021

Background Papers used in the preparation of this report –

North Lincolnshire Youth Justice Plan 2021 - 2023

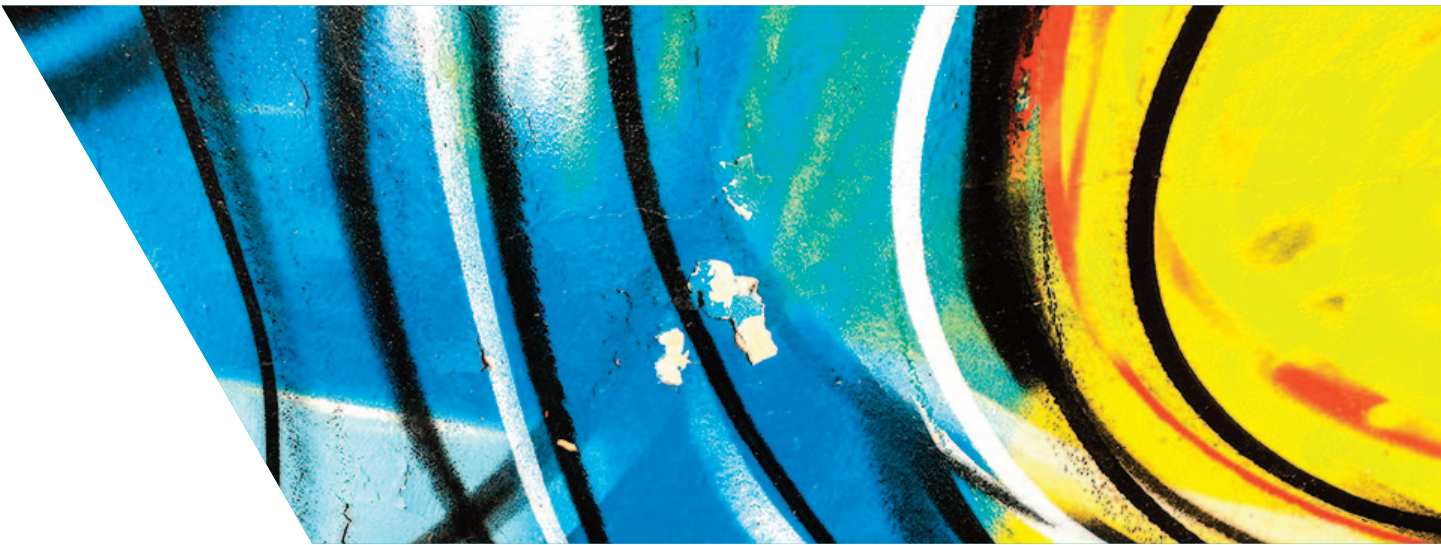
North Lincolnshire Youth Justice Partnership **Youth Justice Plan 2021-2023**



Paul Cowling,
Head of Youth Justice Partnership



Emma Young,
Youth Justice Partnership Manager



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10. Partnership Arrangements

11. 2021-2023 Priorities

- ▼ Improve the Emotional and Physical Health of children involved with youth justice

- ▼ Engagement in Education, Training and Employment

- ▼ Promote Community Safety, public protection and services to victims of youth crime

- ▼ Reducing Children involved in knife crime and crime with weapons

- ▼ Avoiding Children placed in custody

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- ▼ Appendix 4 – Child & Young Person Plan



Clickable Links

These icons mean that there are web-links/attachments that can be clicked; they will then open on your browser/computer.



The Voice of Children

"It's much better when my mum is contacted first so she knows when people are coming"

"Do as much as you can with young people so they don't go out and just keep offending, they do it when they're bored and for the thrill"

"The Case Manager was easy to get along with, relaxed, chilled out and my son felt at ease with him."

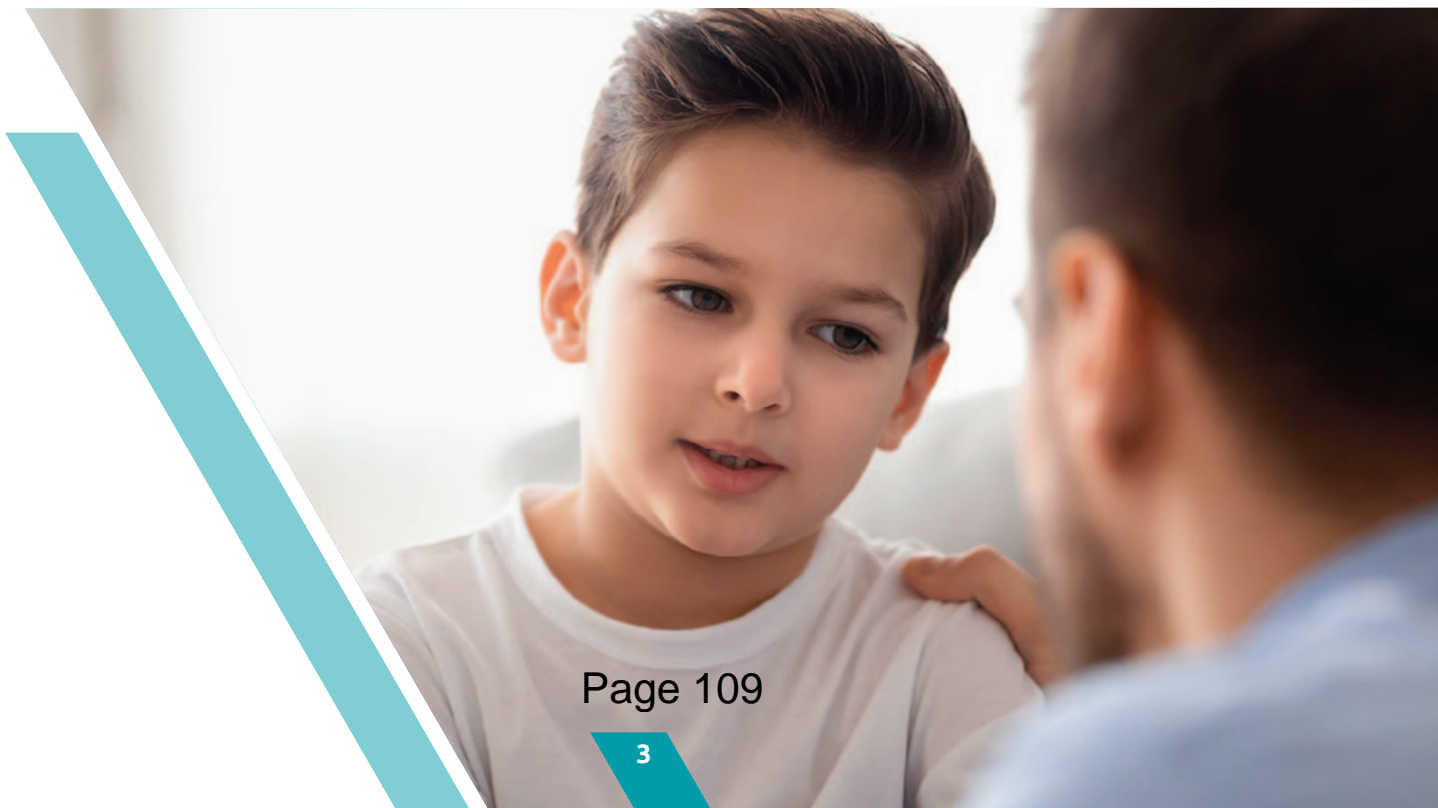
"I like the fact I am not judged"

"It's made me more aware...it's helped me understand what is right and wrong and I feel I have learnt a lot so I would be able to help others if they experienced anything like this"

"thank you for sticking with me, I know you've got my back"

"I know I can rely on you and you will be there when I need you to be"

"even though we haven't seen as much of each other because of Covid, I knew you were still there and I still felt supported"



Foreword by the Independent Chair of the North Lincolnshire Youth Justice Strategic Partnership Board

What a year to try and summarise in a Foreword, I will try to be brief as there is so much to read in this Youth Justice Plan for 2021-2023.

The positive response of the Youth Justice Partnership and of the Youth Justice Strategic Partnership to the challenge of COVID-19 provides a clear demonstration of the commitment to children which has always been such an important part of the ethos of North Lincolnshire.

It was also a year of considerable change. The first national lockdown in March 2020 took place only a few days after the service had moved from their long-term base in Oswald House to Church Square House in Scunthorpe. This placed them alongside a range of council services including Children's Services. In my many contacts with the team I have not heard anything other than concern for the children with whom they work and the impact of lockdown on them in the context of their families.

I was appointed as Independent Chair in Autumn 2020 when the previous Chair, Nick Hamilton Rudd

was asked to play a role at national level in the reintegration of the National Probation Service. Nick had been a strong supporter of the Youth Justice Partnership for many years and taking over from him meant that the work of the partnership was already well developed. Throughout the year, all the meetings have continued as planned using Microsoft Teams. Discussions have been well attended, lively and well informed despite the frequent use of the phrase "you're on mute". A review of the service led to a significant strengthening of the leadership of the Youth Justice Partnership in late 2020 and the appointment of a new Partnership Manager, Emma Young.

In my role as Independent Chair, I have had a significant amount of contact with Youth Justice team members, and I have been consistently impressed by their determination to advocate on behalf of the children with whom they are working.





As you will read in the Plan the response to COVID-19 also meant that they had to be creative about continuing their work with children and families. North Lincolnshire Council signalled at an early stage that it would be “business as usual” in terms of maintaining oversight of children. It has also been reassuring to hear directly from children about how the changes have affected them, and that they really appreciate the efforts that their workers have made to keep in touch.

The Youth Justice Plan is a good opportunity to take stock of the last year and to plan ahead alongside children and families. I do hope that you will take the time to read this Plan and that you will also be impressed about the work of the Youth Justice Partnership though this challenging year. It is also my opportunity to thank the members of the Youth Justice Strategic Partnership for their support of the work carried out and to look forward to the challenges of the coming year as we continue to put children at the centre of all our work.



Edwina Harrison
Edwina E. HARRISON

**Independent Chair
of the North
Lincolnshire Youth
Justice Strategic
Partnership Board**

Introduction, Vision & Strategy

The Crime and Disorder Act (1998) places a statutory responsibility on local authorities, acting with statutory partner agencies, to establish a Youth Offending Team (YOT). The statutory function of the YOT is to co-ordinate the provision of Youth Justice Services. Section 40 of the Crime and Disorder Act 1998 sets out responsibilities in relation to the production of an annual Youth Justice Plan. It is the duty of each local authority, after consultation with partner agencies, to formulate and implement an annual youth justice plan setting out:

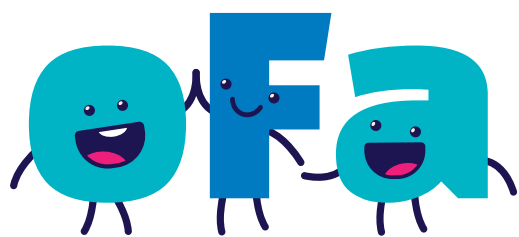
- how youth justice services in their area are to be provided and funded.
- how the YOT will be composed and funded, how it will operate, and what functions it will carry out.

This Youth Justice Plan is overseen by the Youth Justice Strategic Partnership Board (YJSPB) in North Lincolnshire and has been subject to scrutiny and approval by members. In May 2021, the Board agreed to further support the commitment to the 'Child First' principle and the decision was taken to re-brand the service.

Traditionally known as a Youth Offending Service, we intend to become a 'Youth Justice Partnership'. It is argued that language describing children as 'offender' and 'young offender' serves only to "encourage the stigmatisation and criminalisation of children" and "reinforces a feeling of exclusion and discourages positive re-integration into society" (Youth Justice Legal Centre, 2020).

North Lincolnshire Youth Justice Partnership operates in a multi agency arena to work with children at the earliest point, to work with them and their families to engage in addressing the concerns regarding their behaviour. Using a solution focussed and relational model we address offending or Anti-Social Behaviour and promote desistance. Research tells us that the nature of the relationship is the aspect that makes the most difference, we build meaningful relationships with children that are non blaming.





North Lincolnshire One Family Approach

Our plan is aligned with existing policy initiatives including North Lincolnshire's '**One Family Approach**' (OFA). OFA, as endorsed by the Integrated Children's Trust, underpins the values, principles and how we collectively respond to the needs of Children and Families in North Lincolnshire. It captures our intent to keep children in their families, their schools and their communities and ensures that support is provided at the right level by the right person. The One Family Approach builds upon strengths, empowers families and communities to find solutions, builds resilience and enables independence.



The principle '**Child First**' guides the work of the Youth Justice Board and underpins our work and values in North Lincolnshire. We recognise that children in the justice system often have multiple and complex needs. Where possible, we seek to divert children from the justice system entirely and address these needs.

For those who do offend, our core focus continues to be rehabilitation, tackling underlying causes of youth offending, and delivering a system that gives children the support they need to break the cycle of offending and build productive and fulfilling lives. 'Child First' is now an evidenced based approach to delivering youth justice and North Lincolnshire will continue to adopt and embed this approach across the partnership.

We will;

- ▼ Prioritise the best interests of children.
- ▼ Build on children's individual strengths and capabilities as a means of developing a pro- social identity for sustainable desistance from crime.
- ▼ Encourage children's active participation, engagement and wider social exclusion.
- ▼ Promote a childhood removed from the Justice System, using prevention, diversion and minimal intervention.

North Lincolnshire's Profile

The Local Picture

North Lincolnshire is a small Local Authority on the Southbank of the Humber Estuary. Whilst we are a small Local Authority, we cover a wide area due to our rural location and border onto North East Lincolnshire, Lincolnshire, South Yorkshire and Nottinghamshire.

The North Lincolnshire Youth Justice Partnership (YJP) is a statutory multi-agency service and is situated in Children and Community Resilience within North Lincolnshire Council. It is an integral part of the service and is overseen by the North Lincolnshire Youth Justice Strategic Partnership Board (YJSPB).

The service aims to prevent offending by children and young people through a partnership approach that builds resilience. The service is underpinned by the belief that young people within the criminal justice system should be seen first and foremost as children. The work of the YJP is geared towards ensuring this principle is demonstrated by our practice.

The YJP believes that crucial to achieving success, change and positive outcomes for young people is the ability to engage with young people and their families and have a relationship with each young person that promotes resilience and the opportunity for individuals to develop 'good lives'.

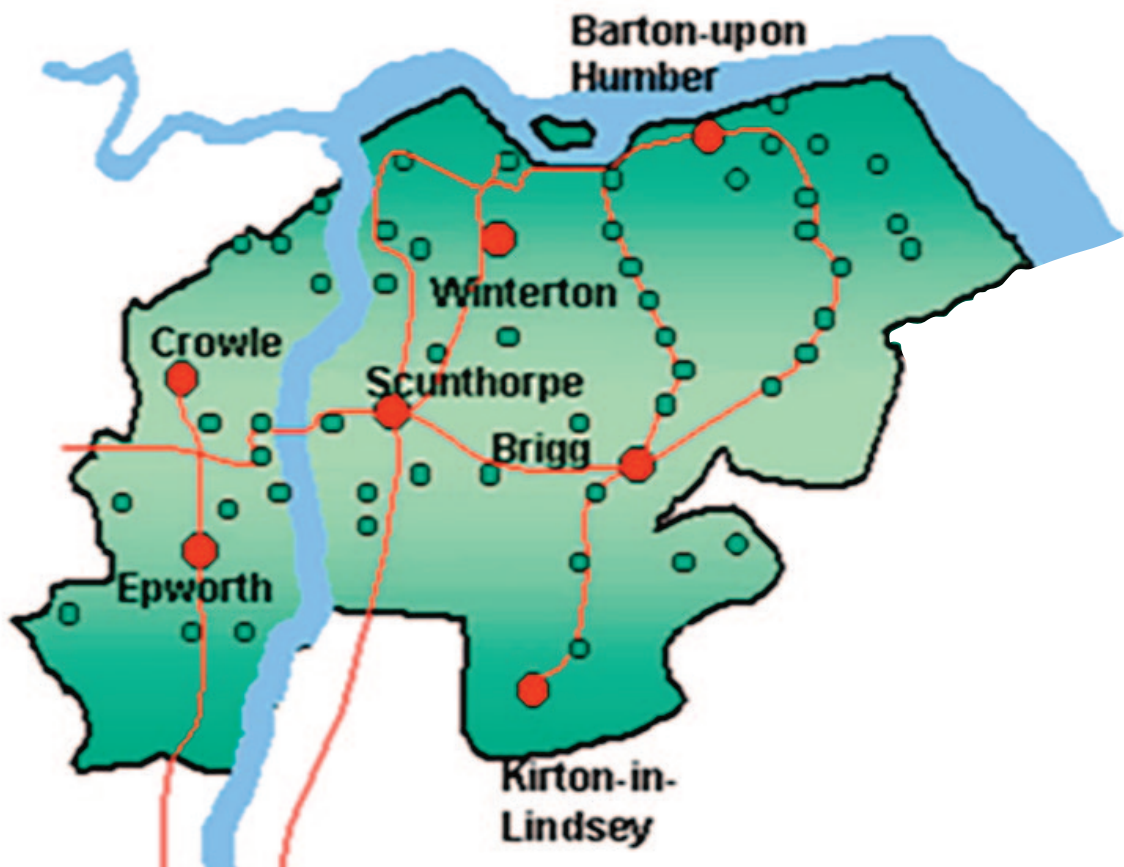
This includes ensuring that services focus on both reducing and preventing offending or anti-social behaviour and the provision of the help the family need, including family support, health provision, education, training and employment opportunities, suitable accommodation and assistance to young people to participate and engage in positive activities within their communities.

In North Lincolnshire we utilise the Serious Youth Violence Stocktake and the Ethnic Disproportionality Toolkit. These tools support us to address any issues of over-representation of particular ethnic groups and reflect on the services we provide. The SYV Data toolkit is designed to help us identify gaps and strengths in the work we are doing to reduce serious youth violence.

In 2020-2021, 179 programmes started, this was an 18% reduction on the 217 programmes in 2019/20.

The 179 programmes related to 143 young people. 85% were for males and 15% for females.





North Lincolnshire's Profile

Headline Statements

First time entrants remain low

The trend for first time entrants to the justice system is consistently and continually improving downwards.

In the last 12 months court cases have reduced from 16 (24% of caseload) to 9 (15% of caseload). This is exceptionally low when looking at comparable data nationally.

This achievement is significant when comparing this to the 37 children the partnership were managing on statutory court orders at 31/03/2018.

% of programmes starting that are out of court/prevention remains high

Out of court and prevention disposals have increased from 68% to 75% in the last 12 months.

Our data evidences the impact our partnership approach to prevention and early help is having and our commitment to preventing offending.

Females referred to the YJS are reducing

Females referred to the Youth Justice Partnership are reducing.

85% of programmes starting in 2020/21 were for males and 15% for females.

This compares with 82% and 18% in 2019/20. (27 programmes starting were to females, a reduction from the 40 in 2019/20).

% of children in care offending remains low

The percentage of children in care offending remains low.

15 programmes (8%) were for children in care during 2020/21, a reduction from 21 (10%) in 2019/20.

We have seen an increase in children from BAME backgrounds

North Lincolnshire have noted an increase in children from the Black and Minority Ethnic population.

13 programmes (7%) were for children from a BAME background during 2020/21, an increase from 7 (3%) in 2019/20.

Review of 2020-2021

Key achievements

Positive Lifestyles Project

North Lincolnshire have worked closely with Not in Our Community to commission a local film co-produced with children. Prior to COVID-19, the service would facilitate a number of youth projects aimed to divert children away from the Criminal Justice System. Whilst the last year has proved difficult to work in the same ways previously, we have ensured that creative and innovative approaches have been taken to engage children safely. This has subsequently led to the co-production of the film 'Trapped' which has been developed to create an early intervention resource that can be used with children, families, professionals and the community to educate on the risks of child exploitation. Children have been involved from the onset from script writing to finding the confidence and self belief to participate in acting parts. We are excited to see the final product and it's anticipated the film will be launched in June.

Risk outside the home

Working Together 2018 was amended on 09/12/2020 to include risk outside the family home alongside interfamilial harm to children. The North Lincolnshire Helping Children and Families Document reflects the changes in statutory guidance. North Lincolnshire have been on a journey to further develop the multi-agency approach taken towards risk outside the home (extra-familial harm). Subsequently, following consultation with partners it was agreed to move away from the language 'contextual safeguarding' and move towards 'risk outside the home'. The rationale being to broaden our response to child exploitation in its widest sense incorporating;

- Child Criminal Exploitation
- Child Sexual Exploitation
- Human trafficking and Modern Day Slavery
- Online Abuse
- Peer on Peer abuse
- Bullying
- Serious Youth Violence
- Radicalisation

Whilst work is ongoing, there have been strides in our development and new approaches are being tried and tested. This has included the development of case mapping exercises which have had a key focus on identifying children earlier and strengthening our preventative approach towards risk outside the home. Partnerships have come together collectively to 'map' children who are linked via soft intelligence or by association to ensure robust plans are in place to try and intervene earlier as opposed to when they may be in active exploitative situations. Partnerships have shared this as an area of good practice and this is something we are keen to develop further in North Lincolnshire.

Home Office – Devolved Decision Making for Modern Day Slavery Pilot

North Lincolnshire have been successful in the bid to participate in a Home Office pilot 'Devolved Decision Making for Modern Day Slavery' which will enable us to utilise our current safeguarding processes to make decisions on the National Referral Mechanism.

The funding has been utilised to develop a new role within the authority that will support the co-ordination of referrals. This approach will enable decisions about whether a child is a victim of modern slavery to be made by those involved in their care and ensure the decisions made are closely aligned with the provision of local, needs-based support and any law enforcement response.

In North Lincolnshire we are committed to ensuring children vulnerable to exploitation are recognised as victims and treated as such. Most pertinently in relation to any criminal proceedings, safeguarding and Modern Day Slavery. It's anticipated that the pilot will lead to better outcomes for children and avoid unnecessary delays in decision making which can have an adverse effect of criminal proceedings and court outcomes.

We are casting for a gritty new film about crime based in North Lincolnshire.

NOT IN OUR COMMUNITY

DO NOT CROSS CRIME SCENE DO NOT CROSS

No acting experience necessary!

DM us or email pippa@eskimosoup.co.uk

Children arrested and released under investigation (RUI)

A thematic review was undertaken to understand the implications on children in North Lincolnshire being released under investigation (RUI). This process enabled partners to analyse the current processes in place and provide a summary

and recommendations to improve outcomes for children and avoid unnecessary delays in decision making. The review also enabled key themes to be identified and subsequent actions which were then taken to the Youth Justice Strategic Partnership Board.

Review of 2020-2021

Summary of performance

The progress and performance of the Youth Justice Partnership is reported to each Youth Justice Strategic Partnership Board for scrutiny, oversight and action. Whilst the impact of COVID-19 has brought about unprecedented challenges it's recognised that as a service we have continued to improve and develop.

The Youth Justice Partnership continues to provide services that make a difference for children, their families and the community as a whole. There is a continued focus on prevention from offending through holistic family approaches, working with children and their families to help them address the issues that lead to children and young people becoming involved with criminal and anti-social behaviour. Our staff have a clear understanding of how service delivery translates into performance and how individual roles contribute towards it. There is regular consultation with staff at all levels to ensure their understanding and commitment towards this.

The number of cases open with court outcomes has reduced significantly in the last 3 years. The Youth Justice Partnership was managing 37 children on statutory court orders at 31/03/18 opposed to 9 children at 31/03/2021. There has been an improving downward trend from 37% of the caseload at 31/03/18, 25% at 31/03/19 and currently standing at 15%.

Our fundamental aim is to promote a childhood removed from the justice system, using prevention, diversion and minimal intervention. Our data evidences the impact our partnership approach to prevention and early help has had demonstrating an increase in out of court disposals/prevention programmes. It is argued that our numbers have shown a slight reduction in 2020 due to the impact of covid and the national lockdown but the percentage of diversion disposals (75%) has still remained substantially higher than statutory disposals and considerably higher than our neighbouring comparators.

In 2018/19 there were 158 new out of court disposals/prevention programmes starting, 76% of all programmes starting. In 2019/20 this was 85%, based on 172 such programmes.

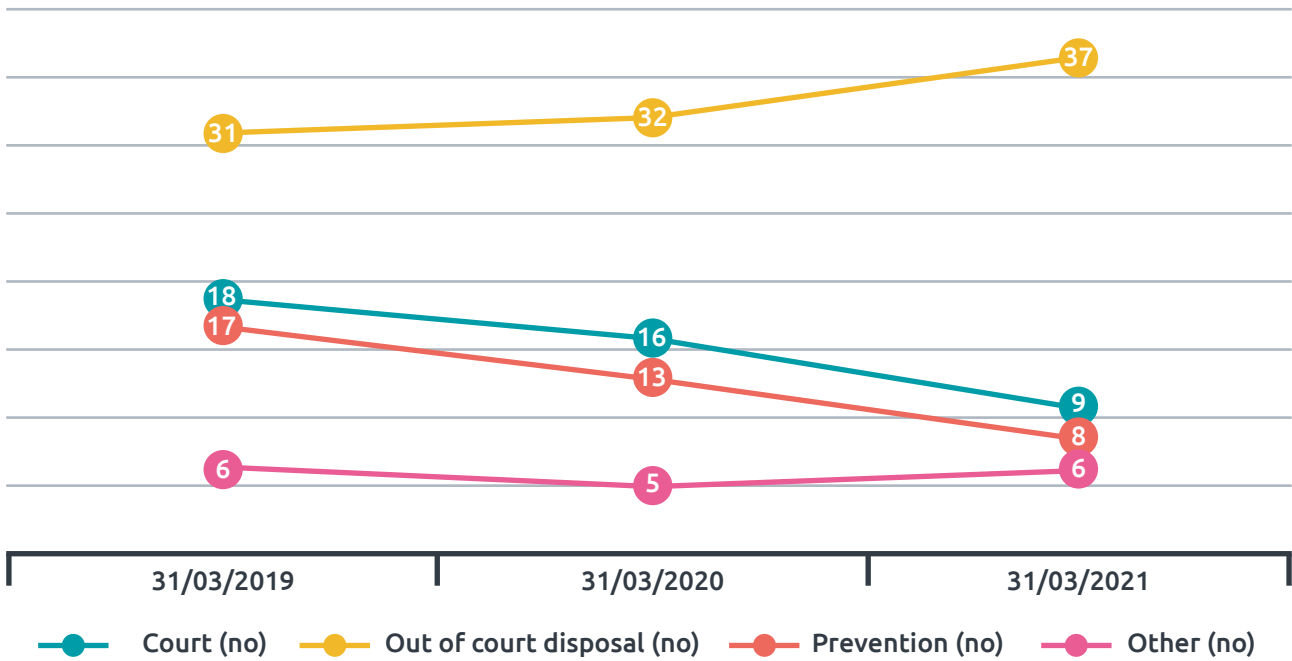
In 2020/21 this is 86%, based on 127 such programmes. Although the number of programmes starting in this category reduced, the % of overall programmes remained in-line with the previous year.



WE ARE OPEN



YOS Caseload (no)



YOS Caseload	31/03/2019	31/03/2020	31/03/2021
All programmes (no)	72	66	60
Court (no)	18	16	9
Out of court disposal (no)	31	32	37
Prevention (no)	17	13	8
Other (no)	6	5	6
Court (%)	25%	24%	15%
Out of court disposal (%)	43%	48%	62%
Prevention (%)	24%	20%	13%
Other (%)	8%	8%	10%

Reducing First-Time Entrants

First Time Entrants into the Criminal Justice System in North Lincolnshire have continued to reduce demonstrating our commitment to divert children away where possible.

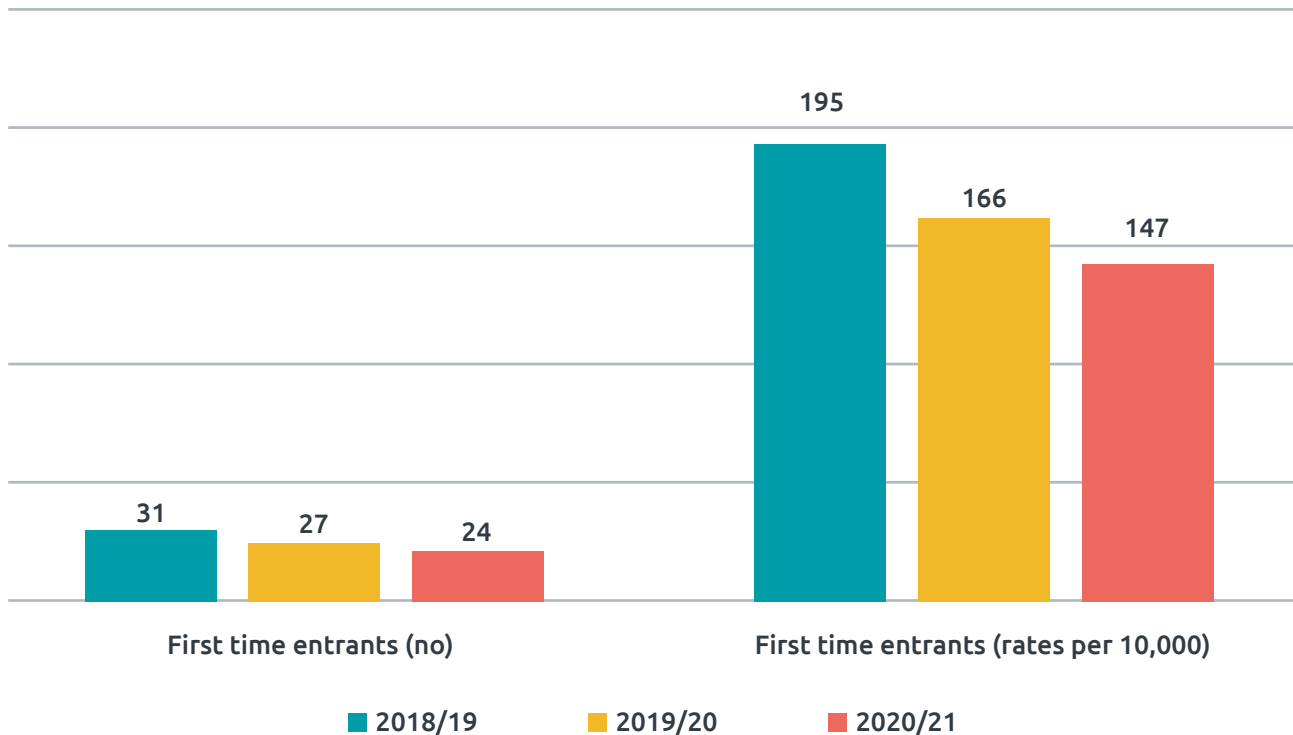
The YJB measures this as a rate per 100,000 of 10-17 years olds in our area. In 2018/19 this figure was 195 (31 young people). This was better performance than the England rate of 224, Humberside rate of 217 but slightly higher than the YOT family average of 189.

In 2019/20 there were 27 locally recorded first time entrants, giving a rate of 166. The MOJ are yet to publish the figures from the PNC for this period.

(The latest figures from Jan-Dec 19, rate of 126 (20 children) in NL, 222 in Yorkshire, 169 in Humberside PCC, 208 in England and 174 for the YOT family).

In 2020/21 we have recorded 24 first time entrants, giving a rate of 147. Our reducing trend has continued, remaining below the latest comparators.

First Time Entrants, Number & Rate



Reducing Re-offending

Re-offending is measured by looking at a cohort of young people (aged 10-17) who received a caution or sentence or were released from custody during a 3-month or 12-month period. All the young people in the cohort are tracked for 12 months to see how many re-offended and how many further offences were committed.

Data indicates that re-offending in North Lincolnshire is reducing. The latest MOJ figures are for the 2018 period. This had a cohort of 63 children, of which 25 children committed 99 re-offences. This gives a re-offending rate of 39.7% and 3.96 re-offences per re-offender. This is a reduction from 2017 when it was 49.3%, with re-offences per re-offender at 7.71. The latest re-offending rate is higher than the Family average of 36.7% and their re-offences per re-offender rate is lower at 3.72. England averages for the same period are 38.4% and 3.93 re-offences. The Humberside rate was 48.5% and 6.29 re-offences.

Locally we estimate that the re-offending rate was around 41.7% for the 2018/19 cohort (20 out of 48 young people re-offending). The 2019/20 cohort is currently running at 22.7% (10 out of 44 young people re-offending); the monitoring period for this cohort is still not complete.

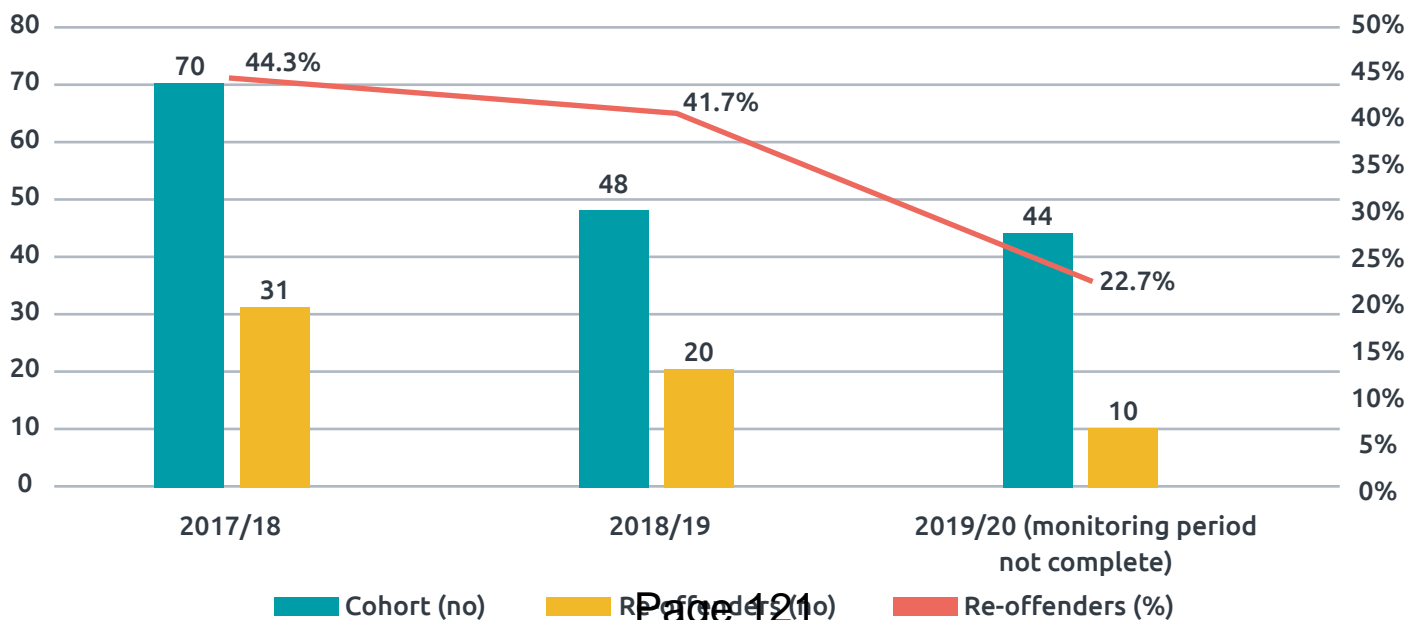
Whilst it is early in the monitoring period for this cohort, it is of note that there is an increased likelihood of re-offending in the first 3-6 months following the previous offence.

This reduction in the re-offending rate has been achieved alongside the continued reduction in First Time Entrants demonstrating the impact of the partnership approach based on positive engagement, prevention and diversionary activities. Due to the size of the cohort, this continues to be volatile and this will continue to be a key priority for the partnership.

The Youth Justice Partnership continues to prioritise reducing re-offending through;

- Adopting an effective method of “live tracking” of children and young people currently being worked with and who are in the current reoffending cohort.
- Reviewing assessment practice to see where improvements can be made in accurately identifying the potentially prolific reoffenders at the earliest stage.
- Quality assurance that as soon as young people are identified as more likely to re-offend their intervention plans are amended accordingly to reduce that likelihood.
- Senior Case Managers are utilising the YJB Re-offending Toolkit to keep well-informed of the make-up of the cohort and the characteristics of those who are re-offending in order to adjust services accordingly to improve our re-offending performance.

Re-offending Cohort & %



Reducing Custody

Custody for children should be a 'last resort'. Children in custody are extremely vulnerable and their experience of detention exacerbates and compounds this vulnerability.

The number of custodial sentences in North Lincolnshire remains low. This has been achieved by;

- A focus on preventative work and the family as a whole.
- High quality pre-sentence reports.
- Use of robust bail support, including Bail Intensive Supervision and Surveillance where appropriate.
- Building resilience through supporting young people in their education, training and employment robust alternatives to remand to youth detention accommodation packages (including remand Foster Care and bail support).
- Use of the early guilty plea where appropriate.
- Appropriate resettlement support for those children released from custody.

In 2019/20 there were 2 custodial sentences, giving a rate of 0.13 per 1,000 of 10–17 year olds in our area. In 2020/21 this reduced to 1 custodial sentence, giving a rate of 0.06.

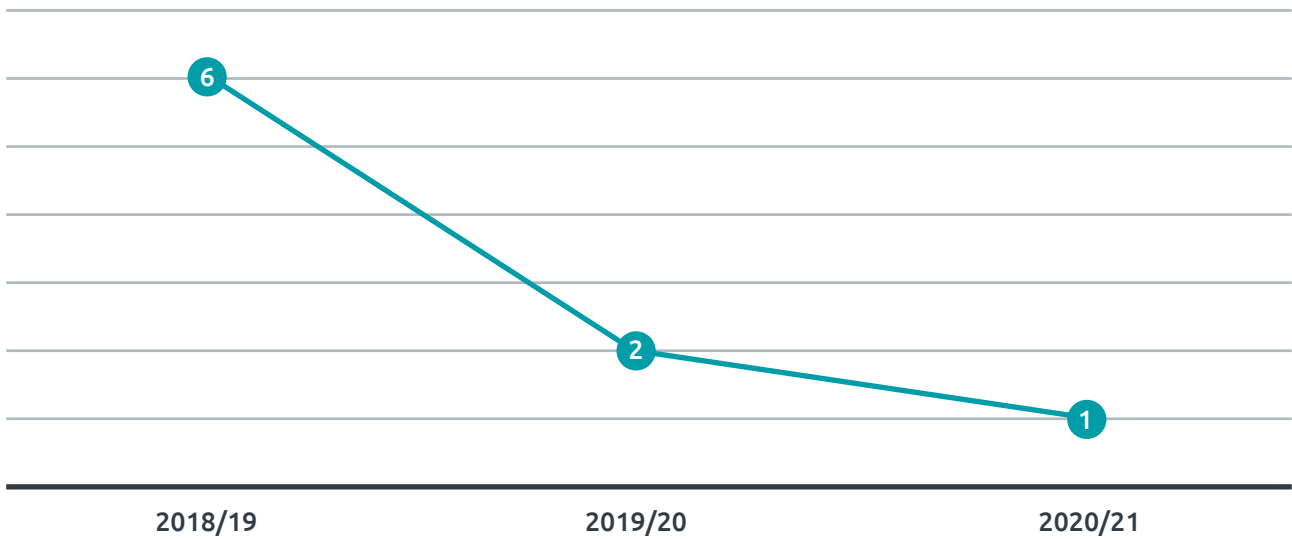
The latest comparators available are for 2020. Our rate was again 0.06, Humberside PCC was 0.12, Yorkshire was 0.15, England was 0.14 and YOT family was 0.15. Hence, we are currently running below these comparators.

Whilst the use of custody remains low it's noted that there is also a small number of children remanded into custody this was 4 children in 2019/20 and 5 in 2020/21. Further exploration has occurred to analyse the proportionate use of remand considering LASPO (Legal Aid, Sentencing and Punishment of Offenders Act 2012). Following review it was recognised that those children remanded to custody were identified at risk of Child Criminal Exploitation CCE and 4/5 were remanded for drug related offences.





New custodial sentences (no)



Period	2018/19	2019/20	2020/21
New custodial sentences (no)	6	2	1
New custodial sentences (rate per 10,000)	0.38	0.13	0.06

Summary of progress

Case Management/Supervision.

During COVID-19, processes were quickly put in place to ensure a 'business as usual' approach was taken to certify the welfare needs of children and families were met. North Lincolnshire developed and used a COVID-19-specific risk assessment to identify the impact of the pandemic on the physical, emotional and mental health and offending profile of each child. This enabled us to determine which level of service children would receive, but also identified any increase or decrease in risk as a direct result of COVID-19. These were reviewed to reflect changing circumstances.

Face to face work continued where needed and was complemented by new virtual tools. Daily staffing updates were implemented and a weekly assurance report was provided to the senior management team to ensure oversight of practice, compliance with standards, regulations and legislation and to ensure the continued capacity within the service to meet the business as usual model was maintained.

The Youth Justice Partnership continued to support and promote children to access and attend education and educational settings in line with the government and local guidance.

Victims of crime

Victim's have been contacted by telephone, letter or sometimes both of these methods. Victims are offered the opportunity to participate in restorative justice processes via the Victim Liaison Officer (VLO). This includes asking whether they would wish to be involved in restorative approaches – including restorative conferences; youth justice panels; direct and indirect reparation; the "doing sorry" intervention; a letter of explanation and, where reparation is indirect, victims are offered a menu to choose from. During the pandemic panels continued to take place virtually but feedback received advised this method was less effective. We have commenced reinstating our panels face-to-face with robust risk assessments in place to ensure everyone's safety. From March 2020 – March 2021:

- ▼ 22% of victims have participated in restorative justice.
- ▼ 50% of victims declined to have their information shared with the Youth Justice Partnership or declined to participate when contacted.
- ▼ 28% of victims were not contactable.





Volunteers

The North Lincolnshire Youth Justice Partnership recruits volunteers over the age of 18. Volunteers undergo extensive training to ensure that they understand the importance of working under the child first principle when carrying out any intervention with children.

Volunteer roles include restorative referral order panel members and appropriate adults. Volunteers undergo separate training for these roles and are provided with supervision, to ensure their own safety and wellbeing as well as to discuss any questions or concerns that may arise while carrying out their role/s.

North Lincolnshire have continued to recruit new volunteers during the pandemic who have remained able to attend the police station following appropriate precautions. Training took place via Microsoft Teams and this enabled us to deliver training to our neighbouring authorities volunteers who share the same custody suite with us to ensure consistency of information shared.

Harmful Sexual Behaviour (HSB)

In North Lincolnshire, agencies are collaborating in a programme to provide a specialist service to children and young people who have engaged in harmful sexual behaviour (HSB). This includes harm to other children, young people and themselves.

Volunteer roles include restorative youth justice panel members and appropriate adults.

In addition, there is a HSB Panel, with multi-agency management representation. In general terms, the purpose of the Panel is to act as a steering group for the programme; act as the referral and allocation route for the service; and act as a source of knowledge, expertise and support for the practitioner team.

Prevention & Out Of Court

Early intervention work continues to be an integral element of the youth justice plan priorities. Drawing on relational and desistance-based models of practice, which are evidence based, we continue to reduce offending and re-offending by promoting enhanced opportunities through positive activities and direct work. The work is multi agency and seeks to build self esteem, resilience and promotes desistance. We ensure that children's voices are heard, that they influence their plan, that they are encouraged and supported in a non blaming way to amend their behaviour.

Due to a reduction in arrests as a result of the Covid-19 lockdown restrictions, there were fewer referrals from the Police for Out of Court Disposals at either Youth Conditional Caution, Community Resolution level or for prevention work. However, these have since started to increase and this is projected to continue.

Outreach Youth Service (OYS)

Detached youth workers who support the outreach youth service have stepped out of their normal roles during the pandemic and have been critical to supporting other key areas of the service. This has included supporting the Youth Justice Partnership and Children's Social Care to carry out statutory duties to protect the most vulnerable. The OYS staff have been deployed to key locations/hotspots to target contexts of concern but it was noted that during the pandemic youth presence on the streets reduced considerably.

Planning has continued and work has been undertaken to develop a joint detached patrol 'Operation Priam' which will be undertaken jointly with Humberside Police and The Local Authority on weekends and evenings to support the 'Risk Outside the Home' early help and prevention agenda.

Court update

During the first lockdown, courts were suspended and only open for urgent business such as remands or warrants. This led to some delays in proceedings and caused some apprehension on how this may impact on the service as courts started to re-open. Courts are now back operating with appropriate precautions in place enabling staff to feel safe when they are attending. North Lincolnshire undertook a thematic review to understand the local impact on children.

This highlighted that some children did not receive court disposals which would have supported increased supervision during periods when this would have been beneficial to promote desistance and reduce risk.

This also highlighted the implications on children who were aged 17 and transitioning to adulthood and the need to look at our approach to this across the partnerships.

The YJP considered the implications of the court closure on a case by case basis, and there were a number of ways that children were impacted. Some children were offered diversionary support as part of their plan at the time, or independent of this if they were not open to services.

In one case there was communication between the YJP and NPS due to the child turning 18 years old during the closure period, and all relevant information was shared to ensure a transition occurred.

The YJP advocated for one young person to be sentenced to a Conditional Discharge despite him previously having a Referral Order, due to the delay in proceedings and his positive behaviour leading up to the hearing. The Magistrates agreed with our recommendation regarding this disposal.

The YJP utilised other agencies including CEIT and DELTA where it was felt a child would benefit

additional support.

Bail and remand cases were held virtually using the Cloud Video Platform, except for on a Saturday morning when overnight prisoners were produced at court. YJP Court Officers continued to attend these hearings and complete welfare visits for the young people in the cells.

Appropriate Adults

The shared AA scheme has been successfully in place with neighbouring authority, North East Lincolnshire since early 2019. Meetings have taken place more recently to update the current protocol we have in place.

North Lincolnshire have recently recruited more volunteers who have been through training and are currently shadowing. The availability of Appropriate Adults has not been affected by Covid-19.

Suitable accommodation

Ensuring children are placed in suitable accommodation is a priority for the Youth Justice Partnership in North Lincolnshire. With regards to performance data we use the YJB indicator which is based on Referral Orders, Youth Rehabilitation Orders and Detention and Training Orders being in suitable accommodation at the end of a young person's programme. This was 98% for 2018/19, compared to 76% across England. This reduced to 85% for 2019/20, compared to 76% across England. All exceptions were for children with a custody programme ending.

The latest figure is **100%** for Apr-Dec 20, compared to 83% across England. This demonstrates our integrated approach to support children open to the Youth Justice Partnership alongside our colleagues in Children's Social Care and Housing ensuring their needs are met. This also includes appropriate planning in relation to resettlement and those children released from custody having appropriate accommodation in place when they are released.

Positive Activities

Following the announcement of the national lockdown in 2020, restrictions made it difficult to engage in positive activities. Prior to this there were a range of activities embedded within the service. This included regular activities during school holidays and support to gain access to mainstream activities within the community. Examples included The Summer Arts College, Operation Lifestyle and fishing competitions. Youth Justice staff use these opportunities to teach new skills and to undertake informal social education as well as to talk directly about the reasons why young people are involved with the service.

As restrictions ease, we are consulting with children, families and partners and re-introducing projects and activities. This incorporates learning from COVID-19 and the utilisation of technology to support and strengthen these. One planned development is to develop an animation for the service co-produced with children and young people.

Reparation

The Youth Justice Partnership fully meets statutory requirements in relation to reparation and has continued to build and develop reparation projects and engagement. These include:

- ▼ The 'Bike Project' which takes donated bicycles in various stages of repair. Young people are taught to dismantle, rub down, paint, repair and replace broken or worn out parts and re-build bicycles to a high standard. The project aims to build self-esteem and self-worth, teach new skills and help young people develop responsibility and achievement.
- ▼ Other reparation work includes - maintaining the service allotment, delivering community hub leaflets, working to provide practical support to a local community centre, completing fire safety checks in urban green spaces, supporting food banks and a variety of painting and decorating projects.





The OPTIONS Programme

Prior to COVID-19, the partnership was delivering the 'Options' programme aimed at reducing the likelihood of identified children entering the youth justice system through restorative approaches and information.

The programme is a partnership led approach and includes the following key partners:

- Humberside Police Neighbourhood Policing (early intervention)
- Youth Justice Partnership
- DELTA – Drug and Alcohol intervention project
- Children's Services
- Schools
- Safer Neighbourhoods

This programme has been successful in reducing anti-social behaviour and offending and contributed to the continued reduction in first time entrants to youth justice. This programme is being reinstated in line with Covid-19 restrictions.



Responding to HMIP Thematic Reports

The findings and recommendations of thematic inspections are regularly reviewed within the Youth Justice Partnership and updates are provided to the Youth Justice Strategic Partnership Board. Learning is utilised to inform practice and development.

The thematics included were:

- HMIP Thematic Review of the work of youth offending services during COVID-19.
- Protecting children from criminal exploitation, human trafficking and modern slavery.
- Reducing the number of BAME young people in the Criminal Justice System.
- 'Ethnic disproportionality in remand and sentencing in the youth justice system.
- Contextual Safeguarding in a youth justice setting.
- Information obtained from attendance at the Youth Justice Board Bitesize sessions facilitated throughout the pandemic.
- Proposed changes to HMIP Inspection Framework.
- Child First Justice: the research evidence-base report.
- HMIP Annual Report.

Examples of actions taken as a result has included:

- The Youth Justice Partnership (YJP) utilised the thematic review during COVID-19 to measure against our own practice. This enabled us to identify our own areas of strength and learn from others to aid our development.
- The YJP continue to take an active role in the North Lincolnshire Multi Agency Child Exploitation Board (MACE), considering CCE in all cases and are proactive in ensuring referrals to the National Referral Mechanism are made where appropriate.
- North Lincolnshire made a successful bid application to participate in the 'Devolved Decision Making for Child Victims of Modern Day Slavery'.
- Improvement actions have been developed from HMIP inspections.
- Disproportionality and unconscious bias training was delivered to the service.
- Development of strategy for North Lincolnshire's approach towards 'Risk Outside the Home' (ROTH).
- A decision to incorporate exploitation in it's widest sense within the ROTH Strategy encompassing Serious Youth Violence & Knife Crime.
- Enhanced use of the YJB Disproportionality toolkit and Serious Youth Violence Toolkit.
- Resettlement workshops were delivered to the team to improve confidence in their assessment and planning to ensure appropriate attention is being given to support children returning to the community.



Over Represented Children

Addressing disproportionality is a priority for the Youth Justice Board in England and Wales and there has been a lot of recent research published in relation to the disproportionate representation of children from BAME groups. Whilst North Lincolnshire have low numbers of BAME children it's identified that there has been an increase in the populations, particularly for those children identified at risk of Child Criminal Exploitation.

Only 3 children were identified from a BAME background in the period of 2018/19 this has increased to 12 children in 2020/21.

BAME children, viewed as a single group, are nationally over-represented in the youth justice system: while 18% of the 10-17 population come from a minority ethnic background, 27% of children cautioned or convicted in 2019 were of BAME origin. Moreover, this latter figure represents almost twice the proportion of 14% in 2010.

The heightened prominence of the Black Lives Matter movement in social and political discourse has drawn our closer attention to BAME children and young people and of note it's proven that these young people are overrepresented in custody and are receiving lengthier sentences. Dr Tim Bateman (The State of Youth Justice, 2020) detailed that whilst there had been a recorded fall in youth custody that this has benefitted white children more than BAME children and young people where there is a clear imbalance within Young Offenders Institutes. He rightly pointed out that this is unacceptable and should not be allowed to continue and therefore

disproportionality and the treatment of children in custody needs to be prioritised within this Youth Justice Plan.

The disproportionate criminalisation of looked-after children is a subject that has rightly received considerable attention over the course of recent years. Figures published by the Department for Education (2019a: national tables) indicate that looked after children are between three and five times as likely as their peers in the general population to be made subject of a formal youth justice disposal. North Lincolnshire have worked hard to ensure that children looked after by the local authority are not over-represented in the youth justice system and the figures below evidence the positive impact of this journey with 31 children being supported by The Youth Justice Partnership in 2018/19 to 15 at the end of 2020/21 reporting period.

The % of children in care for a year or more and aged 10 or over who were convicted/youth cautioned for an offence was 4.2% in 2018/19. In 2019/20 this was 2.3%. In 2020/21 this has remained very low at 2.3%.

The % of Children in Care aged 10 or over receiving preventative work through a community resolution has also reduced from 8% in 2018/19 & 2019/20, to 6% in 2020/21.

To ensure we continue to prioritise this issue, North Lincolnshire arranged for tailored training and awareness raising across the service and the wider partnership.

Disproportionality



Consultation

Children and families are at the heart of what we do in North Lincolnshire. Their voices are strong, they are listened to and acted upon throughout.

There have been a number of developments in relation to our methods taken to capture the voices of children and families. A designated lead was identified and has been supporting the service to capture independent feedback from children and families across the service. A Children's Participation and Consultation Meeting has also been developed in North Lincolnshire which identifies key themes on a quarterly basis to inform service provision.





Feedback has also been obtained from children to support the development of this Youth Justice Plan and to inform the Youth Justice Strategic Partnership priorities.

Learning from COVID-19 we have moved away from our traditional feedback forms and self assessments and been more creative in our approaches. More recently, we have utilised survey monkey to obtain feedback and develop our analysis of the data and how we utilise this better. We are seeking to use other creative methods such as artwork and a graffiti wall to allow children to express themselves.

We have strengthened our approach to audit and managers have started to obtain independent feedback from children and families prior to case file audits being undertaken providing a more holistic picture and assessment of the case.

Children continue to be used in our recruitment to enable their voices to be captured and support us in employing the right candidates.



Do you feel that, as a result of working with YOS, you or your family has made any charges?	Yes, we have become closer as a family and talk more.				
If you felt unsafe or worried about things when you came to YOS:	1 	2 	3 	4 	5 
Did working with YOS make you feel safer?					

"You need to improve the bike workshop and we can do that as reparation"

"I liked it at YOS because they told me it straight"

"you helped me to make better choices and turn my life around"

"you need to buy equipment for children to stay out of trouble, help them stay at home so they don't keep going out and offending"

"You didn't just support my daughter, you supported the family too"

Governance and Leadership

The North Lincolnshire Youth Justice Partnership (YJP) is part of the Children and Community Resilience area of the council. The Youth Justice Head Of Service's direct line manager is the Head of Safeguarding Children who reports to the Director for Children and Community Resilience.

The Youth Justice Strategic Partnership Board (YJSPB) has an independent chair, Edwina Harrison who brings extensive experience to the role including management within youth justice services and as a longstanding independent chair of the North Lincolnshire Local Safeguarding Children's Board. Edwina has a good understanding of the role, and work of The Youth Justice Partnership and provides confident leadership to the board.

The YJSPB meets quarterly and oversees strategic management, funding arrangements, partnership working and access to partner agency services. The Board receives quarterly management reports and monitors staffing arrangements, generic workforce issues, and specific projects. The YJSPB also oversees action plans, policies, procedures and partnership protocols.

The Youth Justice Partnership Manager reports quarterly and annually on new initiatives and financial issues that have budget implications for the overall expenditure. The line management of the Youth Justice Partnership Manager falls within the remit of the Director of Children and Community Resilience.

The Youth Justice Strategic Partnership Board interfaces with the wider strategic partnerships and boards within North Lincolnshire including the Children's Multi-Agency Safeguarding and Resilience Board (CMARS), the Children and Young People Partnership, Community Safety Partnership, and the Clinical Commissioning Group.

Key aspects of the YJSPB include:

- ▼ Senior representatives attend the board who add value through support and challenge and ensure child first principles underpin practice at all levels of organisations.
- ▼ Regular well attended meetings and development sessions take place with board members to build on strong relationships between partner agencies.
- ▼ Lead roles group meets between board to maintain momentum and members work with specific Youth Justice team members.
- ▼ Sub groups are developed to resolve particular issues.
- ▼ Regular Performance and budget information underpins planning process.
- ▼ Thorough induction process is in place for new board members.

Revised Standards for children in the youth justice system were implemented from 2019, and self-assessments against these standards were carried out by all local partnerships and submitted to the Youth Justice Board in 2020.



Table 1: Core Composition of the Youth Justice Strategic Partnership Board

Name	Agency	
Edwina Harrison		Independent Chair
Supt Craig Scaife	Superintendent Humberside Police	Board Member - Lead Area: Reducing Children involved in knife crime and crime with weapons
Ann-Marie Brierley	Head of Social Care (Deputy Director NLC)	Board Member
Darren Chaplin	Head of Access and Inclusion (NLC)	Board Member - Lead Area: Engagement in Education, Training and Employment
Stuart Minto	Head of Safer Neighbourhoods (NLC)	Vice-Chairperson - Lead Area: Promote Community Safety, public protection and services to victims of youth crime
Victoria Harris	NHS North Lincolnshire Clinical Commissioning Group (CCG)	Board Member - Lead Area: Improve the Emotional and Physical Health of children involved with youth justice
Catherine Barnett	Youth Justice Board	Associate Member
Emma Young	Youth Justice Partnership Manager	Board Member
Paul Cowling	Head of North Lincolnshire Youth Justice Partnership	Board Member - Lead Area: Avoiding children placed in custody
Andrea Stansfield	Humberside Fire & Rescue Service	Board Member
Claire Welford	Engagement Officer (North Lincolnshire) Office of Police & Crime Commissioner	Board Member
Abi Moran	Executive Business Support Co-ordinator	Administrator
Nick Hamilton-Rudd	Board Member	Lead Area: Transitions
Charlene Sykes	Service Lead – Identification, Assessment & Safeguarding Children (NLC)	Board Member

Partnership Arrangements

Section 39 (1) of the Crime and Disorder Act 1998 requires the co-operation of the named statutory partners to form a YOT. Section 38 (1, 2) identifies the statutory partners and places a duty on them to co-operate to secure youth justice services appropriate to their area.

These statutory partners are:

- The local authority (this includes children's social care and education).
- The police.
- The probation service.
- Health.

The YOT is constituted of staff seconded from or employed by these agencies. To support the YOT, additional partners may also be recruited to provide specific services and support to children.

In North Lincolnshire, our **One Family Approach** aims to create a system that works for all children, young people and families where we work together to provide and commission integrated services for children and young people. We want to build on the collective strengths of our people and place to innovate and change through integration and system redesign.

In North Lincolnshire there is a comprehensive range of high-quality services in place to enable personalised and responsive provision for all children. The Youth Justice Partnership is a member of the Humberside Multi Agency Public Protection Arrangement (MAPPA) which is attended by the Youth Justice and Children's Social Care manager and works closely with probation services, the police and partners to reduce offending.

The Youth Justice Partnership is represented on Anti-Social Behaviour (ASB) panels, is a core member of the Harmful Sexual Behaviour (HSB) Group at the HSB Panel strategic and practitioner levels, part of the strategic group to develop our approach to Harm Outside the Home (ROTH) and part of the Multi-Agency Child Exploitation (MACE) process.



The Youth Justice Partnership

Involvement in the criminal justice system can impact adversely on a child's life chances, intervening at the earliest point provides the opportunity to deliver partnership models of preventative work that consider risk outside the home, desistance, and the relational approach. In North Lincolnshire, our early intervention work is in partnership with Drug Education Liaison Treatment Agency (DELTA), the Child Exploitation Team (CEIT), and the YOS which forms 'The Youth Justice Partnership', and is overseen by the Joint Decision Making Panel.

The work encompasses a variety of themes, from substance misuse, exploitation, ASB, crime, domestic abuse, and emotional/mental health to ensure that a holistic programme of support is available to the young people.

Other key partnership arrangements and activities Include:

- Working with partners to identify alternatives to remand and more robust community bail packages.
- Supporting Integrated Offender Management (IOM) Processes.
- Close partnership liaison to support the disruption of Organised Crime Groups who pose a risk to children in North Lincolnshire.
- A custody pathway that concentrates planning for young people at the point of entry to custody and provides immediate input on release re ETE, Health, Substance misuse, accommodation and family relationships.
- Working with partners to support vulnerable groups including children in and leaving care, children who are unaccompanied and seeking asylum, children identified as having SEND.
- Close links with the North Lincolnshire Fostering Service to identify alternative placements that avoid remands to custody, and provision of PACE beds.

Service Level Agreement and Partnership Arrangement Review Process

To assure effective partnership working, Service Level Agreements (SLA) exist between the Youth Justice Partnerships and key partner agencies, including police, probation, CAMHS and Children's Services with emphasis on Children In Care and substance misuse services.

SLAs are subject to annual review and specify designated roles, accountabilities, responsibilities, recruitment processes, supervision, practice and delivery of services, and management of performance.

Transition to adulthood

Transitions remains a key focus for the Youth Justice Partnership and we continue to share a seconded Probation Officer with our neighbouring authority, North East Lincolnshire. They lead in the transitions pathway and communication between YJP and National Probation Service (NPS). In North Lincolnshire we are currently strengthening and developing our transitions pathway utilising the guidelines provided by the YJB.

We are piloting new ways to approach this work including direct allocation of orders to the seconded probation worker if we know they are likely to transition into adulthood during the course of their sentence. Our probation officer also supports with our risk management oversight to support consistency and guidance to Youth Justice practitioners.

Regional & National Partnerships

North Lincolnshire have developed excellent joint working arrangements with colleagues regionally and nationally. Regional partnership arrangements include:

- Reciprocal audit arrangements.
- Humber region quarterly meetings.
- Joint Appropriate Adult arrangements.
- Consortium bid applications.
- Joint training.



2021-2023 Priorities

The Youth Justice Strategic Partnership reviewed the 2019-2021 Youth Justice Plan to consider progress, gaps, priorities and learning. Based on this, reviewing the performance information and anticipating developments as a result of the impact of COVID-19 the board has identified the continuing priorities for the Youth Justice Partnership to be:

- ▼ Prevention of Serious Youth Violence & Knife.
- ▼ Reduction of exploitation.
- ▼ Transition to Adulthood process.
- ▼ Education, Employment and Training.
- ▼ Emotional and Physical Health of children involved with youth justice.

Whilst **children placed in custody** will continue to be a priority for the Youth Justice Partnership it was recommended and agreed by the board that this priority lead area should be replaced by our transitions to adulthood pathway due to our low numbers of children in custody which has been sustained. This will continue to be an area of focus for the partnership and will continue to be taken to the board by the Youth Justice Partnership Manager when analysing our performance and data.





The Youth Justice Strategic Partnership board has agreed that board members will take lead roles in reporting to the board on key areas identified in the Youth Justice Plan. This will enable the board to have an overview of key wider partnership information so resources within the scope of the board can be better aligned to identified need with a view to achieving the above key priorities.

The expectation is that each board member with a key lead will be responsible for:

- Identifying and leading key partners to together progress the priority,
- Agreeing the key issues, gaps, developments and actions needed.
- Oversee the actions and progress.
- Report to the board.



Lead Area: Improve the Emotional and Physical Health of children involved with youth justice.

Identified Lead: Victoria Harris (NHS North Lincolnshire Clinical Commissioning Group)

Lead Area: Improve the Emotional and Physical Health of children involved with youth justice.

Linked Priority: Identifying and addressing mental health & SEN

Children who end up in the criminal justice system are three times more likely to have mental health problems than those who do not, are likely to have more than one mental health problem, to have a learning disability and to have experienced a range of other challenges (Centre for Mental Health). There is an opportunity that by working as a key partner of the Youth Justice Partnership we can work jointly to identify these needs early on, to link young people and their families with the support they need and to families with the support they need and to reduce the chance of people going in and out of the youth justice system through an integrated approach with the Youth Justice Strategic Partnership.

A recent profiling exercise was completed to understand the needs of young people on the youth justice case load. The youth justice case load review showed that the vast majority (61%) of young people coming to the attention of the Youth Justice Partnership were between 15-17 years and that:

- 43% of the population were recorded as having educational needs.
- 36% of children were recorded as having 'mental health difficulties' with 14% having a formal diagnosed mental health condition.
- A high proportion of children within the youth justice service have speech and language, or communication difficulties.

Despite the high needs demonstrated from the profile not all children were engaged in the services that are available to support them, and pathways for support did not always recognise the challenges in helping these young people engage.

As a result there has been a review of the current CAMHS delivery model within YJP, and work has been ongoing to re-develop the interface and service requirements of the children's health needs and mental health provision within service. This has resulted in increased referrals accepted into children's mental health services between January – March 2021.





There has been an increased focus on the pathway into CAMHS and a review of the numbers of YJP cases held on CAMHS caseload was undertaken. There will be changes to delivery from June 2021 which will include a more integrated provision, with a CAMHS worker being part of the Youth Justice Partnership and acting as a champion to engage children.

Most children in the youth justice service have complex and overlapping needs, and for many traditional referral processes and pathways do not work. There has been a review of the gaps and blockages in reaction to access to trauma related services, as well as other children's services such as speech and language therapy and learning difficulties.

It has been identified that staff need support and training to be confident in conversations around trauma, bereavement and mental health issues. As a result training has been arranged for the Youth Justice Partnership on the trauma recovery model, and on identifying speech and language issues. These will be used going forward to strengthen the diverse support given to young people in contact with youth offending, but to facilitate improvement in pathways to specialist services where a clear need is established.

Next steps:

- Build the CAMHS function to become the liaison point between CAMHS and YOS and ensure information is communicated effectively on a young person's progress and engagement with mental health support.
- Identify and promote less structured mental health and social support for young people to access, where they don't have a diagnosed mental health condition.
- Ensure there is clear communication and links into the Looked After Children and Neurodiversity pathways to enhance support for this group of young people and act as their champions in relation to their mental and emotional health needs.



Lead Area: Transition to Adulthood process

Identified Lead: Nick Hamilton-Rudd (Head of National Probation Service)

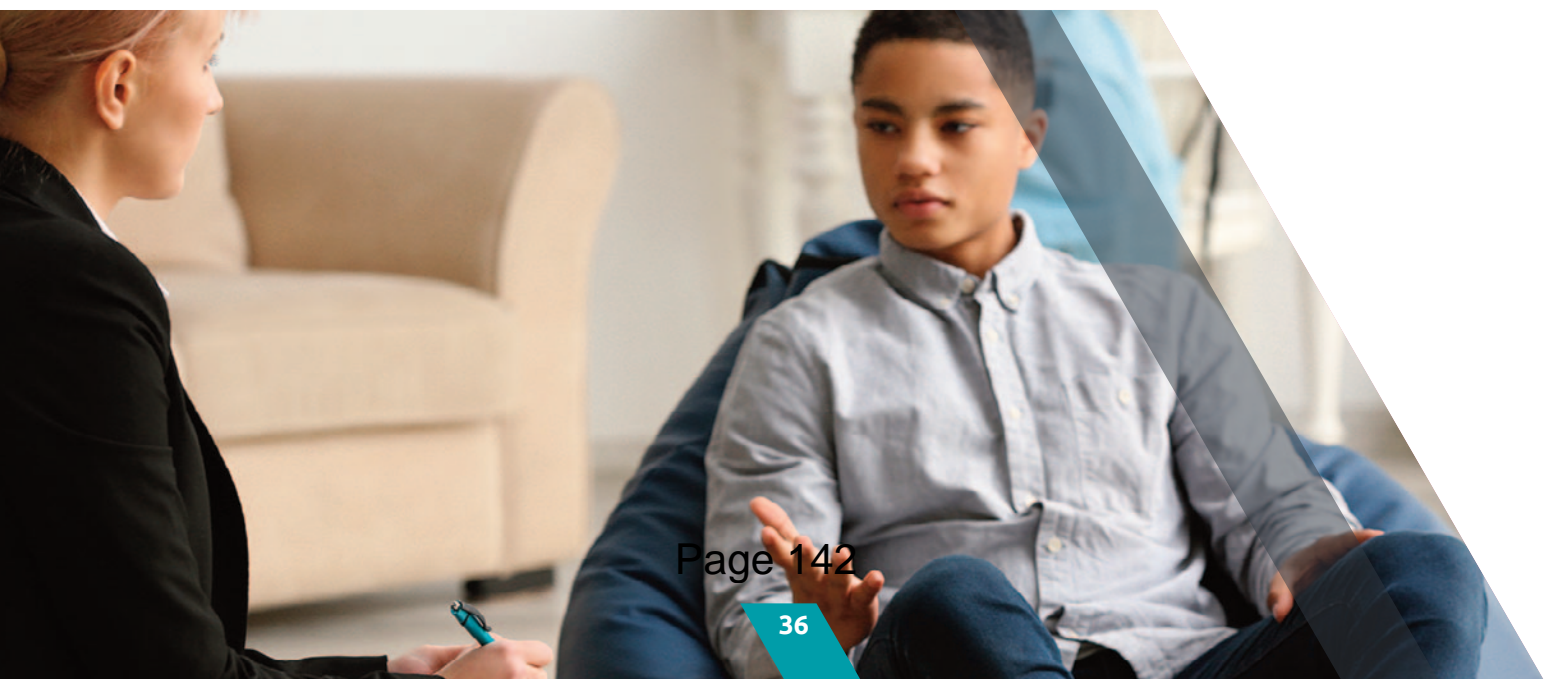
Lead Area: Transition to Adulthood process

Linked Priority: Effective transition process between child and adult services.

Transitions remains a key focus for the Youth Justice Partnership and we continue to share a seconded Probation Officer with our neighbouring authority, North East Lincolnshire. They lead in the transitions pathway and communication between YJP and National Probation Service (NPS). In North Lincolnshire we are currently strengthening and developing our transitions pathway utilising the guidelines provided by the YJB. We are piloting new ways to approach this work including direct allocation of orders to the seconded probation worker if we know they are likely to transition into adulthood during the course of their sentence. Our probation officer also supports our risk management oversight to support consistency and guidance to Youth Justice practitioners.

On 02.03.21 The HMIP announced a thematic inspection of youth to adult transitions across criminal justice agencies. This inspection was proposed to set out to see what influences the decision to transition a young person and what a good transition looks like for them at the different stages; decision making, pre transition, during transition and post transition. This enabled us an opportunity to take stock of our current processes, review those cases that fell into scope and identify areas of strength but equally areas of development.

Transitional safeguarding is a priority for the Youth Justice Partnership but equally a priority across the local authority and for our partners. Our transitional pathway is underpinned by the YJB Transitions Statement:





A successful transition from youth to adult services must focus on:

- Addressing a young person's/young adult's individual needs and safeguarding requirements.
- Considering diversity issues on a case-by-case basis.
- Identification and allocation of transfer/Adult Justice staff at the earliest.
- Opportunity (not after the young person has turned 18-years).
- Implementing effective case management transfer between agencies.
- Achieving a stable resettlement pathway.
- Maintaining rehabilitation achievements and interventions.
- Protecting the public.
- Preventing future reoffending.

North Lincolnshire's Seconded probation officer's key roles:

- Ongoing development of the transitions pathway/plans for young people – following and implementing YJB guidance.
- Consult and work with the young person and their family/carer to inform them of the transition process to adult services and keep them informed at each stage.
- Seek the view of the young people and their families.
- Key to ensuring smooth transitions at the earliest opportunity.
- Lead contact for communication and information sharing between two agencies.
- Pro-active in identifying young people who meet the criteria.
- Linked to transitional safeguarding model.
- Use knowledge of process between both agencies to ensure child and families have a point of contact and understanding throughout transition process.
- Monitoring of transition outcomes.
- Ensuring transition pathways and planning takes into account diversity and disproportionality concerns.



Lead Area: Engagement in Education, Employment and Training

Identified Lead: Darren Chaplin - Head of Access and Inclusion
(Deputy Director NLC)

Lead Area: Engagement in Education, Training and Employment

Linked Priority: Increase engagement in Education,
Employment and Training

Education, Employment and Training (EET) are key positive factors that support desistance. EET provides access to a range of opportunities for children to help their progress and development. It is essential that youth justice partners work together with all educational establishments.

Within North Lincolnshire Youth Justice Partnership, the Education Officer is the link between Education and the partnership, offering high quality information, guidance and support to young people who may fall under the young justice remit, with regards to their education, employment and training.

The Education Officer supports, signposts and assists staff to liaise with the individuals in schools and services within education. Providing information for reports to the courts about the educational attainments and progress of children, providing information to children and their parents about schools and the education service, and completing direct work to support a young person's educational, employment or training need.

The role is committed to ensuring effective communication, sharing of information and liaison throughout the service and wider agencies. They provide information and updates to the responsible case managers on individuals and wider work.

Part of the role of the Education Officer within the Youth Justice Partnership is to address any gaps in education. This could be due to, amongst other things, a young person having received school exclusions, moving from another authority or being post 16 and not having a provision in place. The role recognises the importance of education and the impact a lack of attainment can have on a young person's future. As part of the role the Education Officer completes checks on each child open to the service and this includes identifying any educational needs at the earliest stage.

This allows the case manager to adapt the interventions as required, to ensure that the child has the best chance of learning and retaining the information given.

The Education Officer is a standing member of the Secondary Fair Access and Inclusion Panel and Daily Tracking Meeting and advocates on behalf of young people who may have the involvement of the Youth Justice Partnership. The Education Officer will act as parental advocate where requested by parents for any governor disciplinary meetings.

The Education Officer works closely with the Careleaver and Post 16 LAC Officer, The Education Inclusion Team and SEND team to ensure there are no gaps in support for our most vulnerable young people.



Children with Special Educational Needs and Disability (SEND) may face difficulties engaging or progressing in school which make it difficult for them to progress academically. Although the research around school exclusion and offending is not well evidenced, there is an emerging body of evidence that suggests that children that are out of education are at increased risk of becoming involved in the criminal justice system.

As highlighted in the North Lincolnshire SEND and Inclusion Plan, we strive to ensure all our young people and particularly those with SEND, have high levels of speech, language and communication skills.

Have equal and fair access to a consistent, high quality education offer in schools and settings. Are empowered, enabled and supported to achieve their potential as they transition to adulthood.

The YJP and Education will work together to produce an Education/YJP plan to ensure our most vulnerable young people within the YJP do not fall between the gaps.

The Education Officer will:

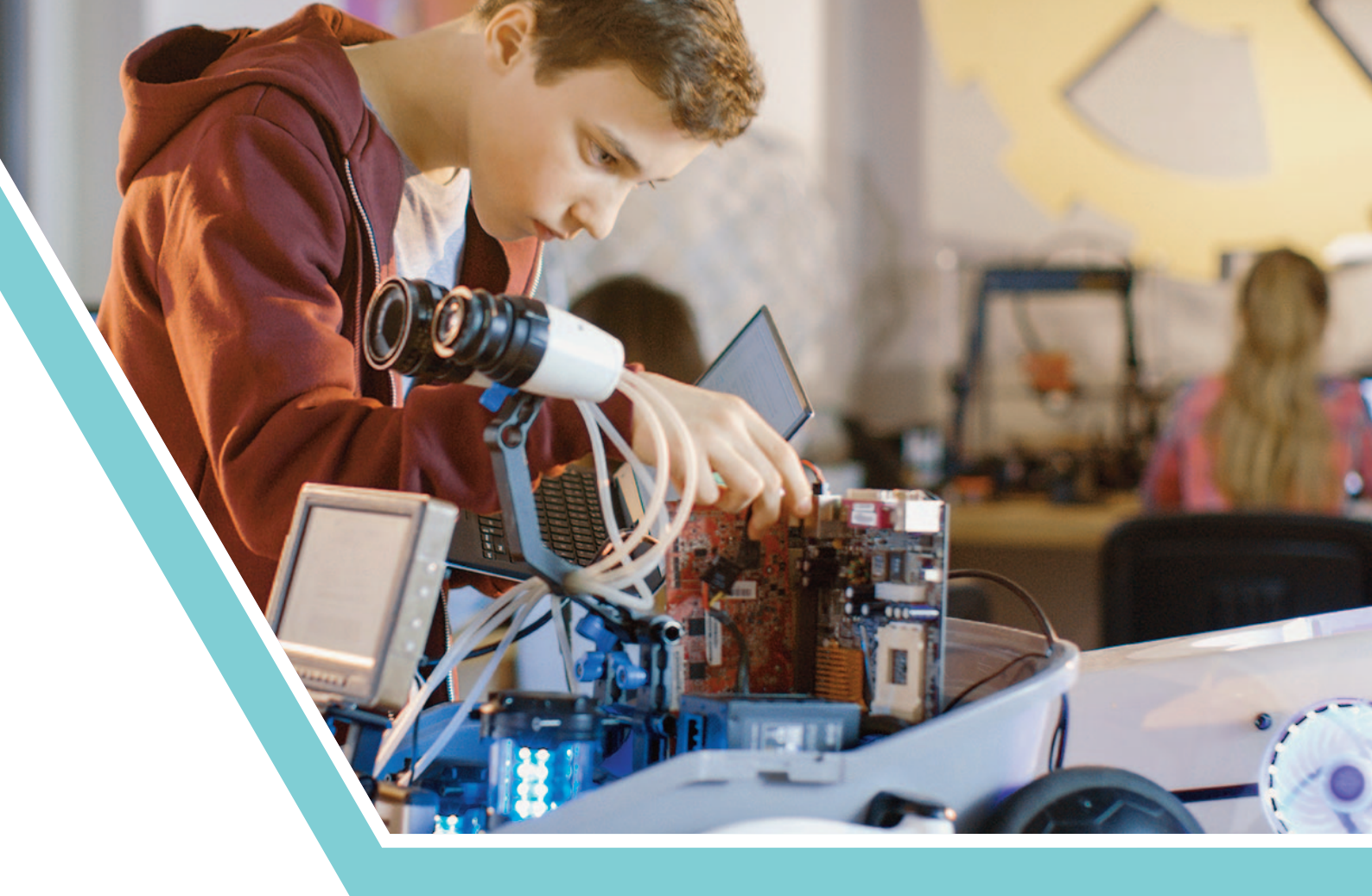
- In line with the One Family Approach, aim to ensure that all our young people who come under the remit of the Youth Justice Partnership will work with and are supported by an ambitious, integrated team of workers that spans all of North Lincolnshire Council.
 - Ensure that our young people are supported to achieve their aspirations and become an asset to our community and have the best opportunities in life.
 - Help increase the amount of young people who attend, and maintain their attendance, at various education and training opportunities, with the ultimate aim of supporting young people to gain long term employment.
 - Ensure that our post 16 young people are in EET and are making expected or above expected progress in their post 16 destination.
- To prevent NEET or to ensure that appropriate support is in place to encourage participation into EET.
 - Ensure our young people are encouraged to reach high and achieve their potential and that the right support is in place to enable this to happen.
 - Support our post 16 young people into HE and adulthood with robust support and plans in place to identify any support and transition arrangements.
 - Ensure careers information/advice guidance is of the highest quality and must include opportunities that build confidence, esteem and build high aspiration.

Examples of work currently being undertaken to support our most vulnerable young people:

Sourcing the provision of high quality work placements that develop skills and build aspiration:

- The Community Dev Fund bid includes proposal to build the number and range of work placements (15 - 24 yr olds) - both internally in council settings and externally with local employers. The new work placements be offered to our most disadvantaged young people/those furthest from workplace. This includes young people in the YJP category.
- Young people will be mentored and matched to suitable work placements. It is anticipated that this work will raise individual aspiration and progression routes for building skills and employability will. A large range of partners will support this work.
- The 2021 summer National Citizenship programmes will target YJP young people for take up of places. Barriers to participation/ financial /other will be addressed.
- The ' Industrial Experience ' opportunity on the CATCH training site, Humber Bank will be offered as an engagement taster to further training and entering the jobs market.
- Promote the 'Kickstart' Scheme – paid work experience for 16 – 24 year-olds in YJP cohort. Encourage priority offer in a range of council areas.
- Use the Post 16 Engagement/Participation Panel to ensure partners contribute to the prioritising of the YJP cohort in access to the broad learning & training offer.
- YJP cohort discussed as part of Daily Tasking multi agency support when concerns of NEET and unmet need (such as SEND)
- Reduction in the numbers of exclusions both fixed term and permanent – continue this challenge at case level but also strategically (internally / externally).
- Continue to develop inclusion opportunities with mainstream pre-16 school settings for vulnerable young people including more bespoke curriculum and vocational offer (through SEND Capital Projects).





Research indicates that a high percentage of children have been excluded from education because they have been the victims of child criminal exploitation (CCE) and groomed into criminal activity, often into “county-lines” drug trafficking, which involves children and young people being used to transport drugs into different parts of the country. In North Lincolnshire we take an integrated approach to ensure the most vulnerable are not excluded from education and this is evidenced within our current

data. There has been a significant reduction in the amount of children open to the Youth Justice Partnership who received fixed term exclusions from 126 in 2018-19 to 30 in 2020/21, recognising that there will have been some impact due to Covid-19. To continue our progress a sub group has been developed and meetings will take place to look at those cohorts falling into scope and what more the partnership can do to tackle exclusion which increases the risk of offending behaviour and CCE.

Academic Year	Num FTEs	Num Days	FTE Rate	Num Perm Ex's
2018/19	126	237	210%	2
2019/20	95	141.5	158%	2
2020/21	30	50	50%	3



Lead Area: Promote Community Safety, public protection and services to victims of youth crime.

Identified Lead: Stuart Minto (Lead Officer Safer Neighbourhoods)

Lead Area: Promote Community Safety, public protection and services to victims of youth crime.

Linked Priority: Contribute to the reduction of exploitation.

Crime committed by young people

Youth related crime (crimes with an offender or suspect aged 10-18 years old) fell by 26% from 1,723 offences in 2019/20 to 1,280 offences in 2020/21. The highest levels of crime committed by this age group were seen in Brumby, Crosby & Park, Ashby, Kingsway with Lincoln Gardens and Town wards.

The crime types most commonly committed by young people were Violence Against The Person, Arson & Criminal Damage and Public Order Offences.

Crime committed against young people

Crimes committed against those aged 10-18 years old fell by 21% from 1,420 offences in 2019/20 to 1,121 offences in 2020/21. The highest levels of crime committed against this age group were seen in Crosby & Park, Brumby, Ashby, Kingsway with Lincoln Gardens and Town wards.

The offence types most commonly committed against young people were Violence Against The Person, Sexual Offences and Public Order Offences. Crimes committed against young people by young people fell by 24% from 558 offences in 2019/20 to 423 offences in 2020/21.

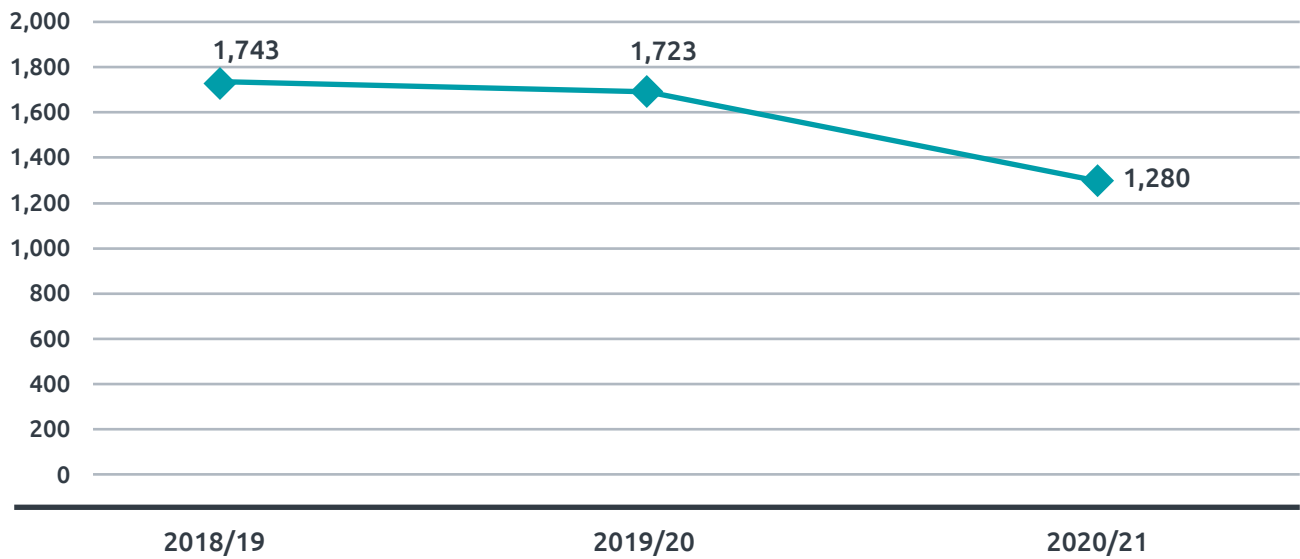
Youth Related Anti-Social Behaviour (ASB)

Youth related ASB fell by 20% from 1,379 incidents in 2019/20 to 1,100 incidents in 2020/21. The highest levels of youth related ASB were seen in Crosby & Park, Brumby, Ashby, Kingsway with Lincoln Gardens and Frodingham wards.

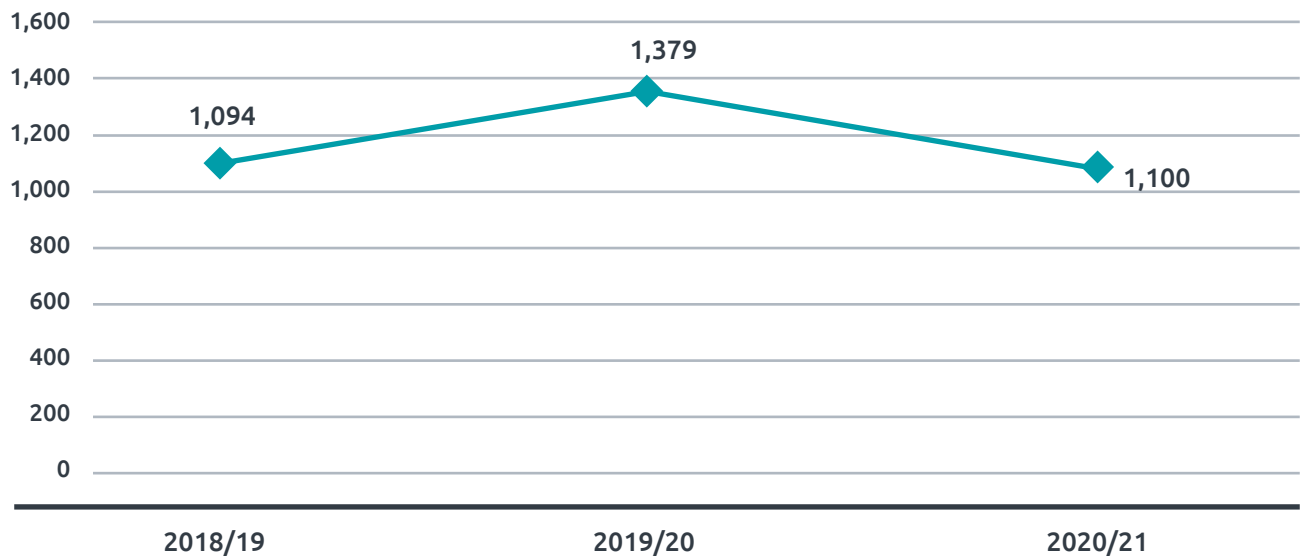
The majority of youth related ASB (almost 87% of youth related ASB in 2020/21) is classed as ASB-Nuisance.



Youth Related Crime in North Lincolnshire



Youth Related Anti-Social Behaviour



The only offence type to see an increase in the number of youth related crimes in 2020/21 compared to 2019/20 were Drug Offences (+66%). The percentage of all Drug Offences that were youth related increased from 14.8% in 2019/20 to 16.7% in 2020/21. This data correlates with the spike in young people being arrested and released under investigation with 53% of children RUI being for drug related offences. It's suggested that this increase could be associated to organised crime groups operating in North Lincolnshire who are identified to be exploiting children and young people. This also connects with those wards/locations seeing the highest levels of crime/ASB.

Working Together 2018 was amended on 09/12/2020 to include risk outside the family home alongside interfamilial harm to children. The North Lincolnshire Helping Children and Families Document also reflects the changes in statutory guidance.

Alongside risks to children from within their family, children may also be vulnerable to abuse or exploitation from outside their families. This may include adults, groups of adults or locations that pose a risk to children. This may include schools and other educational establishments, peer groups, or more widely from within the wider community and/or online.

Context, therefore, is important for how we understand children's experiences of extra-familial harm (Risk Outside the Home). Extra-familial contexts characterise:

- (i) where the harm occurs;
- (ii) where protective and harmful relationships form;
- (iii) the limitations of parenting as a source of protection; and
- (iv) a blurring of the lines between victimisation and perpetration.

North Lincolnshire remain on a journey to strengthen our approach towards Risk Outside the Home (ROTH) and there have been many developments including:

Progress

- Increased Partnership working and attendance at meetings.
- Increased opportunities for Early Intervention through ASB process and the Westcliff project.
- Closer working relationship with YJP and information sharing.
- Place based plans to address issues of exploitation.
- Significant investment into environmental improvements through Safer Streets Fund.
- Problem solving undertaken at hotspot locations – Vulnerabilities of young people are considered when looking at suitable responses.
- Police/Partner Operations.
- Joint decision-making panel to triage referrals for ASB and allocate to most appropriate agency.
- Processes to address issues of radicalisation and exploitation are in place, including Channel and the Prevent Champions network and training programme.
- successful with a bid, for a project of £40k fencing to prevent motorbike nuisance on Everest Road field. It is believed that these bikes are being used for drug dealing and this fencing will prevent this activity and potential opportunity for exploitation.
- Installed a number of new CCTV cameras and early identification of offenders, shared the list of vulnerable young people of concern and submitted PIFs.
- Support Youth Endowment Funding bid in partnership with YJP and OPCC.



Areas for development

- Further work needed around the Prevent Champions Network.
- Project work in “Hot Spot areas, needs to be embedded further and specifically where it involves ASB with young people, there should be improved links with Outreach and local intervention and activity services.
- Continue to target the contexts in which harm/abuse occur by building upon the transformational work that has been undertaken in key hotspot locations to reducing the risk from adults and locations who pose a risk.
- Build Community resilience by developing ‘community of practice champions and community guardians’, where local practice experts in a range of roles meet to share knowledge, best practice, develop skills, and champion training and development.

Impact

- Both Youth Related Crime and ASB have reduced this year. The number of Young victims is also reducing. The number of High Risk ASB Offenders has been reduced significantly by using an Early Intervention process.
- Disruption of Organised Crime Groups and perpetrators exploiting children in North Lincolnshire.



Lead Area: Reducing Children involved in knife crime and crime with weapons.

Identified Lead: Supt Craig Scaife (Superintendent Humberside Police)

Lead Area: Reducing Children involved in knife crime and crime with weapons.

Linked Priority: Preventing knife crime and reducing serious violence.

Whilst the use of weapons and levels of serious youth violence (SYV) remain low in North Lincolnshire there has been increased intelligence reported of children related to Organised Crime Groups who are involved in this type of offending. It's suggested that horizon scanning is critical to ensure that we have a thorough awareness of any threats and that plans are in place at the earliest opportunity to reduce any risk.

Taking into account the national increase in knife crime and potential links to vulnerabilities through criminal exploitation, a pro-active approach has been taken to reduce both the use of knives and other weapons and the fear of these in the community. It's argued that knife crime and SYV can not be tackled alone, parents and families, schools and youth groups, and communities need to come together to discourage and prevent knife carrying, as well as the media, businesses and other influencers to do their part to make spaces where young people spend their time – online, at school, town centres, outdoors and at home – safe.

Current local data indicates that weapons are reportedly used in 8% of violent incidents where the suspect is under 18 and 7% where the victim is under 18 indicating weapons are not being used in the majority of contact violence involving under 18s.

Where weapons are used, a knife (or other sharp instrument) is most common (81%). Note – in all cases where a "firearm" is listed, this was a BB gun.

Plans are in place to run both further workshops in secondary schools and targeted community projects in hotspot locations. These will educate children on the risks of knife crime and serious violence through engaging children positively. These workshops have been previously successful in ensuring clear messages continue to be articulated.



Progress

- ▼ Stop and Search continues as part of other police and partnership activity. This acts as a prevention measure, engagement, provides public confidence and a response to intelligence/calls for service.
- ▼ Hotspot areas are identified to support partnership activity and police mandatory tasking areas. Included in this is a highly visible, intelligence led and proactive drug dog patrols on a regular basis.
- ▼ Intel submissions and Partnership Information Form (PIF) forms from partners have increased significantly. This has included an input directly to all schools and colleges around the PIF system giving our education partners a direct inroad for the vast amount of intelligence they can share concerns.
- ▼ Activity has taken place across partnerships – education, no more knives, social media.
- ▼ Plans are in place to manage such criminality / activity. This includes Multi-Agency Child Exploitation (MACE), CCE meetings, Organised Crime Group (OCG), Tactical Tasking Co-ordination Group (TTCC).
- ▼ Any young people highlighted as committing an offence around knife crime have a robust package in place with the Youth Justice Partnership and Neighbourhood Policing Team.
- ▼ Weapons profile plan has been developed covering 4Ps -Prevent, Protect, Pursue, Prepare.
- ▼ Utilisation of the Serious Youth Violence Stocktake toolkit in partnership to help identify gaps and strengths in the work we are doing to reduce serious youth violence. Joint thematic reviews undertaken with Police and Youth Justice Partnership Manager.

Next Steps

- ▼ Re-engage with Schools / Colleges. A revised Police force plan with a Force Silver Lead has education and Prevention as a key aspect.
- ▼ All partnerships to utilise media pages and links to the Gov #KnifeFree campaign, which highlights the Legal Implications for the offender, Emotional consequences, Personal Consequences. Promote activity using #stopknifecrime.
- ▼ Collate and verify further diversionary options for children showing a propensity for carrying knives.
- ▼ Continuation of analysis to extract the data from police and partnership information products to gain a full picture of Knife / Weapons offending in the NL area.
- ▼ All stakeholders to review processes to assess what 'post covid plans' are in place to mitigate any current or future threats especially in relation to risk impact of increased deprivation and people resorting to crime/offending.
- ▼ Up to date problem profile produced and periodically refreshed and intelligence picture, emerging issues identified and discussed at TTCC.
- ▼ Discussion to be held to establish if a weapons / violence meeting should be recommended to look at patterns , locations, suspects, victims OR are other meetings and products in place to cover this.
- ▼ Publicise/share assessments, profiles and plans where appropriate.
- ▼ Continued up-to-date briefings for staff regarding subjects, intelligence and locations.





Previous Lead Area: **Avoiding children placed in custody.**

Identified Lead: Paul Cowling
(Head of Youth Justice Partnership)

Lead Area: Avoiding children placed in custody.

Linked Priority: Prevention of re-offending.

Partnership work over many years, which has continued during the COVID-19 period, has led to the reduction in numbers of children in custody and continues to be an integral part of the work of the Youth Justice Partnership and wider partnership. As a result of this, the Youth Justice Strategic Partnership Board reviewed the key leads and made the decision that this was no longer required as a key lead and it was replaced by 'Transitions to Adulthood'.

Low offending/Re-offending provides a reduced likelihood of children likely to enter custody. However, small cohorts of children re-offending with an higher number of individual offences increased the likelihood of sentencing meeting the threshold for custody.

Evaluation of Progress

Whilst there are low numbers sentenced to custody, this is a volatile cohort and the target continues to be 0 children in custody.

In 2020/21 there was one young person sentenced to custody. To date, we currently have 0 young people sentenced to custody. Whilst there has been a small increase in children remanded to custody, 2 of these were from other areas and were released quickly following packages being presented to the court.

There are a small number of 'harder to reach' children who continue to offend – this identifies the continuing need to build on holistic partnership approaches to engage with these children.

Services continue to develop practice, initiatives and integrated working to identify, develop holistic packages of work and deliver interventions to reduce the likelihood of these children offending. This includes a key focus on vulnerability to and experiences of exploitation, utilising the outreach youth support service, developing speech and language within the service and building on the specialist CAMHS support to the service. In addition, utilising funding opportunities and initiatives such as Not in Our Community to raise awareness and deliver work to vulnerable groups.



Develop further enhanced bespoke multi-agency packages to target those potentially at risk of custody utilising immersive scheme principles.

The service is reviewing and building immersive packages to deliver over the coming months. This will potentially include the summer arts scheme, immersive summer programme and utilising wider community based resources to promote positive engagement and access to community activities for the children known to the service. Continued development of the Harmful Sexual Behaviour prevention work, including interventions focusing on social media.

The North Lincolnshire Harmful Sexual Behaviour Project has continued throughout the pandemic utilising virtual approaches. It has been agreed through the HSB panel that there will be a review of the project to review progress, agree the next steps and develop further awareness, training and partnership approaches to HSB.

As part of this, Youth Justice Strategic Partnership Board members have been approached to support the continued success of the HSB project by agreeing to support and identify staff across the partnership to be trained in HSB models and undertake work with children as identified by the project. Board members are to also continue to support reducing HSB through the commitment of each partner agency to membership of the HSB panel.

Case study examples: linked to priority areas

Case Study 1 – Avoiding Children placed in custody

The Youth Justice Partnership (YJP) work hard to reduce Remand to Youth Detention Accommodation (YDA) and custodial sentences for children using the Child First Principals. This includes the use of robust community recommendations and bail packages. The negative impact of custody is recognised by all YJP staff, as is the importance of community rehabilitation.

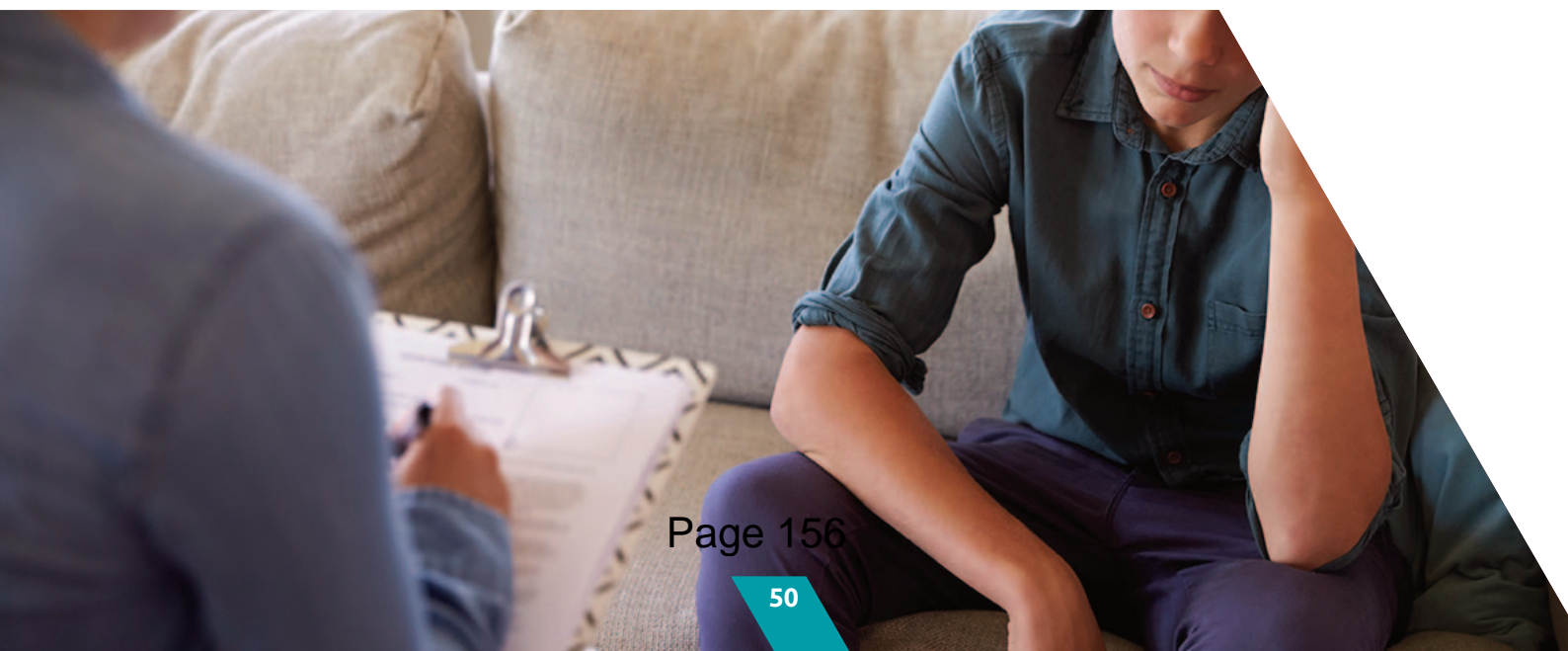
In August 2020, a 17 year old male had been arrested with several adults, charged and kept for court for his alleged involvement in the theft of high-end cars. He was kept for court due to the Seriousness of offence and being a potential flight risk for the offence of Handling Stolen Goods.

As the child spoke limited English, prior to his court appearance, an interpreter was requested. The child presented as distressed at the situation and wanted to return to his native country. There were concerns for his emotional wellbeing which were addressed with staff while in the cells.

The Youth Justice Partnership (YJP) offered the court a robust bail support package to consider given the circumstances of the child. After considering all the information from the CPS, Solicitor and YJP, the court decided that the only suitable outcome at that time was to remand the child to youth detention.

The desired outcome for the child was to give him the opportunity to work with the YJP on a bail package and be released from custody. The child was listed for a hearing the following week and the YJP offered a multi-agency bail recommendation, which included his diversity needs and disproportionality concerns. Also, the fact that there were concerns he had potentially been criminally exploited. The recommendation included accommodation, which was agreed as suitable by Children's Services, a curfew, 3x per week contacts with the YJP and engagement in education.

The child was released from custody and had a safe place to live. He is currently employed and has subsequently not re-offended or breached any of his bail conditions. He has been very appreciative of the support he has received from the workers involved with him and has continued to remain positive.



Case Study 2 – Child Criminal Exploitation

The Youth Justice Partnership (YJP) work with children who may have experienced emotional abuse, concerns around parenting and supervision, neglect, gaps in their education and substance use. Children may also be potentially vulnerable to Child Criminal Exploitation, and one of the places this may come to light is when a child is in Police Custody.

Appropriate Adults have a key role in identifying and addressing concerns around this. As part of the Appropriate Adult role, there is a responsibility to identify and address concerns around exploitation with children who present risk factors, for example those who have been arrested for offences involving substances. Appropriate Adults are trained to have knowledge of S45 of the Modern Day Slavery Act (2015) and have a role to ensure that the appropriate questions are asked by the Police.

The Youth Justice Partnership has a role in supporting the 'Prevent, Protect, and Pursue' approach of working with children who are being criminally or sexually exploited and/or there are concerns around Risks Outside the Family Home and in targeting the perpetrators of such harm.

Prevent:

The YJP recognise that using a professional who has a trusted relationship with a child can help avoid criminalising them further. A multi-agency approach is used to ensure that there is a plan in place for the child, living arrangements are stable they have support in place to reduce the vulnerability concerns.

Using a Solution Focussed Approach will support a child to address concerns such as substance use, education and emotional wellbeing, again utilising a variety of agencies.

Protect:

Safety plans are implemented for a child and it is ensured that they are seen by professionals on a regular basis, and parents/carers are encouraged to report them missing if required. The YJP also ensure that children have a mobile phone to keep in contact with parents/carers and professionals.

Multi-agency Risk, Safety and Wellbeing are held to ensure that there is defensible decision making throughout a case, and that all relevant information is shared and acted upon when required. In addition to this, children are discussed within the MACE arena, whereby a range of multi-agency professionals communicate and share information and ensure that plans are in place. There is constant communication between the YJP worker and the Police to ensure that any relevant information regarding exploitation is considered and addressed.

Pursue:

To identify and target perpetrators of exploitation; safeguarding and intelligence information is constantly shared with the Police. When appropriate a National Referral Mechanism (NRM) referral is made for a child, and Police are updated with hotspot areas and names of concern. The NRM process is managed within North Lincolnshire Council, which allows decision making to be made by those who have the most knowledge about a case, and can easily access relevant information.



Resources & Services

Value for Money

As an accountable and publicly funded body, the Youth Justice Partnership is committed to ensuring value for money via robust budget management and effective service delivery. The service ensures that resources are deployed appropriately within the YJP structure to meet the changing demands of a smaller convicted cohort, with increased preventative and out of court disposal interventions.

The Youth Justice Partnership continues to achieve a balanced budget comprised in the main from Local Authority core funding and the Youth Justice Board Grant, supplemented by partner contributions and additional grant funding opportunities. There is ongoing commitment from the Police and Crime Commissioner for 2021/22 to continue to support the work of the YJP in diverting from and preventing youth crime. This is allocated and overseen via the North Lincolnshire Community Safety Partnership.

Impact and Outcomes

The Youth Offending Service continues to invest in the workforce to deliver effective programmes that focus on reducing first time entrants, use of custody and reoffending. There has been a continued reduction in all these areas and the shape of the workforce continues to develop to reflect this.

Investments in early help continue to have a positive impact and contribute to the low number of custodial sentences and a continued fall in first time entrants to youth justice.

Staff Resources

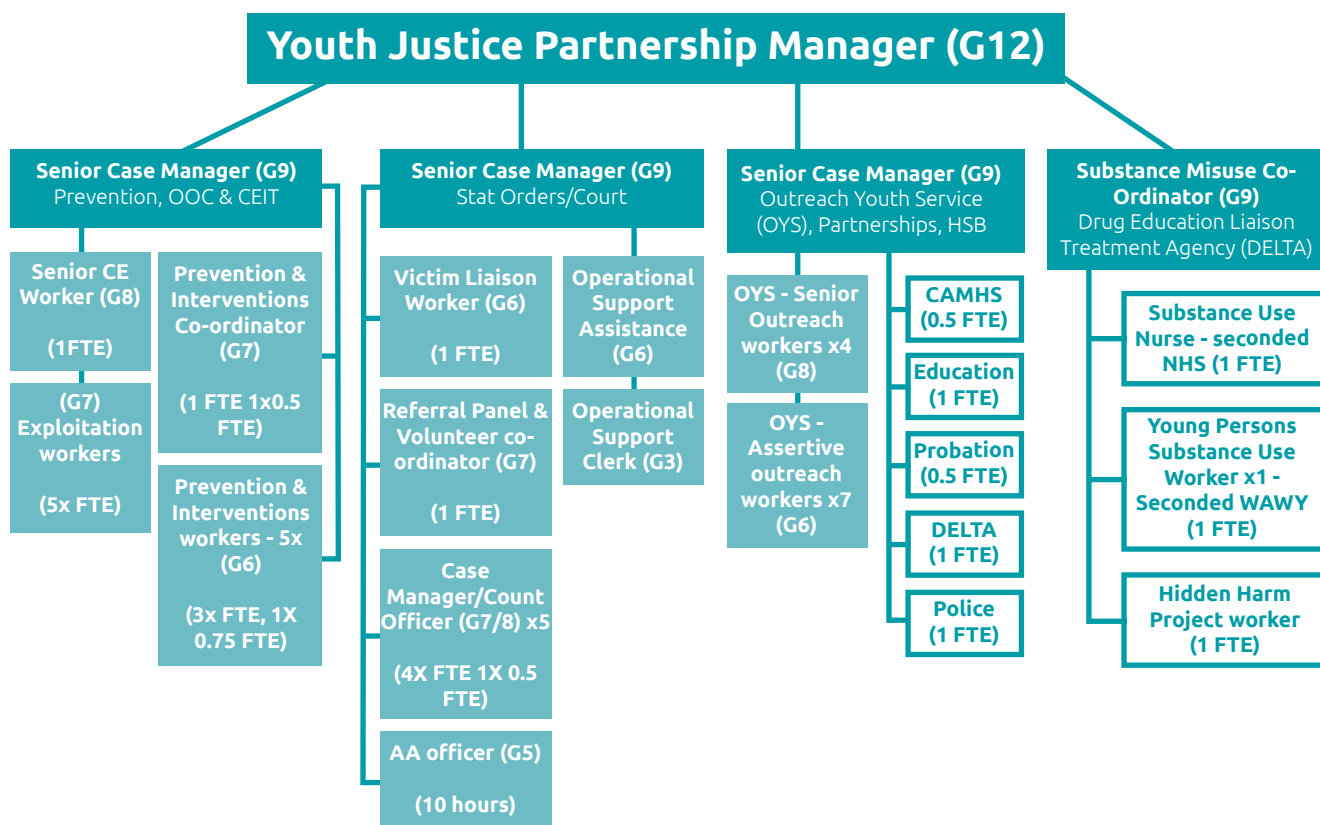
A recent review of role and function within the Youth Justice Partnership was undertaken which concluded that a new model was needed for the different challenges faced by the partnership. The review recognised that a different balance of skills was required to meet the changing needs of the children/young people and their families. Subsequently, a streamlined model was developed and the service was re-structured with a greater emphasis on partnership. The Youth Justice Partnership Manager role (reporting to the YJP Head of Service) was created, developed and appointed to with four grade 9 team leaders developed to oversee the different aspects of the service, inclusive of YOS, CEIT and DELTA making up the 'Youth Justice Partnership'. The partnership also consists of a practitioner team of Case Managers/Court Officers, Intervention workers, Youth Justice Panel coordinator, Victim Liaison Officer and a pool of volunteers.

To ensure compliance with the minimum standards of the Crime and Disorder Act, in addition to the core staff, there are:

- ▼ Seconded Education and Inclusion officer,
- ▼ Substance misuse workers,
- ▼ Dedicated health worker (Nurse) within the DELTA service.
- ▼ Allocated CAMHS worker.
- ▼ Seconded Police Officer.
- ▼ Seconded Probation Officer.
- ▼ Designated Social Worker.
- ▼ Dedicated Education Psychology time.

The team is also supported by a dedicated Operational Support team and information / performance team.

Staff Structure Chart



- Coloured boxes are established and statutory posts.
- White boxes are secondments from other agencies, or services under SLA and not permanent YJP staff members.



Workforce Development

The golden thread is that staff have the knowledge and skillset required for their role. In North Lincolnshire we are committed to having a highly skilled workforce that are able to meet the needs of our children and families. Our workforce consists of qualified social workers, nurses, police officers, and practitioners who are educated to degree level in relevant subjects e.g. criminology, youth justice, social care. We have an emphasis on a learning culture in North Lincolnshire and ensure staff feel valued, listened to and supported.

The 'One Family Approach' reinforces our approach to integration and our staff are afforded the opportunity to work in different areas of the service. Whilst this enables us to demonstrate our commitment to partnership working, this equally upskills the workforce and supports better understanding of key roles and responsibilities across children's services.

All staff and volunteers have regular access to training. The majority of staff have completed the Youth Justice Effective Practice Certificate qualification and new staff are encouraged and motivated to do so. This is role specific and reflects the risk and complexity of working in youth justice.

Staff are trained in other key areas such as:

- Harmful sexualised Behaviour (AIM2/3 and Good Lives)
- Restorative Justice
- Safeguarding Children
- County Lines
- Contextual Safeguarding
- Transitional Safeguarding
- Child Exploitation
- Domestic Abuse
- Child Development
- Diversity

All staff receive regular supervision and appraisals, and ongoing career development is encouraged through this process. All new starters also receive a robust induction package.

More recently, staff have been encouraged to utilise the YJB skills audit tool which was designed to help youth justice practitioners to reflect on their practice, in particular to identify potential gaps in their knowledge, behaviours and skills and thereby to gain access to more targeted training. The Youth Justice Board's Resource Hub provides a platform for practitioners to access a range of tools and resources that support ongoing knowledge and development.

Training needs are regularly reviewed and most often linked to the Youth Justice Partnership's key priorities. This has included practitioners attending training on:

- Modern Day Slavery – including Section 45 Defence and the National Referral Mechanism.
- Adverse Childhood Experiences (ACE's).
- Deprivation of Liberty and The Mental Capacity Act.
- Disproportionality and Unconscious Bias.
- Resettlement.

Regular workshops are often also facilitated to provide staff with the opportunity to refresh their skills and knowledge, for example Asset Plus workshops and report writing workshops.

In line with our current need and priorities the following training has been scheduled for 2021;

- Trauma Recovery Model
- Speech and Language
- Risk Outside the Home
- Preparing for adulthood

Trauma Recovery Model

Whilst we have developed a good understanding around identifying trauma, this was identified as an area of development by the team and subsequently we have commissioned the Trauma Recovery Model training jointly with our neighbouring authorities (demonstrating the regional partnerships we have formed). The Trauma Recovery Model is a road map to help professionals care for and guide troubled people towards recovery. It is a composite model; combining theories of child development, attachment and neuroscience with hands on practitioner skills. The model draws together knowledge and research from a number of different subject areas:

- Child development
- Attachment

- Early brain development
- Trauma research
- Adverse childhood experiences research
- Criminology & desistance theory

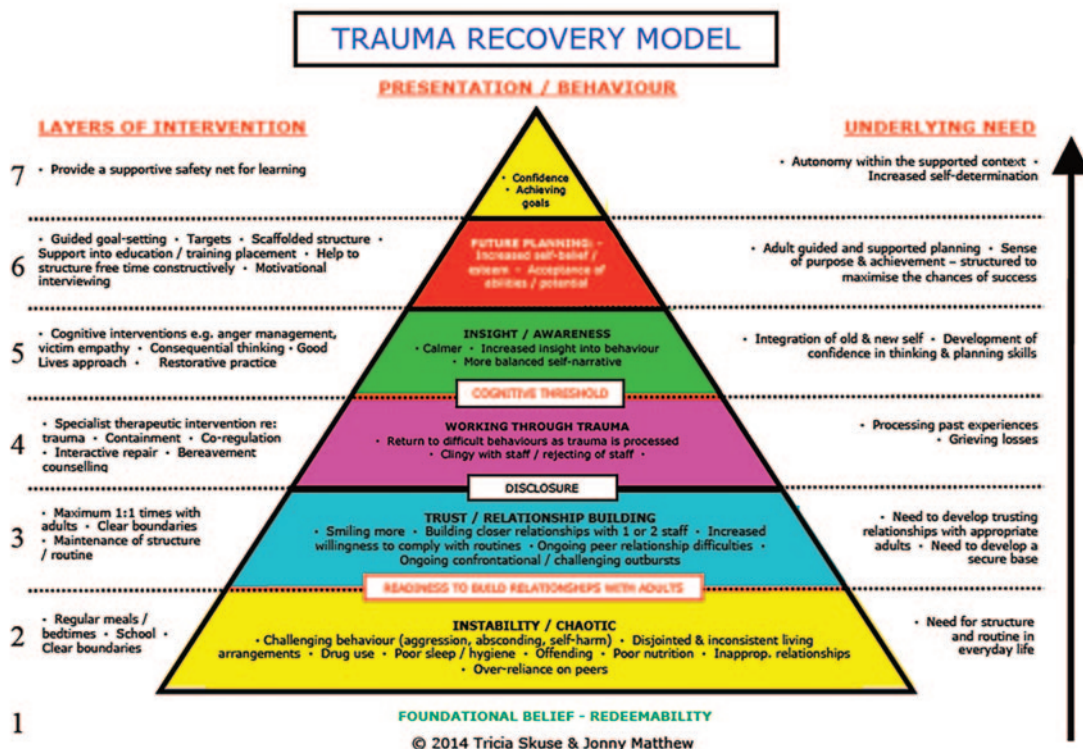
Jonny Matthews who co-delivers the training is a part time Practice Change Lead for the YJB. He is currently working to develop, test and evaluate the Enhanced Case Management in youth offending teams for young people with complex and prolific offending histories. This is an exciting opportunity for the service to develop staff skills in developing trauma informed practice. It's anticipated that following the successful completion of this training, some team members will be able to facilitate workshops to share learning across the workforce.

YJSIP

Managers of the service are equally encouraged to attend training and develop and the Senior Case Managers have been booked to attend the Youth Justice Sector Improvement Partnership (YJSIP) operational managers course. This is a reflective course enabling them the opportunity to reflect on their current practice whilst working closely with other Youth Justice managers nationally to learn from practice to support the best possible

outcomes for children, young people and their families.

It's anticipated that by all managers attending this course we can work towards a consistent approach to our management across the service which in turn will support practitioners to be clear of expectations.



Speech and Language

Speech, Language and Communication Needs (SLCN) are another priority for the service. A recent health profile was undertaken by the partnership which subsequently led to a review of our current CAMHS provision but equally the need for further training amongst the workforce. Children with SLCN can give a negative perception of themselves to the agencies that are responsible for their support, sentences and interventions.

It is therefore essential for those agencies working with children to have a clear awareness and process to understand and support children's communication needs. Consequently, we have booked tailored training for the workforce on SLCN and are working towards a pilot being implemented with the support of a Speech and Language teacher.





Risk Outside the Home (ROTH)

In North Lincolnshire we have adapted the language 'Risk Outside the Home' opposed to 'contextual safeguarding'. 'Working Together' was updated in 2020 and renamed contextual safeguarding and subsequently it was agreed across the Local Authority and with our partners to follow suit. This change was reflected in our key policies and documents. Our approach to ROTH has enabled us to develop our approach to extra familial harm in its widest sense.

In North Lincolnshire we have a strong strategic and operational framework in place for Child Exploitation and we are currently on our journey to ensure that this also incorporates other threats including;

- Serious Youth Violence
- Human Trafficking and Modern Day Slavery
- Peer on Peer abuse
- Online abuse radicalisation and bullying

Subsequently, workshops are being developed in partnership with the Youth Justice Partnership to educate the workforce on these priority areas incorporating key assessment and referral tools e.g. The National Referral Mechanism.

The workforce are equally encouraged to attend national training opportunities with organisations such as Research In Practice, National Working Group (NWG) and The Children's Society.

Responding to the pandemic & recovery from COVID-19

North Lincolnshire Youth Justice Partnership (YJP) adapted a 'business as usual' approach from on onset of the global pandemic recognising that as a service we needed to quickly adjust to unprecedented ways of working. Staff excelled themselves and there was a commitment to keep services going ensuring that the needs of children and families were prioritised. Interventions continued to be delivered both face to face and virtually depending on the assessed need of the child. We had the task of providing critical services whilst developing and adapting our infrastructure to operate in a safe way.

Leadership and managers responded quickly and methods of working and the delivery of the service was reviewed through the development of a COVID-19 Recovery Plan. This plan summarised progress, developments and learning in response to the pandemic and outlined our key priorities being taken as a partnership to ensure services remained responsive to the needs of children, families and the community of North Lincolnshire.

The service was represented at the daily Council leadership meetings to ensure that the Youth Justice Partnership had the resources to continue to work to a 'business as usual' model, ensuring as far as possible and that the service adhered to guidance, legislation and practice standards with minimal disruption to standard practice. It also ensured that good practice, developments and learning was shared to enable services to learn, refresh and implement new and creative ways of working.

The Youth Justice Strategic Partnership Board (YJSPB) has continued to take place virtually and the Youth Justice Partnership continues to be represented at partnership meetings including the MACE, ASB meetings, reoffending partnership meetings and other partnership processes. This has continued to be monitored and reported on through the weekly manager's assurance updates. A shared agreement / protocol was agreed with Humberside Police (and overseen by the North Lincolnshire YJSPB) in relation to Covid-19 to reduce the likelihood children being criminalised because they either don't adhere to the lockdown or because stressful situations at home are impacted on as a result of the lockdown and resulting in incidents committed by children. This was to identify and prioritise the support of the YJP and partners to divert these children from potential offences and anti-social behaviour.

Locally and nationally the increase in domestic related offences within the home was noted and a thematic report with key actions was developed in partnership to avoid the unnecessary criminalisation of children.

Lessons were quickly learnt as the pandemic progressed and aspects of service delivery that have improved were captured and are likely to remain for the future. Attendance at multi-agency meetings improved drastically and partnership working has amplified and helped us to not only continue throughout the pandemic but to develop and achieve more than we imagined.

Staff welfare has maintained a priority and staffing levels have generally been maintained. Qualified staff supported other critical areas of Children's Services where resource was required and in turn has supported continuous workforce development. Staff have embraced the virtual way of working and welcome the idea of a hybrid approach as virtual working becomes 'the new normal'.



North Lincolnshire responded to the HMIP COVID-19 Thematic by comparing our practice and identifying areas of strength and areas of development. This included our response to the 'digital divide' ensuring our staff and children and families supported did not face inequality and any issues were quickly addressed.

It's recognised that children known to youth justice services often experience difficulties accessing and maintain education and this was accentuated during the pandemic. Subsequently, a daily education meeting was developed and attended by youth justice staff to challenge and advocate for children ensuring they were provided with placements due to their identified vulnerabilities. Contact and joint work with custodial establishments was difficult. Whilst the number of children in custody in North Lincolnshire remains low, it was recognised that children became more isolated from their families and professionals and the balance between stopping visits to stop the spread of the virus and the impact of social isolation was quickly recognisable.

As we move further into 2021, on the roadmap of easing restrictions we take stock at what we have learnt over the past 15 months and look to plan our recovery knowing that service delivery might never look quite the same again. Whilst it's recognised that there are many positives to come from this period it's acknowledged that for some there will be trauma to overcome and for many children on Youth Justice caseloads this will be an additional adversity to add to an already lengthy list.



A thematic review of the work of youth offending services during the COVID-19 pandemic

A review by HM Inspectorate of Probation
November 2020



Approval & Sign off

This Youth Justice Plan has been approved by the North Lincolnshire Youth Justice Strategic Management Board:

Signed: Edwina F. HERRISM

Independent Chair of the North Lincolnshire Youth Justice Strategic Partnership Board June 2021.



Hyperlink to other documents/strategies

Weblinks:

Helping Children & Families: www.northlincscmars.co.uk 

CMARS: www.northlincscmars.co.uk 

CSP: www.northlincs.gov.uk 

Child First – Evidence Based Report: repository.lboro.ac.uk 

Attachments:

North Lincs ASB Process 

SEND Strategy 

Appendix 1 - Partner contributions to the youth justice partnership budget 2021/22 

Appendix 2 -Business and Improvement Plan 

Appendix 3 - Risk Log 

Appendix 4 - Child Friendly Youth Justice Plan 2021 



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NORTH LINCOLNSHIRE COUNCIL

COUNCIL

STATEMENT OF LICENSING POLICY LICENSING ACT 2003

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To approve the Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

2. BACKGROUND INFORMATION

- 2.1 The report attaches as an appendix a copy of the Statement of Licensing Policy. We are required to review this policy every 5 years in accordance with section 5 of the Licensing Act 2003.
- 2.2 The Statement of Licensing Policy has been considered by the Licensing Committee, who recommended that it should be approved.

3. OPTIONS FOR CONSIDERATION

- 3.1 That the Statement of Licensing Policy be approved..

4. ANALYSIS OF OPTIONS

- 4.1 The Statement of Licensing Policy needs to be approved in order to comply with the statutory obligations under the Licensing Act 2003.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no resource implications associated with this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 Statutory Implications – Failure to review the policy in accordance with Section 5 of the Licensing Act 2003 would mean that the Council would fail to meet its legal requirement.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 No integrated impact assessment is required for this report given its nature.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 Full consultation has been carried out, the results of which were presented to the Licensing Committee.

9. **RECOMMENDATIONS**

9.1 That the Statement of Licensing Policy be approved.

DEPUTY CHIEF EXECUTIVE

Church Square House
Church Square
Scunthorpe
North Lincolnshire

Author: Nick Bramhill
Date: 16 November 2021

Background Papers used in the preparation of this report – Licensing Policy Review File and Diversity Impact Assessment

North Lincolnshire Council

www.northlincs.gov.uk

STATEMENT OF LICENSING POLICY

Licensing Act 2003

No English?

For information please call:

08000 193530 للحصول على المزيد من المعلومات اتصل بـ: (Arabic)

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Executive Summary

North Lincolnshire is an area rich in diversity, heritage and green spaces. The area is made up of the main urban area of Scunthorpe, a number of vibrant market towns and quiet villages.

Our ambition is for North Lincolnshire to be the best place for our residents, and the role of the Council within the area is to provide leadership for North Lincolnshire, to promote prosperity and wellbeing; to prevent harm and to prioritise the needs of the most vulnerable.

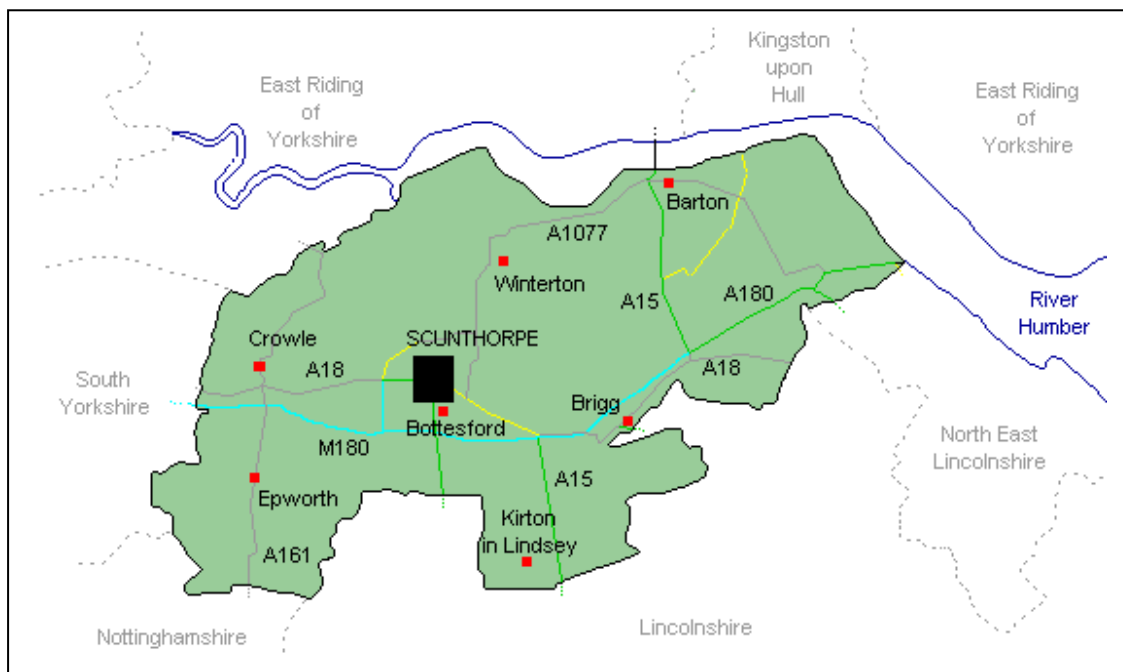
Our outcomes for the area are, Safe; Well; Prosperous; and Connected. Through the licensing system we aim to have safe, well-managed premises that are successful and provide vibrant leisure facilities for the people of North Lincolnshire. We aim to achieve these outcomes by being reasonable with our decision making process and will deliver our services in a collaborative and transparent way.

Section 1

Introduction

1 The Area of North Lincolnshire

- (1) North Lincolnshire covers a mix of urban and rural areas. It includes the towns of Scunthorpe, Barton upon Humber and Brigg. There are also several other market towns, villages and rural areas. Its total area is 328 square miles.
- (2) The 2011 Census gave the population of North Lincolnshire as 167,446. In addition to English there are over 60 identifiable languages spoken in North Lincolnshire with the most common being Polish, Lithuanian, Bengali and Portuguese. A total of 92.3% of the population consider themselves to be of White British origin, with the remaining percentage of North Lincolnshire residents being from other ethnic backgrounds. More than 53% of the Black and Minority Ethnic (BME) population live in the northern part of Scunthorpe. The area has an aging population, with 19.3% of the population being over 65 years of age- higher than the national average.
- (3) Large concentrations of licensable activities are located in Scunthorpe town centre, in the areas of Doncaster Road, the High Street and Frodingham Road.
- (4) Below is a map of the area.



2 General Information

- (1) Section 4 of the Licensing Act 2003 requires the licensing authority to take into account any guidance issued by the Secretary of State and its own licensing policy. This policy is published under section 5 of the Act.
- (2) The aim of this policy is to ensure the safety and welfare of those who live and work in North Lincolnshire. In doing so, it recognises the importance of licensed businesses to the local economy and the character of the area.

3 The Licensing Objectives

- (1) Section 4 of the Licensing Act 2003, sets out the Licensing Objectives which must be promoted by licensing authorities. These objectives are:
 - The Prevention of Crime and Disorder;
 - Public safety;
 - The Prevention of Public Nuisance; and
 - The Protection of Children from Harm.
- (2) Each of the licensing objectives is equal in importance under the provisions of the Act. All parties involved in the licensing process will need to work together in order to ensure that the promotion of one objective does not have a negative impact on another objective. The objectives will be considered further in **Section 5 to 8** of this policy.

4 Consultation

- (1) In determining this licensing policy, the Council has consulted the following people and bodies:
 - Chief Constable of Humberside Police
 - Chief Officer of Humberside Fire Brigade
 - North Lincolnshire NHS Trust
 - South Humber Drug Action Team
 - Neighbouring Licensing Authorities, including:
 - East Riding of Yorkshire Council
 - Kingston upon Hull City Council
 - North East Lincolnshire Council
 - North Lincolnshire Tourism
 - Licensed Victuallers Association (LVA)
 - British Institute of Innkeepers (BII)
 - Pub Watch (Scunthorpe & Barton)
 - British Entertainment and Dance Association (BEDA)
 - Security Industry Authority (SIA)
 - Federation of Small Businesses
 - Disabled access groups
 - Current Licence Holders
 - Local & national licensing solicitors

- Training providers (North Lindsey College)
- Religious and ethnic groups
- Residents Associations & Neighbourhood Watch
- Scunthorpe Charter Trustees
- Town & Parish Councils
- Local bus companies
- North Lincolnshire Taxi & Private Hire Association

(2) We have considered and taken into account the views of all the appropriate bodies and organisations.

5 Review of the Licensing Policy

(1) The Licensing Act 2003 states that this policy should be reviewed every five years. At the time of the review, we will again consult all interested parties. Should it be deemed necessary, we will review the policy at intervals of a lesser period to deal with any changes to legislation or policy.

6 Contacts

(1) The licensing function is part of Waste, Fleet and Public Protection. Our address is:

Licensing Team
Church Square House
PO Box 42
Scunthorpe
North Lincolnshire
DN15 6XQ

Email: licensing@northlincs.gov.uk

(2) To ask about any licensing issue, first contact the Technical Hub: (01724) 297750.

(3) This policy is available on our website at: www.northlincs.gov.uk.

Section 2

Purpose and Scope of the Licensing Policy

7 Purpose of this Policy

- (1) The Licensing Authority aims to provide a clear, consistent licensing service to service users. At the same time, it aims to protect public safety in accordance with the licensing objectives, as set out in **paragraph 3(1)**.
- (2) Applications will be determined where no representations are made in accordance with the delegation set out in **paragraph 31**.
- (3) When considering licence applications, we will consider all relevant information. We will determine each application on its own merits. In making decisions, we will consider the activities of the premises, empathising with the needs of people living, working or engaged in normal activities nearby. The aim of the Council is to ensure that premises are well run and managed, and that licence holders consider the needs of local people.
- (4) The Council will consider applications with reference to other adopted policies. Such policies include:
 - Local Plan
 - Enforcement Policies
 - Community Safety Strategy
- (5) We will also consider the potential effect of littering, fouling, noise, crime and transport. We will work with other appropriate bodies when looking at these issues.

8 Scope of the Policy

- (1) This policy has five main objectives, which will assist in supporting the Council's Priorities. These are:
 - To aid the elected members of the Licensing Committee when determining applications so that they understand the powers and constraints placed upon them by the Licensing Act 2003.
 - To assist applicants with the application process, setting out the types of conditions we would expect to see on an operating schedule-based on the location of the premises, nature of the business and size and type of venue.
 - To inform local residents of the scope of the Licensing Act 2003 and the matters that can be considered at a hearing.
 - To assist Responsible Authorities when making representations and proposing conditions that support the Licensing Objectives.

- To minimise the number of decisions that may be challenged in a court of law.
- (2) The licensable activities covered by the Licensing Act 2003 include:
- Retail sale of alcohol
 - The supply of alcohol by or on behalf of a club to a member or their guest
 - Provision of “regulated entertainment”
 - The provision of “late night refreshment”.

9 Definitions – Regulated Entertainment

- (1) For entertainment to be licensable, one or more regulated activities must take place in the presence of an audience and be provided (at least in part) to entertain that audience upon premises made available for the purpose. The regulated activities include:
- A performance of a play
 - An exhibition of a film
 - An indoor sporting event
 - Boxing or wrestling entertainment
 - A performance of live music
 - Any playing of recorded music
 - A performance of dance
 - Entertainment of a similar nature to a performance of live music, and playing of recorded music or a performance of dance
- (2) There are a number of exemptions contained in the Act and since the introduction of the Live Music Act 2012 a number of deregulatory steps have been taken.

10 Definitions – Late Night Refreshment

- (1) Late night refreshment is defined as the supply of hot food or hot drink to members of the public from or in a premises for the consumption on or off the premises between the hours of 23:00 and 05:00. Premises include vehicles and stalls.

11 Types of Authorisation

- (1) In order to carry out a licensable activity, the person or business intending to do so must have an authorisation. These authorisations include:
- Personal Licence – required to sell or authorise the sale of alcohol from a premises in respect of which there is a premises licence
 - Premises Licence – required where a premises is to be used to carry out regulated activities

- Club Premises Certificate – required by a qualifying club to engage in club activities, including the supply of alcohol
- Temporary Event Notice (TEN) – required to carry on licensable activities that are temporary in nature. TENs can be either standard or late TENs depending on how much notice is provided
- Part 5A Authorisation – This type of authorisation has yet to be put in place. When available, it will deal with community events and ancillary business sales.

12 Fundamental Principles

- (1) The licensing function is there to authorise businesses and people to carry out regulated and controlled activities. In accordance with this policy, the activities included in this policy relate to the Licensing Act 2003.
- (2) If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from Responsible Authorities or other persons, then this authority must grant the application, subject to the conditions offered on the operating schedule and any mandatory conditions.
- (3) Conditions attached to the various authorisations will be focused on matters which are in the control of the licence holder, ie, the premises and the vicinity of the premises. Such conditions will promote the licensing objectives. We will ensure that conditions are enforceable and reasonable to cover the activities carried on at the premises, taking into account its location and size/layout.
- (4) While this policy sets out the Council's general approach to making licensing decisions, nothing in the policy undermines the right of an individual to apply for an authorisation under the Licensing Act 2003, nor does it override the right of any person to make a representation or review. Each application, representation and review will be determined upon its merits.
- (5) The Council may deviate from this policy in the interests of promoting the licensing objectives, if the individual circumstances merit such a decision. Where such a decision is taken, full reasons will be provided for the departure from the policy.
- (6) The Council recognises that licensing law is not the primary mechanism for the control of nuisance and anti-social behaviour once away from the premises and as such beyond the control of the business, club or individual. Having said that, a key aspect of licensing law will always be a part of the holistic approach to the management of the evening and night time economy. Where it can be proved that a premises is the draw for persons causing anti-social behaviour, nuisance or crime and disorder, then remedies will be sought to address the issue.

Section 3

Administration and Exercise of the Licensing Function

13 Introduction

- (1) This section of the policy considers the application types available for a person or business who wishes to carry out a regulated activity. Applications must be made on the appropriate application form and must be complete before the process is started.

14 Pre-Application Advice Service

- (1) The Council has developed a Pre-Application Advice Service. This service is available to all applicants. The benefit of such a service is to try to avoid an application being referred to the Licensing Committee.
- (2) Where an Officer provides the advice, they will not process the application nor advise the Committee should it be referred there for determination. The Officer providing the advice will only provide advice prior to the submission of the application and shall not provide further advice beyond that point.

15 Application for a Personal Licence

- (1) A Personal Licence is required for people who wish to be a Designated Premises Supervisor (DPS) and who wish to authorise a supply of alcohol. Further information regarding the role of the DPS and Personal Licence holder can be found at **paragraph 62**.
- (2) All applications must be completed on the statutory form and will be deemed to be complete when all the supporting documentation and the fee has been provided in accordance with the requirements of the Act.
- (3) We are aware of the requirements contained within the Immigration Act 2016 and will monitor the implementation of this legislation and consider the right to work in the UK once enacted.
- (4) We are aware of the proposed provisions contained within the Policing and Crime Bill in relation to Personal Licence holders. Again, we will monitor the progress of this legislation and implement it once enacted.

16 Application for a Premises Licence

- (1) All applications for a licence must be made on the statutory forms as prescribed under secondary regulations. Applications will not be progressed until the form is complete and all information has been received by the Licensing Authority and all Responsible Authorities.

- (2) In accordance with the Provision of Services Regulations 2009, facilities are available to submit applications electronically via the Council's website. Where electronic applications are made, the application will be deemed to 'be given' when the applicant has submitted a complete application form and submitted the fee. A complete application form includes all supporting documents required under the Act.
- (3) Applications sent via email will not be deemed to have been served electronically and it will remain the applicant's responsibility to serve the application on the Responsible Authorities.

17 Application for a Club Premises Certificate

- (1) Club Premises Certificates (CPCs) may be issued to qualifying clubs. To be eligible for a CPC the members of the club must have joined together for a particular social, sporting or political purpose and to purchase alcohol in bulk for supply to members and their guests. Qualifying conditions are specified in section 61 of the Act and the Council must be satisfied that these conditions have been met. We may require applicants to provide evidence that they comply with the requirements of the Act.
- (2) Applications sent via email will not be deemed to have been served electronically and it will remain the applicants responsibility to serve the application on the Responsible Authorities

18 Advertising

- (1) An application for a premises licence or a club premises certificate shall be advertised on the premises by the means of an A4 Notice. This is required in accordance with the regulations issued under the Licensing Act 2003. This notice must be prominently displayed on the premises to which it relates where it can be seen by members of the public for 28 days starting on the day after the day on which the application was given to the Licensing Team.
- (2) Notice(s) should be Light Blue with Black writing so that it is easy to read. We will require the Notice(s) to be displayed at the premises boundary and in a window on each side of a premises to which the public may have access. The Notice(s) must face out from the premises and be easy to read by persons passing by.
- (3) A copy of the notice must be placed in a locally circulating newspaper on at least one occasion within 10 days of making the application.
- (4) For Minor Variation applications the notice should be White with Black writing. This notice must be prominently displayed on the premises to which it relates where it can be seen by members of the public for 10 working days starting on the day after the day on which the application was given to the Licensing Team. This notice does not have to be placed in a locally circulating newspaper.

- (5) Should an applicant fail to advertise in accordance with the legislation, then the process will re-start when it has been advertised correctly.

19 Provision of Scale Plans

- (1) Applicants are required to submit a current scale plan of the premises when making an application for a new premises licence and a scale plan of the proposed layout as part of any application for a variation of a premises licence affecting the approved layout arrangements. Plans need not be professionally drawn- but must be drawn to scale and include a scale bar. The plan must be clear and legible in all material respects, providing sufficient detail for the authority to determine the application.
- (2) Plans should include all areas both internal and external that are to be used for licensable activities. This can include patios, gardens, smoking areas and any temporary structures.

20 Variations and New Applications

- (1) Where a licence holder wishes to amend their licence or change their plan the Act allows, in most cases, for an application to vary the licence rather than a new application for a premises licence. Two variation processes are available.
- (2) Minor Variation – is available where the change to the licence or plan will not adversely impact on the licensing objectives.
- (3) Variation – a ‘full’ variation should be submitted where the change may have an adverse impact on the licensing objectives. It should be noted that a change to the licence which increases the licensed area may require a new application.
- (4) Licence holders are advised to contact the Licensing Team before submitting an application to ensure that the correct application is made.

21 Provisional Statements

- (1) Applicants wishing to build a new premises or substantially change a premises may do so by either submitting a provisional statement or a new application for a premises licence. The benefit of submitting a provisional statement is that the licensable activities can be agreed and Responsible Authorities can see that the premises has been built to the agreed plan. Should a new application be submitted, then any changes not agreed beforehand may be subject to a variation and a possible delay to the authorisation.

22 Temporary Events Notice (TEN)

- (1) The Licensing Act 2003 provides a system where licensable activities may be authorised outside of a premises licence. The “Temporary Events Notice (TEN)” is a light touch process and is not an application which needs an authorisation from the Licensing Authority. Where a TEN is submitted, the person wishing to hold the event (the “premises user”) gives notice to the Licensing Authority.
- (2) There are two types of TEN. A standard TEN and a late TEN. All TENS must be given to the Licensing Authority in the form prescribed in regulations made under the Act, together with the fee. This must be copied to the Police and Environmental Health. The contact details can be found on our website.
- (3) A standard TEN must be given providing at least 10 working days notice, whereas a late TEN must give at least 5 working days notice. These timescales are not negotiable and all parties must be notified. If an applicant fails to give one or more Responsible Authority or the Licensing Authority the correct time, then this will impact on the service of the notice.
- (4) The 10 and 5 day periods do not include the day of the event or the day that the TEN is given to the Licensing Authority. In addition, public holidays and weekends do not count as a working day and as such persons giving a TEN must ensure that they take into account public holidays when calculating the day by which the TEN should be given.
- (5) The Police or Environmental Health may object to a TEN in accordance with the provisions of the Act. Should a person exceed the permitted number of TENS or fail to meet the time limits then the Licensing Authority will either reject the TEN or issue a counter notice.
- (6) Although it is accepted that persons giving a TEN need only provide a short notice period in accordance with the Act- it would be preferable for TENS to be submitted earlier. Should there be an objection to a late TEN then a counter notice will be issued and the licensable activity will not be authorised. Where a standard TEN receives an objection then a hearing will take place before a Licensing Sub-Committee. Giving the TEN to the Licensing Authority and Responsible Authorities earlier would enable any issue to be resolved without the need for a hearing.
- (7) It is the responsibility of the person giving the TEN to gain the consent of the premises holder to use the premises. Where there is doubt, the Council or Responsible Authorities may seek clarification and the person using the premises should provide the evidence.
- (8) Temporary Events have the potential to cause other concerns under the licensing objectives. Therefore we may inform other Responsible Authorities about such events. This information is not so that the Responsible Authority can object, rather so that they can deal with any

issues under their own powers. Providing such information does not absolve the person from their responsibilities in any way and they remain responsible for ensuring that their event is conducted in a lawful manner.

23 Major Events and the Event Safety Advisory Group

- (1) Any business or person wishing to hold an event are advised to engage with the Licensing Authority at the earliest opportunity. This will enable matters to be discussed with a view to ensuring applications are dealt with in a timely manner. Where a premises licence is required- the application will need to go through the statutory process and delays in submitting the application may have a detrimental impact on an event.
- (2) In addition, applicants are advised to contact the Event Safety Advisory Group (ESAG). The membership of this group includes the emergency services and some Responsible Authorities. This group are best placed to scrutinise the safe running of events.

24 Responsible Authorities

- (1) The contact details of the Responsible Authorities are included on our website. It is the applicant's responsibility to serve a copy of the complete application on these authorities save where the application has been served electronically. Applications sent via email will not be deemed to have been served electronically and it will remain the applicant's responsibility to serve the application on the Responsible Authorities.
- (2) Responsible Authorities may make representations about applications for a Premises Licence or CPC and they may call for a review. In addition, they may hold information relating to premises which may be used to support a representation or a review.
- (3) Responsible Authorities may also be consulted when a Minor Variation has been received, to determine if the potential variation could have an adverse impact on the licensing objectives.

25 Notifying Other Bodies/Persons

- (1) When we receive an application for a premises licence, a club premises certificate or an application to vary a current premises licence or club premises certificate (excluding minor variation applications), we will inform the appropriate Ward and Town/Parish Councillors, that an application has been received. This is a notification only, not an invite to make a representation, however comments can be made.

26 Representations

- (1) A Responsible Authority or other person may lodge a representation about an application for a Premises Licence or a CPC during the consultation period of the aforementioned application. The representation must be received in writing and must contain the full

name and address of the person or body making the representation. In addition, the representation must be signed and dated. Email representations will be accepted providing this information is provided. The person or body making the representation must include details of the reason for their representation in the letter.

- (2) If a representation is received, the Licensing Authority officers will determine if an objection is irrelevant, vexatious, frivolous or repetitious. This is in accordance with the scheme of delegation in the table at **paragraph 31(1)** and the Guidance issued under Section 182 of the Licensing Act 2003. A board of three officers from the Licensing Team will determine such relevant representations. Their decision should be unanimous if an objection is to be omitted. After the board of officers has reached a decision on a representation, a written record of the decision will show the reasons for not referring it to the Licensing Sub-Committee. If there is any doubt, officers will refer the application to the Licensing Sub-Committee.
- (3) Where a representation has been determined as irrelevant, vexatious, frivolous or repetitious, the Licensing Authority will write to the Responsible Authority or person making the representation, giving full reasons for the decision.

27 Disclosure of Personal Details

- (1) Where a notice of hearing is given to an applicant following a representation, the Licensing Authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations. In exceptional circumstances, persons making representations may be reluctant to do so because of the fear of intimidation or violence if their personal details are divulged.
- (2) Where a person is concerned about their personal details being divulged, then where the Licensing Authority considers there to be a genuine and well-founded fear then personal information may be redacted.

28 Licensing Authority as a Responsible Authority

- (1) The Licensing Authority is included within the list of Responsible Authorities. This will be undertaken within the Licensing Team. Where it is deemed appropriate to act as the Responsible Authority there will be a separation of duties to ensure procedural fairness and to eliminate conflicts of interest.
- (2) The Licensing Authority in this role understands that other Responsible Authorities lead when dealing with a number of the licensing objectives. Having said that, representations will be made where the Licensing Authority has gathered the evidence or where an application has been made in a cumulative impact area. Additionally, the Licensing Authority

can provide an overview of all the licensing objectives and may propose conditions where applications have been made.

- (3) When submitting an application, only one copy needs to be served on the Licensing Authority. This will be used for processing and as a Responsible Authority.

29 Mediation

- (1) Where the Licensing Team receives a relevant representation, where possible, officers will do their best to resolve the issue through mediation. Officers will invite all parties to meet to try to resolve the issues. Where such a meeting is not possible or a resolution is not forthcoming, they will refer the matter to the Licensing Sub-Committee.
- (2) Where mediation has taken place and been resolved, then the applicant will be required to amend their operating schedule where applicable.
- (3) Mediation shall not take place where a relevant representation is received with regard to a personal licence holder or where an application has been made to review a premises licence.

30 Licensing Committee & Sub Committee

- (1) North Lincolnshire Council's Licensing Committee is made up of between 9 and 15 members of the Council. The Committee will meet to determine policy issues only when at least 9 members are available. The Licensing Sub-Committee is to be made up of three members of the Licensing Committee.
- (2) The public must see that the Licensing Committee and Sub-Committee act in a fair and reasonable manner at all times. Therefore, all members must attend in house training before they can sit on the Licensing Committee or Sub-Committee.
- (3) Members of the Licensing Committee should not hear or decide on any applications for premises licences in their own electoral ward. If a member of the Committee has an interest in a premises or knows an applicant personally, they must declare an interest. They will then take no part in the decision. This reduces conflicts of interest and the perception of bias.

31 The Licensing Process & Delegation of Functions

- (1) The Council will delegate its licensing function either to the Licensing Committee, Licensing Sub-Committee or to an authorised officer of the Council. Delegation will follow the guidance stipulated by the Secretary of State, as follows:

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for a personal licence		If a police representation is made	If no representation is made
Application for a personal licence with unspent convictions		All cases	
Application for a premises licence/club premises certificate		If a representation is made	If no representation is made
Application for a provisional statement		If a representation is made	If no representation is made
Application to vary premises licence/club premises certificate		If a representation is made	If no representation is made
Application to vary designated premises supervisor		If a Police objection is received	All other cases
Application for a Minor Variation			All cases
Determine whether to consult other responsible authorities on a minor variation			All cases
Application to Dis-apply the designated premises supervisor		If a Police objection is received	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a Police objection is received	All other cases
Applications for Interim Authorities		If a Police objection is received	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when the Local Authority is a consultee and not the lead authority			All cases (Licensing Team Leader or above)
Determination of an Objection to a Temporary Event Notice (TEN)		All cases	
Issue a Notice under paragraph 11 of the Licensing Act 2003 (Hearings) Regulations 2005			All cases (Assistant Group Manager – Food and Licensing)
Determination of Clubs acting in good faith			All cases (Assistant Group Manager – Food and Licensing)
Closure Notice s19 Criminal Justice & Police Act 2001			All cases
Issue Notices in any other circumstances			All cases (Licensing Team Leader or above)
Make a Representation on behalf of the Licensing Authority			All cases (Licensing Team Leader or above)
Suspend a premises licence/club premises certificate for non-payment of fees			All cases

- (2) Once the Licensing Authority has received an application and relevant representations, it may, depending on the nature of the representation, refer the matter to the Licensing Sub-Committee. Officers will deal with cases where there are no representations and may attach only those conditions which have been offered by the applicant in the operating schedule.
- (3) The Licensing Committee will deal with all matters relating to this Licensing Policy, including updates and amendments. The Committee

will also set policies for other licensing functions performed by the Licensing Team.

- (4) Where an application is referred to the Licensing Sub-Committee, members will determine each application on its own merits. Members of the Committee will consider all information in the operating schedule, including the activities to be carried out.
- (5) Applicants must submit an operating schedule with their application. This does not include the submission of a Temporary Event Notice or an application for a minor variation. The plan should contain the information specified in the Licensing Act 2003, as per **paragraph 19** of this policy.
- (6) Where an application for a personal licence is received and the applicant has relevant unspent convictions, then the application will be determined by the Licensing Sub-Committee. In order for an applicant for a personal licence to be considered by the Licensing Sub-Committee, there has to be an objection from the Police on the grounds of Crime and Disorder.

32 Application and Annual fees

- (1) The application fee shall be paid when an application is submitted or when a Temporary Event Notice is served. Should the fee not accompany the application- then the application will be rejected.
- (2) The annual fee is due and payable on the anniversary of the licence being issued. Should the annual fee not be paid by the said due date, then the licence may be suspended. The Act requires that we give two working days notice of the suspension; however it is our intention to give five working days notice from the date of the notice.

33 Reviews

- (1) The Licensing Act 2003 allows for the review of a premises licence or club premises certificate where there are problems associated with the licensing objectives. A review may be asked for by a Responsible Authority and persons who live, or are involved in a business in the area, who are likely to be affected by the activities.
- (2) When we receive an application to review a premises licence or club premises certificate, we must first decide if the grounds for the review are relevant and may reject the application if it is deemed to be irrelevant, vexatious, frivolous or repetitious, in accordance with **paragraph 26(2)** of this policy.
- (3) Once determined, a hearing must be held in accordance with the regulations set by the Secretary of State.
- (4) Members of the Licensing Committee may not initiate a review of a premises licence, for example as a ward member, and then make a decision on the application. Where there is a review of a premises

licence in the ward of a member of the Licensing Sub-Committee, the said member(s) shall declare their interest and not take part in the debate or determine the application.

- (5) Members may represent groups/individuals who have made relevant representations at the Licensing Sub-Committee if requested.

34 Transfer of a Premises Licence Following an Application to Review

- (1) Where an application is received following the submission of an application for review we may ask for documented proof of the transfer of the business including the lawful occupancy of the premises to the proposed licence holder.

35 Decisions

- (1) Following the determination of an application by the Licensing Sub-Committee, we will inform the applicant and any objectors or people making the representation. We will then send confirmation in writing, as soon as possible after the decision, or in any case within seven days of the hearing. Along with the decision, we will inform the applicant about their right of appeal.
- (2) The Licensing Authority will provide the reasons for all decisions to the applicant and persons/Responsible Authorities making a relevant representation.
- (3) Following the determination of a licence, we will produce a decision record. This decision record will be made available on request.

36 Appeals

- (1) The Council will inform the appropriate parties of their right of appeal in accordance with the Licensing Act 2003, when confirming a decision of the Licensing Sub-Committee.
- (2) Anyone aggrieved by a decision of the Licensing Authority has a right of appeal. This is set out in Schedule 5 of the Licensing Act 2003. Aggrieved parties should lodge any appeal with the Magistrates' Court within 21 days of the notification of the decision.
- (3) On determining an appeal, the Magistrates' Court may:
 - a) Dismiss the appeal;
 - b) Replace the decision concerned by any other decision which could have been made by the Licensing Authority; or
 - c) Pass the case to the Licensing Authority to deal with in accordance with the direction of the court.

- (4) The court may order costs, as it sees fit.
- (5) Once the Magistrates' Court has determined an appeal, the Council will implement the decision within a reasonable time. The Licensing Authority appreciates that any delay could be construed as bringing the appeals system into disrepute.

37 Working in Partnership

- (1) The Licensing Authority is committed to working closely with all interested parties within the district.
- (2) Licensing Officers aim to work in partnership with other enforcement agencies, such as Humberside Police, Humberside Fire and Rescue Service, Trading Standards and Environmental Health, with a view to supporting the four licensing objectives.
- (3) When considering applications and advising applicants, Licensing Officers will aim to draw on the expertise of other bodies. We will set up joint site visits where appropriate to ensure that we give applicants clear, concise advice. The Licensing Team will normally act as a focal point in arranging such visits.
- (4) When making licensing decisions, the Council will take into account other regulatory regimes. We aim to work in conjunction with Planning and Building Control, and the Transport Authority. The Licensing Committee will receive reports from Planning, Tourism, the Transport Authority and Highways, to try to avoid duplication of these roles.
- (5) We have developed a partnership to address and promote the Night Time economy in Scunthorpe Town Centre. The NiteSafe partnership aim is to make the area a safe place for people to visit. Within this partnership, we will work to reduce alcohol fuelled crime and disorder. We will promote good practice, while looking to address poor practice through other means.
- (6) Where set up, we will support local pubwatch schemes, providing support. We are not members of the scheme and will play no part in the decision making process.

38 Integrating Strategies

- (1) Where possible, we will integrate our policy with other policies and strategies. These need to be taken into consideration as follows:
- (2) Cultural Strategy – We need to look at the impact that our policy has in relation to the provision of regulated entertainment. Our aim is not to deter live music, rather to ensure that the licensing objectives are being supported. We will monitor the impact of this policy on all regulated entertainment, in particular live music, dancing and theatre. Live performance is central to the development of cultural diversity and

vibrant, exciting communities. We appreciate that the absence of such activities can lead to a loss of community awareness, which can lead young people to anti-social activities. To that end- the council will seek to actively encourage diversity in the early evening and the night time economy.

- (3) Local Transport Plan – We aim to work with the local transport authority to develop the Local Transport Plan. We will look at ways that members of the public can be dispersed in order to avoid crime and disorder.
- (4) Equality and Diversity – We need to make sure that our policy does not unreasonably exclude anyone. We will have due regard to the Equality Act 2010; and aim to eliminate discrimination and promote the equality of opportunity for people covered by the Equality Act 2010, including characteristics such as age, disability, gender reassignment (transgender), race, religion and belief, sex (gender) and sexual orientation. We will look at the impact our policy has on equality and diversity and amend it as required should it be needed.
- (5) The Local Development Framework – We will look to work with Planning to ensure as far as possible that all premises have the appropriate consent.
- (6) Tourism and Town Centre Management – Our aim is to have thriving town centres and we see the licensed community as an integral part of that. We will look at the impact our policy has on the night-time economy and adjust it as appropriate, within the licensing objectives.
- (7) Crime Reduction Partnerships – We will work very closely with our partners to reduce crime and disorder. We will actively look at ways in which we can reduce crime and disorder and the fear of crime. We have developed the “NiteSafe” partnership to support the night time economy and reduce alcohol fuelled crime and disorder.
- (8) Statement of Principles under the Gambling Act 2005 – We will consider this statement when considering applications for gaming in licensed premises.
- (9) Other Partnerships – We will work in partnership with other bodies as required in support of the Licensing Objectives.

39 Avoiding Duplication

- (1) There are areas where there is an overlap between the licensing of premises and other statutory bodies. We will try to ensure that duplication is avoided.

40 Change of Address/Notification of Convictions

- (1) The Act requires licence holders to inform the Licensing Authority of their change of name or address. In addition, licence holders must inform the

Council if they have been convicted of a relevant offence where the convicting court has not already been informed.

Section 4

Determining Applications

41 How This Policy Works

- (1) All applications for a new premises licence, club premises certificate or to vary a premises licence or club premises certificate need to be supported by an operating schedule. The schedule must clearly identify the steps the applicant proposes to promote the licensing objectives.
- (2) If an application for a premises licence or CPC has been made lawfully and there have been no representations, the Licensing Authority must grant the application in accordance with the operating schedule and any relevant mandatory conditions. The Licensing Authority will not have discretion to refuse the application or to add or alter the conditions proposed in the operating schedule, save where they are ambiguous or irrelevant. In accordance with *R (on the application of Bristol City Council) v Bristol Magistrates Court*, if necessary, we can interpret a condition proposed on the operating schedule where the language used is opaque- thus making sure that the proposed condition is enforceable. Further, if we are satisfied that a proposed condition is suitably covered by other legislation we can omit a proposed condition. All conditions must be appropriate to support the licensing objectives.
- (3) If relevant representations are received, subject to mediation and the applicant amending their application a Licensing Sub-committee will follow. At the hearing each application will be determined on its own merits.
- (4) At the hearing, the members of the sub-committee will have regard to all relevant matters. They will take such reasonable steps as they consider appropriate to support the licensing objectives. This may include refusal of all or part of an application, adding or modifying conditions proposed in the operating schedule.
- (5) In exercising its discretion, the sub-committee will have regard (amongst other things) to the content of this licensing policy. Therefore, applicants are advised to read the content of this policy carefully before drawing up their operating schedule. Where an operating schedule complies with this policy, it is less likely to draw objections from the Responsible Authorities or other persons and where such representations are made the members of the committee will take such compliance with the policy into account when determining the application. Having said that, where a representation is made each case will be determined on its own merits.
- (6) Applicants are advised to conduct a risk assessment in relation to the licensing objectives before completing an application and the operating schedule. There is no statutory requirement to complete this risk assessment under the Licensing Act 2003, however the completion of

such an assessment would demonstrate that the applicant or licence holder has considered the potential impact of their business on the licensing objectives. Should the applicant not complete a risk assessment and if it is referred to the sub-committee following relevant representations, then members may take a more cautious approach when determining the application.

42 Location and Other Relevant Considerations

- (1) In considering applications for a new premises licence, variation of an existing licence or a review, we will take the following matters into consideration:
 - Whether the premises is located within a Cumulative Impact Zone (CIZ)
 - The type and mix of premises and their cumulative impact upon the local area
 - The location of the premises and their character
 - The views of Responsible Authorities and other persons
 - The past compliance history of the current management
 - The proposed hours of operation
 - The type and numbers of customers likely to attend the premises
 - Whether the applicant is able to demonstrate commitment to a high standard of management for example through the level of consideration given to the promotion of the licensing objectives; by active participation in pubwatch; safeguarding and awareness training of all staff, etc.
 - The physical suitability of the premises for the proposed licensable activities, in terms such as access, safety, noise control etc.
- (2) Applicants need to refer to **paragraph 46** of this policy for details of the current CIZ. Applicants should not try to replicate the operating hours of other nearby premises. Such hours are not relevant at any hearing and the applicant must be able to demonstrate how they will promote the licensing objectives.

43 High Standards of Management

- (1) When considering an applicant's or licensee's ability to demonstrate a commitment to high standards of management, we will consider whether the applicant or licensee:
 - Has researched the local area and can demonstrate understanding of local community concerns
 - Has carried out relevant risk assessments and devised an appropriate strategy to promote the licensing objectives
 - Can demonstrate comprehensive knowledge of best practice
 - Has sought advice and engaged with Responsible Authorities
 - Has implemented any advice given by Responsible Authorities

- Is able to understand verbal and written advice and legal requirements or has made provision to do so
- Can demonstrate knowledge of the licensing objectives, relevant parts of the licensing policy and their responsibilities under the Act
- Is able to run their business lawfully in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements

44 Mandatory Conditions

- (1) There are a number of mandatory conditions set out in the Act and amended via secondary legislation. The mandatory conditions must be imposed on all licences where relevant. Details of these conditions are included in the relevant section within this policy.

45 Other Conditions

- (1) The Licensing Authority will not impose unnecessary licence conditions. Any conditions attached to a licence will relate to the individual application, taking into account local circumstances and the licensable activity taking place.
- (2) The conditions set out how a premises can lawfully operate, therefore we will aim to ensure that conditions attached to a licence will:
 - Be appropriate for the promotion of the licensing objectives.
 - Be precise and enforceable.
 - Be unambiguous and clear in what they intend to achieve.
 - Not duplicate other statutory requirements.
 - Be tailored to the individual type, location and characteristics of the premises and events concerned.
 - Not be standardised.
 - Not replicate offences set out in the Licensing Act 2003 or other legislation.
 - Be proportionate, justifiable and capable of being met.
 - Be written in a prescriptive manner.
 - Not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, save that conditions may be directed to deal with the behaviour of customers in the immediate vicinity of the premises or as they enter or leave. This may include the management of queues and smoking areas on the highway.
- (3) Conditions will only be attached to a premises licence or club premises certificate if they are deemed appropriate to promote the licensing objectives.

46 Cumulative Impact

- (1) In areas where the number, type and density of premises selling alcohol is high or exceptional or where there are problems with disorder or nuisance, which may occur some distance from the premises a Cumulative Impact Policy (CIP) may be considered. This is known as a Cumulative Impact Zone (CIZ).
- (2) The cumulative impact of licensed premises on the promotion of the licensing objectives is an appropriate matter for a Licensing Authority to consider within its licensing policy. We will only adopt such a policy where there is an evidential basis for the decision.
- (3) When considering the adoption of a CIZ in order to promote the licensing objectives, we will refer to any guidance in addition to the following matters:
 - Local crime and disorder statistics, including specific types of crime and hotspots
 - Statistics on anti-social behaviour
 - Health related statistics, such as alcohol related emergency attendances and hospital admissions (where available)
 - Environmental Health complaints, especially in relation to noise and litter
 - Complaints recorded by the Council
 - Resident questionnaires, if considered necessary
 - Evidence from enforcement and from Responsible Authorities
 - Evidence from local councillors
 - Evidence obtained through local consultation
- (4) This will be considered alongside information held by the Licensing Authority, such as trends in licence applications and changes to terminal hours. This list is not exhaustive and other information may be taken into account where it is deemed appropriate to do so.
- (5) The effect of adopting a CIP creates a rebuttable presumption that applications for either a variation or new application for a premises licence or club premises certificate that are likely to add to the existing cumulative impact will normally be refused subject to certain limitations. This may only be done following relevant representations. Where an application is made for a licence in a CIZ, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.
- (6) **This presumption does not relieve Responsible Authorities or interested parties of the need to make a relevant representation.** Without a representation the application will be deemed granted under the terms applied for, therefore a representation is needed before the council can consider the application in line with the special policy.

- (7) The Council will not use such policies solely for the purpose of:
 - Removing a licence when representations are received about problems at an existing licensed premises.
 - To refuse modifications to a licence, except where the modifications are directly relevant to the policy.
- (8) Where the border of a CIP is defined by a road; the policy will be deemed to include premises on both sides of the said road.
- (9) Any adopted CIP will be reviewed in line with the review of this policy.

47 Scunthorpe Town Centre

- (1) A CIP was first adopted in 2008 for the Scunthorpe Town Centre area as it was deemed necessary to support the licensing objectives.
- (2) The boundary of the area is identified within the special policy, which is available on our website.

48 Other Locations

- (1) The Council reserves the right to consider and implement further special policies where there is a need based on evidence.

49 Rebutting the Presumption Against the Grant in a CIZ

- (1) All applicants for a new licence or to vary the licence of an existing premises within a CIZ must ensure that they address local concerns within their application and the operating schedule.
- (2) The Licensing Authority acting as a Responsible Authority will consider each application made within a CIZ and will make representations where the application is likely to add to the cumulative impact.
- (3) Where a presumption against the grant of a licence exists and a relevant representation has been received, this Authority must consider whether it would be justified in departing from its special policy in the individual circumstances of the case. We will need to be satisfied that the grant of the application under consideration will not impact further on the relevant licensing objectives, before any grant or part grant of the application can be approved.
- (4) Examples of factors that we may consider as demonstrating that there will be no impact may include:
 - Small premises intended to cease operation before midnight.
 - Premises which are not alcohol led and only operate during the day time economy.
 - Instances where an existing business is being relocated, while maintaining the same style of operation.

- Where the conditions proposed will ensure that the premises operates in a specific manner, for example a food led premises where the conditions proposed include; the number of covers; that alcohol will be served by a waiter/waitress together with a table meal.
- (5) Examples of factors that we are unlikely to consider as demonstrating that there will be no impact may include:
- That the premises will be well managed. This is an expectation of all licensed premises.
 - That the premises will be constructed to a high standard.
 - That the applicant operates a similar style of business elsewhere without complaint, for example in another local authority area.
 - Other factors relating to the business that do not address the licensing objectives.
- (6) We will consider all relevant representations, including any representations in support of the application.

50 Early Morning Alcohol Restriction Orders (EMRO)

- (1) We are aware of the provisions within the Licensing Act 2003 relating to Early Morning Alcohol Restriction Orders (EMRO). EMROs provide a very powerful tool which may be used to prevent licensed premises in a specific area from supplying alcohol during specified times. In making such an order, there would need to be sufficient evidence to demonstrate that an EMRO is appropriate to promote the licensing objectives.
- (2) Currently, there is no evidence to suggest that an EMRO should be applied within North Lincolnshire. Before considering making such an order it is our view that all other avenues should have been considered first. Should such an order be considered, then the appropriate process and guidance will be followed.

51 Late Night Levy

- (1) We are aware of the provisions within the Police Reform and Social Responsibility Act 2011 of the Late Night Levy ('the levy'). The levy allows a Licensing Authority to raise a contribution from premises open late at night supplying alcohol. Such a levy would cover the whole area and may be applied to businesses operating between midnight and 06.00 hours or part thereof as specified by the Council. From the contribution raised, 70% of the net sum is passed to the Police and 30% of the net retained by the Council. The Council may only use the 30% retained to tackle alcohol related crime and disorder, however there is no requirement for the contribution made to the Police to be used in such a way, nor does it need to be spent within North Lincolnshire. We may deduct reasonable administration costs from the contributions raised.
- (2) We have given no formal consideration to the implementation of a levy within North Lincolnshire. Before such consideration would be

considered a full analysis of the contribution likely and the cost of administration would need to be considered. We will monitor the guidance in relation to the levy and only implement such a provision where there is an evidenced need to do so.

52 Need

- (1) The introduction of the Licensing Act 2003 removed the 'need' argument from licensing. Where a representation is made where 'need' is referred to, the person making such a representation will be informed that 'need' is not a relevant matter for consideration.

53 Licensing Hours

- (1) One aim of the Licensing Act 2003 was to allow for the dispersal of people through flexible and staggered closing times. This philosophy does not work if all the premises close at the same time.
- (2) We will not seek to restrict the hours that a premises may operate, save where the premises operate within a Cumulative Impact Zone or where the premises impacts on the licensing objectives. In such cases we would consider that Off Sales should cease at 23.00 hours with On Sales ceasing at 03.00 hours.
- (3) Where an applicant wishes their premises to operate beyond midnight, there is an expectation that the applicant will complete a risk assessment to consider the impact that their premises will have on the licensing objectives. The applicant should complete the operating schedule based on the said risk assessment. Applicants are advised to include the risk assessment with their application.
- (4) Applications to operate beyond midnight are more likely to draw representations from the Responsible Authorities, who may wish to attach conditions to the licence where they are deemed appropriate to support the licensing objectives.

Section 5

The Licensing Objectives The Prevention of Crime and Disorder

54 Introduction

- (1) Further to **paragraph 3** of this policy, there are four licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children From Harm
- (2) Each of the Licensing Objectives are equal in importance. This section focuses on the first objective, the Prevention of Crime and Disorder and details the Council's commitment to minimise crime and disorder in the area.
- (3) Some factors and conditions cut across more than one objective. Where this is the case, they have been detailed in each section of the policy.
- (4) We recognise that well run licensed premises can make a valuable and positive contribution to the local community through the local economy, tourism and cultural development. However, poorly managed licensed premises, especially those offering late night alcohol and/or entertainment, or late night refreshment can become a serious source of crime and disorder or anti-social behaviour.
- (5) Relevant issues might include:
 - Anti-social behaviour
 - Drunkenness both in the premises and on the street
 - Violent behaviour
 - The possession of weapons
 - Drug use, including so-called legal highs and psychoactive substances
 - Underage drinking
 - Theft of personal property
 - Trafficking and illegal workers
 - Child Sexual Exploitation
 - Prostitution, lewd acts and similar offences
 - Harassment
 - Counterfeit goods
 - Non-duty paid goods and tax evasion
 - Maintenance of smoke- free environments

- (6) Applicants are recommended to seek advice from the Council's Licensing Team, Trading Standards and the Police when carrying out their risk assessments and when preparing their operating schedule. There is no requirement under the Act to seek such advice, however applicants may find it helpful to discuss matters before the application has been submitted.
- (7) It is intended that this part of the policy will give guidance to applicants as to the types of controls that may be deemed appropriate to promote the licensing objective of the prevention of crime and disorder. This is not intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance. They are provided to be considered and adapted to suit the proposed business.
- (8) Where the discretion of the Licensing Authority is engaged following a relevant representation, the Licensing Authority will consider attaching conditions to licences to deter crime and disorder, both inside and outside the premises as necessary.

55 Mandatory Conditions (General)

- (1) There are a number of conditions attached to licences by the government. These mandatory conditions are attached as appropriate depending on the activity provided. The conditions will still apply even where a licence has been issued without them on the document itself.

56 Mandatory Conditions (Premises Licensed to Supply Alcohol)

- (1) The following conditions will apply to all relevant premises licences and club premises certificates which authorise the supply of alcohol. The correct wording for the conditions is available in the appropriate legislation.
 - **Designated Premises Supervisor (DPS)** – No supply of alcohol may be made under the premises licence (a) at a time where there is no DPS in respect of the premises licence; or (b) at a time when the DPS does not hold a personal licence, or their personal licence is suspended.
 - **Personal Licence Holder** – Every supply of alcohol under the premises licence must be made, or authorised by a person who holds a personal licence. We would suggest that authorisation to supply alcohol by persons who do not hold a personal licence is in writing.
 - **Minimum Drinks Pricing** – A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the actual wording for each of the mandatory conditions, the relevant legislation should be referred to.

57 Mandatory Conditions (Premises Licensed for the Consumption of Alcohol On the Premises)

- (1) The following condition will apply to all relevant premises licences and club premises certificates which authorise the supply of alcohol for consumption on the premises.
 - **Irresponsible Drinks Promotions** – A responsible person must ensure that the premises and their staff do not carry out any irresponsible drinks promotions. Drinks promotions can include games which require or encourage individuals to drink; providing unlimited alcohol for a fixed price or for free; discounting or offering alcohol as a prize; dispensing alcohol directly into a person's mouth; or selling or supplying in association with promotional posters.
 - **Requirement to Supply Alcoholic Drinks in Certain Quantities** – The responsible person is required to make certain drinks available in certain measures.
- (2) For the actual wording for each of the mandatory conditions, the relevant legislation should be referred to.

58 Mandatory Conditions (Door Supervision)

- (1) The following condition will apply to all relevant premises licences and club premises certificates requiring door supervisors.
 - **Security Industry Authority Licences (SIA)** – Where a premises employs or has a condition requiring a person to carry out a security activity, then the said person(s) must hold the appropriate licence issued by the SIA. There are exceptions for certain types of premises.
- (2) For the actual wording for each of the mandatory conditions, the relevant legislation should be referred to.

59 Measures to be Considered (All Premises)

- (1) The following measures are considered appropriate to support the licensing objective of prevention of crime and disorder. When completing an application, applicants are strongly advised to give consideration to these matters:
 - **Capacity Limit** – While this is often considered appropriate to deal with public safety, it is equally important to prevent overcrowding in order to support the prevention of crime and disorder. This type of condition will not be appropriate for all premises, however we would expect premises operating in town centres and the CIZ to have considered this in a risk assessment.
 - **Counting Systems** – Where a capacity is set on the premises in order to support the crime prevention objective, applicants and licence holders should also consider how they will monitor the amount of people in the premises.

- **Crime Prevention Notices** – Licensed premises can be a target for certain opportunist criminals, therefore applicants are advised to consider displaying notices about looking after personal property.
- **CCTV** – The presence of CCTV can be an important means of deterring crime both inside and outside of a premises and can help provide valuable evidence if an incident does occur.
- **Drugs Policy** – The use of illegal drugs and so called legal highs (psychoactive substances) can happen in any licensed premises. The applicant should have a written policy to determine what action they would take should drugs be found on or found being used on the premises. This should be publicised to customers.
- **Low Cost/High Strength Alcohol** – Where there is an issue of street crime and violence, anti-social behaviour or public drunkenness or street drinking, consider the removal of low cost high alcohol from offer.
- **Suppliers** – Stock, such as alcohol, tobacco etc. should only be bought from legitimate traders. The licence holder should be able to produce records of purchase.
- **Hawkers and Sales by Third Parties** – Consideration should be made to restrict entry to the premises by hawkers or third parties in order to prevent counterfeit goods or stolen property being handled in the premises.
- **Management Record** – The applicant or licence holder should consider maintaining an incident log at the premises. This log should be kept on the premises and made available at all times to an authorised officer or an officer employed by Humberside Police.
- **Hours of Operation** – Consideration should be given to the terminal hour that the premises operates until and how they will support the licensing objectives.

60 Measures to be Considered (Alcohol Consumption On the Premises)

(1) The following measures are considered appropriate to support the licensing objective of prevention of crime and disorder for premises selling alcohol for consumption on the premises. When completing an application, applicants are strongly advised to give consideration to these matters:

- **Polycarbonate/Plastic Drinking Vessels** – Consideration should be given to the use of either polycarbonate drinking vessels or plastic drinking vessels as an alternative to glass. These types of container should be considered at premises operating after midnight, within the CIZ or at outdoor events.
- **Bottle Bans** – Consider decanting drinks from bottles before the drink is passed over the bar. Decanting from bottles should especially be considered at premises operating after midnight, within the CIZ or at outdoor events.
- **Seating** – Vertical drinking establishments can contribute to crime and disorder, therefore applicants should ensure that there is

sufficient seating at the premises for customers to use, especially within the CIZ.

- **Control the Removal of Open Containers** – Applicants should consider if it is appropriate to prevent the removal of open containers from their premises. This should be considered where the premises is in a CIZ. The removal of containers to the street aims to prevent them being used as weapons.
- **Conflict Resolution** – Applicants and licence holders should consider how they will deal with conflict in the premises. Licensees who put both parties out of the premises at the same time can have a negative impact on the licensing objectives of crime and disorder and public safety. Therefore, it is expected that the licence holder will have a strategy in place to deal with conflict management to ensure that the incident does not spill out on to the street.
- **Boxing/Football Machines** – Applicants and licence holders should consider if the use of such machines in their premises is appropriate. These machines can be a source of conflict. Where they are provided, the licence holder or applicant should ensure that there is a sterile area around the machine so that the use does not impact on other people in the premises. Consideration should also be given to employing an SIA Licensed Door Supervisor to manage the area. If the premises is located within a CIZ we would discourage the use of these machines.
- **Pubwatch Banned List** – Where a premises is a member of a Pubwatch scheme, consideration should be given by applicants and licence holders as to how they support the scheme. In order to support the Licensing Objectives, we would expect premises to exclude all persons added to the list. We appreciate that membership of such a scheme is voluntary.

(2) In addition to the matters already identified, the following matters should be considered where the premises is located within the CIZ, or where the premises is carrying out regulated entertainment. There may be occasions where a Responsible Authority will seek to add a condition to a premises licence if it is deemed appropriate to support the licensing objectives.

- **Security Industry Authority (SIA)** – The applicant or licence holder should ensure that an appropriate number of SIA licensed door supervisors are employed at the premises. SIA licensed door supervisors are valuable for maintaining orderly behaviour in queues; searching and excluding those suspected of carrying offensive weapons, or illegal drugs; keeping out banned individuals; or controlling admissions and departures. Applicants and Licence holders should have a written risk assessment to consider how many SIA licensed door staff are needed, based on the size and layout of the premises and the activities taking place.
- **Personal Searches** – Consider if it is appropriate to conduct searches of customers on entry to the premises, either compulsory or adhoc as a condition of entry. Where searches are carried out on an adhoc basis, consideration should be given as to how often these

will be conducted. A record should be made of who has been searched and any items found. Consideration should also be made for the employment of a female SIA licensed door supervisor to search females.

- **Search Wands** – The applicant or licence holder should consider if it is appropriate for the SIA Licensed Door Supervisors to have search wands available. Where such equipment is provided, it must be maintained in good working order at all times.
- **Drugs/Weapons Box** – The applicant should consider if it is appropriate to have a drugs/weapons box at the premises. This box should be under the direct management of the licence holder, DPS or manager of the premises and should be used to store any seized items before handing them over to the Police.
- **ID Checks** – Irrespective of age, consideration should be given as to whether it is appropriate to check the ID of people entering the premises.
- **Last Admissions Policy** – Consideration should be given to adopting a last admissions policy for persons wanting admission and re-admission to the premises. Where a premises is in a ClZ then an applicant should give serious consideration to adopting such a policy. The Responsible Authorities may request such a policy is adopted if it is deemed appropriate to support the licensing objectives. The admissions policy should be advertised at the premises.
- **Dispersal Policy** – The applicant should consider adopting a written dispersals policy to help reduce disturbance to local residents. Such a policy should be in writing and made available. The applicant or licence holder should also consider displaying notices.
- **Venue Hire Agreements** – Consider if it is appropriate to notify the Police and Council of events at the premises, giving at least one months notice.
- **Avoid Certain Types of Performance** – The applicant or licence holder should ensure that performances do not stir up hatred or incite violence for any reason.
- **Managed Smoking Areas** – Consideration should be given to the management of smoking areas. Where a smoking area is on the street, then this should be cordoned and managed by the security staff.

61 Measures to be Considered (Late Night Refreshment)

- (1) The following measures are considered appropriate to support the licensing objective of prevention of crime and disorder for premises providing late night refreshment. When completing an application, applicants are strongly advised to give consideration to these matters:
 - **Security Staff** – Consider employing security staff at the premises after the premises selling alcohol have closed.

62 Designated Premises Supervisor, Personal Licence Holders and Authorisations

- (1) There is nothing in the Act, The Guidance or mandatory conditions that require the Designated Premises Supervisor (DPS) or any personal licence holder to be present on the premises at all times when alcohol is sold or supplied. Where the Act allows that each sale should be authorised by a personal licence holder, it does not require that a personal licence holder is personally present or that they need to make the sale.
- (2) Having said that, the DPS and the premises licence holder remain responsible for the premises at all times, including the compliance with the terms of the Licensing Act 2003 and the conditions attached to the premises licence.
- (3) Therefore, we consider that it is reasonable for either the DPS or personal licence holder to be present at the premises at all times that alcohol is either sold or supplied or that proper arrangements are in place for the authorisation of staff in their absence. Proper authorisation would be deemed to be written authorisation which is available for inspection by an Authorised Officer of the Council or an officer employed by Humberside Police. There may be times where a DPS or personal licence holder are absent from the premises for a period of time, however they cannot abdicate their responsibility in their absence.
- (4) Where a community premises has applied for and been granted an approval to remove the mandatory condition requiring a DPS, it is expected that the management committee or similar body will put in place any appropriate steps to make sure that no offences are committed.

63 Door Supervision

- (1) Door Supervisors play an important part in supporting the prevention of crime and disorder licensing objective. Where such staff are employed, licence holders are reminded that they are still responsible for the management of the premises and as such door staff act on their behalf. Door staff must be licensed by the Security Industry Authority (SIA). Licence holders are advised to check the licence of all the SIA staff employed at their premises before each trading period and to ask such staff to sign in at the premises.

64 Crime and Disorder Risk Assessment

- (1) We would recommend that all applicants and premises licence holders conduct a crime and disorder risk assessment. This assessment should take into account the location of the premises, hours of operation and nature of the licensable activities and the proposed measures in place to deal with any issues. Such a risk assessment should be available

upon request by an authorised officer or an officer employed by Humberside Police.

- (2) For larger events, there is an expectation that a crime and disorder risk assessment is carried out prior to the event and then provided to the Licensing Authority and Humberside Police at least 28 days prior to the event.

65 Adult Entertainment

- (1) Where an applicant or premises licence holder intends to provide adult entertainment, we expect them to provide full details in their operating schedule, including the control measures intended to be put into place to promote the licensing objectives.
- (2) Premises holding adult entertainment on a regular basis will need to hold an additional licence as a Sexual Entertainment Venue (SEV) under Schedule 3 of the Local Government (Miscellaneous) Provisions Act 1982 as amended by section 27 of the Policing and Crime Act 2009. A copy of our Sex Establishment Licensing Policy should be considered prior to an applicant or licence holder wishing to provide such entertainment.
- (3) Where an applicant or licence holder wishes to provide occasional performances involving striptease, nudity, lap dancing, etc., then there is an exemption from the SEV regime. We would still consider it appropriate for a licence holder or applicant to detail their intentions in an operating schedule and in doing so address the following matters:
 - Arrangements to exclude persons under 18 years of age.
 - Arrangements to ensure that the performance cannot be seen from the street.
 - No external advertising of the entertainment either at the premises or in the locality of the premises.
 - Prohibition of leafleting or touting for business.
 - Designation of an area of the premises for entertainment with segregation between the performers and the audience.
 - Provision of dressing rooms for performers that the audience cannot access; and so that the performers can access the performing area without the need to pass through or without coming into close proximity to the audience.
 - The prohibition of the participation of customers in the performance.
 - Provision of CCTV covering the audience.
 - Provision of a code of conduct for performers.
 - Provision of a code of conduct for the audience.
 - The provision of SIA staff.
 - Suitability of staff employed at the premises.

- (4) We will consider the location of the premises when considering an operating schedule where adult entertainment is proposed, including the proximity to sensitive premises such as:

- Residential accommodation
- Schools
- Children's and vulnerable adult's centres
- Youth and community centres
- Religious centres and places of worship

66 Sale of Smuggled or Counterfeit Goods and the Handling of Stolen Goods, etc.

- (1) The guidance issued under the Act provides for robust action where a premises allows the sale or supply of smuggled or counterfeit goods. Such goods can include alcohol, tobacco products, DVDs and CDs. Where a review is brought against a premises selling such goods then there is a likelihood that the licence will be revoked in line with the guidance unless there are significant mitigating circumstances. Each case will be determined on its merits.
- (2) Guidance regarding these types of goods may be sought from the Trading Standards Team.
- (3) Applicants and licence holders are advised to take all appropriate steps to ensure that the goods they sell are not smuggled or counterfeit and should only stock goods from reputable wholesalers.
- (4) The licence holder should ensure that patrons are not bringing stolen goods into their premises to dispose of. Should a licence holder believe that a person is dealing in stolen goods then measures should be put in place to deal with this issue and we would expect the licence holder to inform the Police.

67 Theft of Personal Property

- (1) Patrons using licensed premises are potentially at risk of having their property stolen. Applicants and licence holders should give consideration to any steps needed to reduce the potential issue. Matters to consider in order to reduce the risk might include:
- Raise the level of awareness among customers
 - Provide controlled cloakroom areas
 - Provide Chelsea Clips under tables
 - Consider the lighting in the premises
 - Provide information about CCTV
 - Communicate with customers who leave property unattended
 - Provide adequate staffing and provide appropriate training

68 Drugs

- (1) The Council acknowledges that there may be a culture of drug use in a pub or club. We appreciate that this issue does not affect all premises. Where drug taking is an issue, we will look to impose licence conditions. Such a condition may be attached following a relevant representation. We will prepare such conditions in consultation with Humberside Police and the local Drug Action Team.

69 Closed Circuit Television (CCTV)

- (1) CCTV is one of the most effective ways to reduce crime and disorder. It is considered good practice to install CCTV in premises where regulated entertainment is taking place and where the primary use is the sale of alcohol. If premises have to install CCTV, cameras should be installed and positioned to the satisfaction of Humberside Police, the Council and the operator. Cameras must be linked to monitors placed so a member of staff can easily watch them.
- (2) The location of CCTV cameras will differ between premises. If CCTV cameras are needed, they should normally cover external parts of the premises. This includes car parks, garden areas, stairs and all entrances and exits.
- (3) Recorded images should be kept for a minimum of 28 days. The Premises Licence holder, DPS or responsible person should be responsible for the removal and safe storage of the recorded images.
- (4) Premises which have CCTV in operation should be registered with the Information Commissioner.

70 Pubwatch Schemes/Licensed Victuallers Association

- (1) Pubwatch schemes and membership of the Licensed Victuallers Association are voluntary. The Council and Humberside Police will support any such scheme where it is operating, and will encourage the implementation of new schemes.
- (2) In areas where there is crime and disorder, the Council may recommend that premises licence holders, DPS and/or responsible person commit to and partake in such a scheme in order to reduce the said crime and disorder.

71 Other Issues

- (1) This policy aims to set out the Council's commitment to reducing crime and disorder. We realise that it cannot cover all possible eventualities. Therefore, if there is a cause for concern about crime and disorder that has not been addressed in the policy, we may attach conditions if we feel they are necessary and where there is reasonable cause. Such a condition may be attached following a relevant representation.

Section 6

The Licensing Objectives Public Safety

72 Introduction

- (1) Further to **paragraph 3** of this policy, there are four licensing objectives, which are:
 - The prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The protection of Children From Harm

- (2) Each of the Licensing Objectives are equal in importance. This section focuses on the second objective, Public Safety and details the Council's commitment to ensure that licensed premises do not impact on the safety of their patrons and the area around them.

- (3) Licence holders have a responsibility to ensure that people using their premises are safe. Safety goes further than the physical safety of customers, avoiding trip hazards and the like and includes matters such as how the premises deal with people who have consumed too much alcohol to the point where they are unconscious or how they deal with a person who has been assaulted.

- (4) Relevant issues for an applicant or premises licence holder might include:
 - Premises configuration and site layout including adequate means of escape and signage
 - Fire safety
 - Emergency systems
 - Temporary structures
 - Ensuring appropriate access for emergency services
 - Good internal and external communication systems, including with local authorities, emergency services and NiteSafe staff
 - Ensuring the presence of trained first aiders on the premises
 - Hygiene and welfare facilities
 - Special installations and effects
 - Ensure the safety of customers leaving the premises, providing information on transport
 - Ensure regular collection of glasses and bottles
 - Ensuring safe limits on the maximum capacity of the premises
 - Ensure the safety of any victims at the premises
 - Considering measures to reduce alcohol harm
 - Consider the use of licensed security staff and/or safety stewards

- Consider referring events to the Council's Event Safety Advisory Group (ESAG)
- (5) Applicants are recommended to seek advice from the Council's Environmental Health and/or local fire safety officers team when carrying out their risk assessments and when preparing their operating schedule. There is no requirement under the Act to seek such advice, however applicants may find it helpful to discuss matters before the application has been submitted.
 - (6) While it is not a requirement of the Act, it is recommended that applicants provide a copy of a completed risk assessment upon which the operating schedule is based to the relevant Responsible Authorities. Further, it is suggested that applicants engage with the ESAG where they are holding an event.
 - (7) Where the discretion of the Licensing Authority is engaged following a relevant representation, the Licensing Authority will consider attaching conditions to licences to ensure public safety, both inside and outside the premises as necessary.

73 Other Legislation

- (1) We appreciate that there is other legislation in place to cover public safety. We will aim to not duplicate the provisions in this legislation.

74 Mandatory Conditions (General)

- (1) There are a number of conditions attached to licences by the government. These mandatory conditions are attached as appropriate depending on the activity provided. The conditions will still apply even where a licence has been issued without them on the document itself.

75 Mandatory Conditions (Water)

- (1) The following condition will apply to all relevant premises licences and club premises certificates which authorise the supply of alcohol for consumption on the premises.
 - **Provision of Free Water** – There is a requirement to provide free water where it is reasonably available. We would consider that all premises authorised to sell alcohol for consumption on the premises can reasonably provide water. There is no expectation that such water should be carbonated or bottled unless still/tap water is not available for any reason.
- (2) For the actual wording for each of the mandatory conditions, the relevant legislation should be referred to.

76 Measures to be Considered (All Premises)

- (1) Applicants and licence holders are encouraged to take a proactive approach to public safety issues and we would suggest that they engage with the Responsible Authorities concerned. Many issues covering public safety are cross cutting with the crime and disorder objective, detailed in the previous section. However, consideration should be given to the following matters:
- **Staffing** – Ensure that there are adequate members of staff on duty on the premises so as to ensure proper management may be controlled.
 - **Soft Drinks** – Provide a full range of soft drinks as an alternative to alcohol. Soft drinks should not be priced so that they cost more than alcoholic drinks.
 - **Special Offers** – Restricting ‘special offers’ in order to slow down the consumption of alcohol and to slow the rate at which the blood alcohol levels increase.
 - **Alcopops** – Restrict the sale of alcopops which could attract underage purchasers. Avoid storing alcopops near tills, snacks and in other locations where they could attract underage purchases.
 - **High ABV** – Restrict the sale of beers and ciders with a high ABV.
 - **Single Cans** – Restrict the sales of single cans in areas where street drinking is an issue and within the CIZ.
 - **Food** – Make food available in late night venues.
 - **Seating** – Provide seating for customers to reduce more intensive drinking and to avoid bumps and spills. We would recommend that at least one third of the floor area is given over to seating.
 - **Advertisement** – Do not provide advertisements for alcohol in shop windows or display boards or other advertising on the shop floor.
 - **Storing Alcohol** – Store alcohol in controlled areas.
 - **Displays** – Consider where alcohol is displayed, avoiding displays adjacent to tills.
 - **Lighting** – Ensure that the internal and external areas of the premises are adequately lit and may be monitored by staff.
 - **Management Record** – The applicant or licence holder should consider maintaining an incident log at the premises. This log should be kept on the premises and made available at all times to an authorised officer or an officer employed by Humberside police.
 - **Safeguarding** – The applicant or licence holder should consider getting all staff trained in safeguarding awareness.
 - **Access and Inclusion** – Applicants and licence holders must ensure that they understand their responsibilities under the Equality Act 2010 and must ensure that they have made reasonable adjustments to the premises to deliver their service to all their customers safely.

77 Measures to be Considered (Alcohol Consumption On the Premises and Premises within the CIZ)

- (1) The following measures are considered appropriate to support the licensing objective of public safety for premises selling alcohol for consumption on the premises or where the premises is located within a CIZ. When completing an application, applicants are strongly advised to give consideration to these matters:
- **Conflict Resolution** – Applicants and licence holders should consider how they will deal with conflict in the premises. Licensees who put both parties out of the premises at the same time can have a negative impact on the licensing objectives of crime and disorder and public safety. Therefore, it is expected that the licence holder will have a strategy in place to deal with conflict management and to protect any victims.
 - **Polycarbonate/Plastic Drinking Vessels** – The use of polycarbonate or plastic drinking vessels can assist in public safety as well as the prevention of crime and disorder. Applicants or licence holders who have children's play areas; or for outdoor events or live music events should particularly consider this measure.
 - **Decanting from Bottles/Cans** – Consider removal from the public area to improve public safety, especially in premises within the CIZ or live music events.
 - **Glass and Bottle Collection** – Ensure that glasses and bottles are collected on a regular basis both inside and outside the premises.
 - **Excessive Alcohol Consumption** – Task members of staff to monitor the consumption of customers to ensure that alcohol is not supplied to the point where they become drunk.
 - **Dealing with Unconsciousness/Drunkenness** – Applicants and licence holders should have a risk assessment in place to deal with people found to be unconscious or drunk. There is a duty of care on the business and as such the licence holder must ensure that anyone found who is either drunk or unconscious is cared for and that their safety is not put at risk.
 - **Spiked Drinks** – Provide a safe area (drinksafe) that customers can put their drinks when they want to dance or go outside for a cigarette or want to use the toilets.
 - **Designated Driver Scheme** – Actively promote designated driver schemes and offer discounted soft drinks for a designated driver.
 - **Special Effects, Fireworks and Replica Firearms** – Where either special effects, fireworks or replica firearms are to be used, an applicant or licence holder should conduct a risk assessment to ensure that the public are safe.

78 Measures to be Considered (Late Night Refreshment)

- (1) The following measures are considered appropriate to support the licensing objective of public safety for premises providing late night refreshment. When completing an application, applicants are strongly advised to give consideration to these matters:

- **Waste Bins** – Consider providing waste bins at the premises so that customers can use them rather than dropping them on the floor. Waste on the floor can be a source of public safety, causing a slip hazard and public nuisance
- **Clearing Up** – Consider clearing up the outside area of the premises to ensure that waste does not build up. Again, this can be both a public safety and public nuisance issue.

79 Safe Capacities

- (1) Attaching a condition to a licence for a safe capacity should only occur where it is appropriate for the promotion of public safety or for the prevention of crime and disorder. Where a capacity has been imposed through other legislation, for example through the Regulatory Reform (Fire Safety) Order 2005, then it would be inappropriate to reproduce it in a premises licence. However, if no capacity has been imposed through other legislation or where it is appropriate to attach a condition for other reasons to support the licensing objectives, then a condition may be attached following a representation.
- (2) Safe capacities can have a significant impact on the prevention of crime and disorder and public safety. Accordingly, it is recommended that applicants and licence holders consider the safe capacity of the premises when completing their operating schedule. In doing so, the applicant or licence holder should consider any localised overcrowding in the premises.
- (3) Where an applicant wishes to take advantage of the provisions under section 177 of the Act, a capacity must be set.

80 Counting Systems

- (1) Where a condition is attached to the licence requiring a safe capacity, a counting system needs to be considered. The Licence holder, DPS or responsible person must ensure that persons entering or leaving the premises are counted by his/her employees or agents using counting machines. The total recorded on each counting machine shall, at all times, be available for inspection by Officers of the Council, the Fire Authority and/or the Police.
- (2) Instead of counting machines, premises may use a numbered ticket system including complimentary, guest or free tickets. This must, at any one time for a single performance, indicate the maximum number of people admitted to the premises.
- (3) Where premises have a number of entry and exit points, the premises licence holder/DPS should consider how best to control entry and exit from the premises so that overcrowding is avoided. Conditions could be attached to a licence following a representation regarding this issue.

81 Event Safety Advisory Group (ESAG)

- (1) Applicants and licence holders are advised to submit an event management plan to ESAG. In doing so, they should prepare an Event Management Plan detailing how the event will be managed. Details to be included in this plan should not just focus on public safety, but should consider all four of the licensing objectives. The Event Management Plan should have a section for each objective.

82 Safer Clubbing

- (1) Premises where there are dancing facilities are recommended to follow the Safer Clubbing Guide. Licence holders should ensure that they have taken any guidance into consideration.

83 Audience Participation

- (1) There are a number of licensable activities that could allow for public participation. The majority of these activities would not be a cause for concern. However, where an application is received for a licensable activity and there is the potential for audience participation, the applicant or licence holder should carry out a risk assessment to ensure that the patrons involved in the event are safe to do so.

84 Safe Departure

- (1) The licensee's responsibility should not end when a person leaves their premises, therefore they should make provisions to keep their patrons safe, as follows:
 - Provide details of local transport
 - Provide information of local taxi companies who can provide safe transport home
 - Provide a safe environment for people to wait for transport
 - Maintain sanitary accommodation available for people waiting for transport
 - If a person appears to be drunk, assist in making arrangements for safe travel
 - Provide suitable lighting outside the premises

85 General Safety

- (1) Matters such as electrical safety, gas safety, fire safety and general safety are generally covered by other legislation. The licence holder should make sure that all fixtures, fittings, equipment (including electrical fittings and equipment), furnishings, decorations and curtains on or about the premises shall be constructed, arranged safely, maintained in a safe and clean condition and in good order (including where appropriate, good working order). We will not look to add conditions to licences regarding these matters as other legislation is more appropriate.

86 Spaces of Safety (SOS) and Safe Haven

- (1) Licence holders are encouraged to work with Responsible Authorities in supporting such schemes as the Safe Haven and/or Spaces of Safety. Such schemes are in place to help with public safety, especially where the person is vulnerable.

87 Women's Safety and White Ribbon

- (1) North Lincolnshire Council supports the White Ribbon Campaign, pledging to prevent violence against women. In addition to the pledge of 'never committing, excusing or remaining silent about violence to women', in this policy the safety of women goes further. There is a risk in the night time economy of sexual harassment in bars and nightclubs which could, unchallenged, be seen as normalised. In order to reduce the risk to women and to protect their safety, licensees should consider the following:

- Prominently display posters in their venue that discourages violence, harassment and encourages reporting
- Take every report of harassment and sexual intimidation seriously and take appropriate action
- Ensure that all members of staff are trained to deal with harassment and sexual intimidation, including all door staff
- Take steps to make sure females are safe when they leave the premises

88 Other Issues

- (1) This policy aims to outline the Council's commitment to public safety. We appreciate that this document cannot cover all possible eventualities. Therefore, if there is a cause for concern about public safety that has not been addressed in the policy, we may attach conditions where we feel they are necessary and where there is reasonable cause. Such a condition may be attached following a relevant representation.

Section 7

The Licensing Objectives The Prevention of Public Nuisance

89 Introduction

- (1) Further to **paragraph 3** of this policy, there are four licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children From Harm
- (2) Each of the Licensing Objectives are equal in importance. This section focuses on the third objective, the Prevention of Public Nuisance and details the Council's commitment to ensure that licensed premises do not cause a public nuisance to those that live and work around them.
- (3) Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise of nuisance that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.
- (4) Applicants should take into account the area around their premises when submitting an application. It is important to recognise that the impacts of licensed premises are not contained within a building, rather they impact further as people travel to and from the premises or congregate outside while it is in operation and thereafter. Nuisance should be considered at the earliest opportunity.
- (5) Operating schedules should be prepared on the basis of a risk assessment of the potential sources of nuisance posed by the premises operation to the local community. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive measures to manage any potential risks.
- (6) Relevant issues for an applicant or premises licence holder might include:
 - Noise from the premises from both internal and external areas
 - Deliveries and disposal of waste
 - Light pollution
 - Odours
 - Disposal of glass
 - Cleaning the area in the vicinity of the premises

- (7) While there is no statutory need for a risk assessment, applicants may find it useful to complete a risk assessment, which they can base their operating schedule on. A copy of this assessment should be submitted with the application.
- (8) Attaching conditions to a licence will be considered on an individual basis. Each premises will present different potential issues depending on size, location, layout and the activities taking place. The matters to be considered in this section are not exhaustive.
- (9) Where the discretion of the Licensing Authority is engaged following a relevant representation, the Licensing Authority will consider attaching conditions to licences to ensure that the prevention of nuisance both inside and outside the premises are covered as necessary.

90 Other Legislation

- (1) We appreciate that there is other legislation in place to cover the prevention of public nuisance. We will aim to not duplicate the provisions in this legislation.

91 Mandatory Conditions (General)

- (1) There are a number of conditions attached to licences by the government. These mandatory conditions are attached as appropriate depending on the activity provided. The conditions will still apply even where a licence has been issued without them on the document itself. Currently, there are no mandatory conditions attached to licences dealing with the prevention of public nuisance.

92 Measures to be Considered (All Premises)

- (1) Applicants and licence holders are encouraged to take a proactive approach to the prevention of a public nuisance and we would suggest that they engage with the Environmental Protection team before submitting an application. Many issues covering the prevention of a public nuisance are cross cutting with the crime and disorder objective, detailed. However, consideration should be given to the following matters:
 - **Arrivals and Departures from the Premises** – Preventing disturbance caused by patrons upon arrival; when queuing or being admitted to the premises; while congregating outside the premises; using smoking areas; or on departure. This is particularly (though not exclusively) between 23.00 and 08.00 hours.
 - **Noise** – Preventing noise and vibration escaping from the premises, including from music played upon the premises; public address systems; and customer noise.
 - **Extraction Units** – Preventing nuisance from the positioning and operation of plant and machinery such as kitchen extraction systems, ventilation systems, condensers etc.

- **Boundary Checks** – The need for regular patrols of the boundary of the premises and/or at the nearest residential points to ensure the nuisance is not being experienced by neighbours.
- **Outside Areas** – Applicants and licence holders should manage the outside areas and deal with any disturbances in order to reduce public nuisance. This will include gardens, terraces, smoking areas, etc. and will include the highway where utilised by the patrons of the premises.
- **Smoking Areas** – Applicants and licence holders should consider the best location for smoking areas in order to reduce nuisance to neighbours.
- **Clearing Up** – Applicants and licence holders should detail staff to clear up external areas of the premises in order to reduce nuisance to people living, working or transiting in the vicinity of the premises, including clearing up any broken glass, vomit and packaging emanating from the premises.
- **Deliveries** – Restricting the delivery and collection times (waste, equipment, consumables, etc.) to between 08.00 and 20.00 hours.
- **Lighting** – Limiting nuisance or glare caused by the positioning of external lighting, including security lighting.
- **Waste Disposal** – Preventing odour or pests from refuse and waste disposal and the accumulation of litter and smokers waste in the vicinity of the premises. Applicants and licence holders should provide suitable waste disposal facilities for the use of patrons.
- **Management Record** – The applicant or licence holder should consider maintaining an incident log at the premises. This log should be kept on the premises and made available at all times to an authorised officer or an officer employed by Humberside police.

93 Preventing Nuisance from within the Premises

- (1) Nuisance may often be caused by sound escaping from the premises or transmitted through the structure of the building. While some simple management steps may be taken to reduce the problem, there may be times that some physical measure is necessary to prevent nuisance being caused. The likelihood of this increases where regulated entertainment is provided; where the intended hour of operation is later; where residents live adjacent to the premises; or where there are noise sensitive premises nearby. Where physical measures are likely, applicants and licence holders are advised to seek the help of an expert.
- (2) In order to prevent noise from premises causing a public nuisance, we would expect the following measures to be considered, especially where the premises operates late at night; is in a residential area; or holds regulated entertainment.
 - **Double Doors** – Provide acoustic double door lobbies, so that noise is contained within the premises.
 - **Self-closing Devices** – Provide self closing devices on the exit door to ensure it is not left open.

- **Management of Doors** – Provide staff to manage the doors to ensure that the integrity of the premises is maintained.
- **Windows** – Ensure that windows and doors are kept closed during periods of entertainment. Consider double glazing and the installation of sound resistant glass.
- **Air Conditioning** – Consider the installation of air conditioning at the premises to ensure that windows and doors can remain closed.
- **Insulation** – Consider the installation of insulation to party walls where a premises is connected to a neighbouring property.
- **Alarms** – Consider the installation of an alarm or device that interrupts music when a fire door is opened.
- **Noise Limiting Devices** – Consider the installation of sound-limiting devices to enable a maximum volume and bass to be set at appropriate levels. A sound-limiting device could be fitted to the final exit door so that the volume is reduced when the door is opened.
- **Baffling** – Provide acoustic baffling to any ventilation extract and intake system.
- **Management Checks** – Monitor and record periodic perimeter checks.

94 Preventing Nuisance outside the Premises

- (1) Nuisance caused by patrons outside of the premises, whether by patrons queuing for entry; enjoying the facility of a beer garden or terrace; or by smokers congregated on the pavement, is of considerable concern to local residents. Licensees have a responsibility for the conduct of their customers while they are in and around the premises.
- (2) If provision is made for customers to congregate or smoke outside of the premises, then sufficient management controls must be put in place to ensure that no nuisance or disturbance is caused to local residents. Management controls that should be considered by the applicant or licence holder include the following:
 - **Queues** – Consider the arrangement of queues controlling entry to the premises.
 - **Access to Outside Areas** – Consider whether it is appropriate to stop people using outside areas after a certain hour. We would suggest that outside areas should not be used after 23.00 hours where the premises is in a residential area.
 - **Music in Outside Areas** – Consider if it is appropriate to have music relayed to the outside areas or marquees. This could cause a nuisance at any time of day or night.
 - **Music Times** – Consider the appropriate terminal hour for music. Where the premises is located in a residential area, then consideration should be given for the music to cease no later than 23.00 hours.
 - **Use of Outside Area** – Consider the maximum number of people permitted to use an outside area at the same time.

- **Number of Smokers** – Consider the number of smokers permitted outside the premises at any one time. Where there is a ‘no entry policy’ in place then further smokers should be advised that if they leave to smoke then they may not be permitted to re-enter.
- **Taking Drinks Outside** – Subject to other objectives, there may be a case to restrict patrons from taking their drinks outside when they go outside to smoke. This would need to be considered with a ‘drinksafe’ location.
- **Restrict Movement of Patrons Outside** – Consider restricting the free movement of patrons outside the premises in order to keep them away from any noise sensitive premises.
- **Last Admissions** – Consider the introduction of a last admissions policy.
- **Reducing the Volume** – Consider turning the music down for the last 30 minutes before closing times, so as to reduce the levels of excitement as patrons leave the premises.
- **Notices** – Consider displaying notices asking patrons to leave quietly and to respect neighbours.
- **Free Lollipops** – Consider handing out free lollipops to patrons as they leave in order to reduce volumes.
- **Transport** – Consider an arrangement with a local taxi company to arrange transport home for patrons.
- **Supervision** – The management of the patrons outside is still the responsibility of the licence holder. Consider how best this may be managed to ensure that patrons leave without causing a nuisance.

95 Outdoor Events

- (1) There are a number of outdoor events across North Lincolnshire that add to the vibrancy of the area. It is important that such events are organised and managed so as to ensure that minimum disturbance is caused to people living and working nearby. In order to achieve this, applicants are encouraged to submit an ‘Event Management Plan’, which can be considered by the council’s Environmental Protection Team. Nuisance from outdoor events can be caused by a number of activities, including:
- Setting up rigging and de-rigging
 - Vehicle movements on and around the site
 - Patrons congregating and dispersing
 - Music and entertainment
 - Fireworks and special effects
 - Smoke
 - Odour from concessions or open food preparations
 - Lighting
 - Operation of plant and machinery, including generators
 - Litter
- (2) Applicants and licence holders are advised to include a section on nuisance in their Event Management Plan, setting out the measure they intend to take to mitigate any nuisance that is likely to be caused.

(3) The type of information that applicants should include in their Event Management Plan, includes the following:

- Location and site plan
- Date and hours of operation
- Information of the type of event
- Orientation of any stage(s), marquees or potential sources of noise
- Plans for access to and from the site
- Location and operation of plant and vehicles
- Background noise survey
- Details of stage management, including the name of persons responsible for liaising with the council, management of sound systems etc.
- Details of noise control measures, including sound limiting technology, maximum noise/bass levels, equipment to be used etc.
- Location of light sources and light impact assessments
- Details of information provided to neighbours of the event

96 Other Issues

(1) This policy aims to outline the Council's commitment to preventing public nuisance. We realise that this document cannot cover all possible eventualities. Therefore, if there is a cause for concern about preventing public nuisance that the policy does not cover, the Council may attach conditions if it feels they are necessary and where there is reasonable cause. Such a condition may be attached following a relevant representation.

97 Other Consents and Authorisations

(1) Applicants and licensees should be aware that in addition to the need for a premises licence or CPC, a range of other consents or authorisations may be required to provide smoking shelters, barriers or A boards and tables and chairs on the highway. Further information is available from the licensing team.

Section 8

The Licensing Objectives The Protection of Children from Harm

98 Introduction

- (1) Further to **paragraph 3** of this policy, there are four licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children From Harm
- (2) Each of the Licensing Objectives are equal in importance. This section focuses on the fourth objective, the Protection of Children from Harm and details the Council's commitment to ensure that children are protected in licensed premises.
- (3) The protection of children from harm objective includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example adult entertainment or films). We must also consider the need to protect children from sexual exploitation. **A child is any person under 18 years of age.**
- (4) Relevant issues for an applicant or premises licence holder might include:
 - Preventing access to alcohol and other age restricted items
 - Removing encouragement for children to consume alcohol
 - Preventing exposure to gaming
 - Preventing exposure to adult entertainment
- (5) While there is no statutory need for a risk assessment, applicants may find it useful to complete a risk assessment, which they can base their operating schedule on. A copy of this assessment should be submitted with the application.
- (6) Attaching conditions to a licence will be considered on an individual basis. Each premises will present different potential issues depending on size, location, layout and the activities taking place.
- (7) Where the discretion of the Licensing Authority is engaged following a relevant representation, the Licensing Authority will consider attaching conditions to licences to ensure the protection of children from harm that are deemed appropriate.

99 Mandatory Conditions (General)

- (1) There are a number of conditions attached to licences by the government. These mandatory conditions are attached as appropriate depending on the activity provided. The conditions will still apply even where a licence has been issued without them on the document itself.

100 Mandatory Conditions (Exhibition of Films)

- (1) The following condition will apply to any premises where the licence incorporates the exhibition of films as a licensable activity:
 - Requirement of Film Classification – The admission of children to films should be restricted in accordance with the film classification as set by the British Board of Film Classification (BBFC) or by the Licensing Authority.
- (2) The correct wording for the condition is available in the appropriate legislation.

101 Mandatory Conditions (All Premises Licensed for the Supply of Alcohol)

- (1) The following condition will apply to all relevant premises licences and club premises certificates which authorise the supply of alcohol:
 - Age Verification Policy – The premises licence holder or club premises certificate holder must ensure that an age verification policy has been adopted and that the designated premises supervisor at the premises supplies alcohol in accordance with the policy. The requirement is that a responsible person must be satisfied that a person looks to be older than 18 or such older age as specified in their policy.
- (2) The correct wording for the condition is available in the appropriate legislation.

102 Age Verification Policies

- (1) Our Trading Standards Team are the Responsible Authority, who will consider each application. In conjunction with Trading Standards, we would recommend the following:
 - That premises adopt a “Challenge 25” proof of age policy.
 - That the “Challenge 25” Policy be in writing at the premises, and that it is available for inspection by an authorised officer, a trading standards officer or an officer employed by Humberside police.
 - That the documentation accepted by staff are a valid passport, DVLA driving licence or a PASS accredited card.

- That “Challenge 25” notices are displayed informing customers and staff that sales of alcohol will not be made to anyone appearing to be under 25 unless they can prove they are 18 or over.
 - That staff check the ID of customers if they are in doubt, even where the persons ID might have previously been checked at the point of entry.
 - That all staff involved in the sale of alcohol are trained in the age verification policy and that records of the training be maintained at the premises, which shall be available for inspection at all times by an authorised officer, a Trading Standards Officer or an officer employed by Humberside Police.
 - That an incident log shall be maintained and all details of refusals recorded. The incident log should be reviewed on a monthly basis by the DPS and any actions taken recorded in the book and signed off by the DPS. The log shall be retained on the premises and made available for inspection by an authorised officer, a Trading Standards Officer or an officer employed by Humberside Police.
 - That where CCTV is installed, it shall be so positioned as to capture the sale of alcohol.
 - Where the premises is located within a CIZ that a personal licence holder be on duty at the premises while alcohol is being supplied.
 - Where an electronic point of sale (EPOS) is installed at the premises, it shall be configured to prompt the operator to check proof of age when an alcoholic product is scanned. This prompt should require the operator to confirm the purchaser is over 18 years of age before the next item can be scanned or the transaction completed.
 - That the premises licence holder and DPS shall ensure that alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods that are likely to be purchased by person under 18 years of age
- (2) It is recognised that on occasions some underage sales are made through intimidation or fear. Where licensees are experiencing such problems there is an expectation that the licensee will have contacted the Licensing Authority, Trading Standards or the Police to discuss their concerns.
- (3) Where a person presents ID belonging to another person, we would expect the premises licence holder, DPS or their representative to confiscate the ID in accordance with current guidance. This ID may then be forwarded to the Licensing Team who will return it to the issuing authority.

103 Measures to be Considered (All Premises)

- (1) Applicants and licence holders are encouraged to take a proactive approach to the protection of children from harm when submitting an application. Many issues are cross cutting with the crime and disorder and public safety objectives, detailed. However, consideration should be given to the following matters:

- **Employing Children** – There are restrictions on the type and hours that children may be employed. Applicants and licence holders should seek clarification before employing any children.
- **Access to Licensed Premises** – Applicants and premises licence holders should consider if it is appropriate to allow access to the premises, part of the premises, or access during certain hours.
- **Staff Supervision** – Where children are allowed access to the premises, applicants or the licence holder should ensure that there are sufficient staff available to ensure the safety and welfare of the children.
- **Disclosure and Barring Service (DBS)** – Applicants and licence holders should consider conducting a DBS check on employees
- **CSE and Safeguarding Training** – Applicants and licence holders should consider giving training to their staff to raise their awareness of CSE and safeguarding issues. This training is relevant to all premises, especially those that allow children in to the premises and those in a CIZ.
- **Access to gaming machines** – Applicants and licence holders should ensure that appropriate measures are in place to make sure that children are not permitted to use the machines.

104 Access to Licensed Premises

- (1) The Act makes it an offence to permit children under the age of 16, who are not accompanied by an adult, to be present on a premises being used exclusively or primarily for the supply of alcohol for consumption on the premises, authorised by a premises licence, club premises certificate or a TEN. Further, it is an offence to allow children under 16 to be on other premises authorised to supply alcohol for consumption between midnight and 05.00 hours who are not accompanied by an adult.
- (2) We recognise that licences are issued to a great variety of businesses, including theatres, cinemas, restaurants, concert halls and takeaways as well as public houses and nightclubs. While we would encourage applicants to make provision for the access of children where appropriate, conditions restricting access will be considered in circumstances where:
 - Adult entertainment is provided
 - The premises is within a CIZ and is primarily used for the supply of alcohol in conjunction with regulated entertainment.
 - The premises is used exclusively or primarily for the sale of alcohol for consumption on the premises
 - There is a history of drug taking or dealing
 - The premises has a history of allowing underage drinking and sales or there have been convictions for selling to children
 - There is a significant degree of gaming at the premises

- (3) Applicants must be clear in their operating schedules about the activities they intend to provide and the times they will take place in order to determine if it is appropriate to restrict access.
- (4) Conditions will be set to reflect the licensable activities taking place. Conditions may be considered as follows:
 - Restricting or excluding children
 - Restricting or excluding children at certain times
 - Restricting or excluding children under a specified age when specified activities are taking place
 - Restricting or excluding children from parts of the premises
 - Requirements for an accompanying adult

105 Employing Children

- (1) Licence holders should seek advice if they wish to employ anyone aged under 16 and in full time education. Such employment may need an appropriate licence issued by the Council's education department.

106 Sale of Alcohol by Persons under the Age of 18

- (1) Premises licence holders and DPS should not allow anyone aged under 18 to sell or supply alcohol unsupervised. If someone aged under 18 years works in a licensed premises, a responsible person over 18 years of age must authorise each and every sale.

107 Children and Responsible Drinks Promotions

- (1) The Portman Group operates a 'Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks' on behalf of the alcohol industry. This code of practice aims to ensure that alcohol is marketed responsibly and only to adults.
- (2) The code applies to all alcohol marketing (including naming, packaging and promotion of products, event sponsorship and point of sale material) which is primarily UK targeted and not already subject to regulation by the Advertising Standards Authority (ASA) or Ofcom.
- (3) The Code can be viewed on the Portman Group's website. Licence holders should be aware of the information in this Code and ensure that they adhere to it.

108 Children and Regulated Entertainment

- (1) Where entertainment or facilities are provided specifically for children, applicants are asked to demonstrate within their application the following:
 - A policy or statement on how they will keep children safe from harm.

- How employees or contracted agencies are made aware of the policy or statement on keeping children safe from harm.
- The recruitment process for staff who may deal with children, in order to keep children safe from harm.
- There is a system in place to deal with possible violence or abuse of children.
- There is a clear complaints procedure and a clear whistle-blowing procedure in place for staff who have concerns about the welfare of children.
- That all staff are aware of how to refer any concerns about the welfare of children to the appropriate authorities.

(2) Where a theatrical entertainment is specially presented for children, the licence holder is advised to ensure that there are sufficient staff to control access and egress of children and to protect them from harm. The following measure should be considered:

- An adult member of staff to be stationed in the vicinity of each exit from any level, subject to there being a minimum of one member of staff per 50 children or part thereof.
- No standing permitted in any part of the auditorium during the performance
- No child (unless accompanied by an adult) to be permitted in the front row of any balcony.

109 Film Classification

- (1) Further to **paragraph 100**, films are generally classified by the BBFC. Where a film is local in origin and has not been classified by the BBFC, the Licensing Authority can set a local classification for a film.
- (2) Where it is necessary to set a local classification, we would need good notice (at least 28 days) prior to the proposed exhibition. We would need to view a full version of the film to be displayed in advance in order to set a classification.

110 Entertainment Involving Striptease and Nudity

- (1) Where a premises is used for adult entertainment of this type, we will engage with the premises licence holder to check that none of the performers are under 18 years of age and that they have put all appropriate measures in place to protect children.

111 Child Sexual Exploitation (CSE)

- (1) Child sexual exploitation (CSE) is the manipulation and abuse of children. A child is a person under the age of 18 and victims of CSE are coerced into having sex or engaging in sexual activities, usually in return for something.

- (2) The Licensing Authority are committed to work in partnership with partners in order to tackle and prevent the sexual exploitation of children. Where CSE is reported or intelligence gathered we will act to disrupt the activities. Should evidence be gathered in relation to CSE we will seek a review of the premises licence.

112 Other Issues

- (1) This policy aims to outline the Council's commitment to protecting children. We appreciate that this document cannot cover all possible eventualities. Therefore, if there is a cause for concern about the protection of children from harm, which has not been addressed in the policy, the Council may attach conditions if it feels they are necessary and if there is reasonable cause. Such a condition may be attached following a relevant representation.

Section 9

Other Statutory Provisions

113 Introduction

- (1) When considering the Licensing Policy and determining applications, North Lincolnshire Council has considered other statutory requirements. These include:
 - The Human Rights Act 1998
 - The Equality Act 2010
 - Health and Safety at Work Act 1974
 - Town and Country Planning Act 1990
 - Health Act 2006
 - Gambling Act 2005
 - Private Security Industry Act 2001
 - Crime and Disorder Act 1998
 - Violent Crime Reduction Act 2006
 - Criminal Justice & Police Act 2001
 - Policing & Crime Act 2009
 - Local Government (Miscellaneous Provisions) Act 1982
- (2) In accordance with the Secretary of State's guidance, this policy will aim to avoid duplication with other statutory requirements.

114 Disabled People

- (1) We take a proactive approach to promoting access and inclusion for disabled people. We will actively encourage making licensed premises accessible to disabled people and will remind applicants and licence holders of their responsibilities under the Equality Act 2010, specifically relating to disability, the duty they have to make reasonable adjustments to the premises and their duty in delivering their service to all their customers safely.

115 Health & Safety

- (1) The Council will not usually attach conditions to a licence relating to current Health and Safety Legislation. The Council will, however take breaches of such legislation very seriously. Action could result in a review of a premises licence where a person has committed an offence under this legislation.

116 Planning

- (1) The licensing function will not be a re-run of a planning application. The issues in determining an application for a premises licence will relate to this licensing policy and the objectives set under the Act.

117 Transport

- (1) The provision of transport home is an issue that the Council will consider. People need to be dispersed to reduce the risk of crime, disorder and nuisance. Where a premises allows taxi companies to advertise in their premises, they should take reasonable steps to ensure that taxis are appropriately licensed. Premises licence holders may be asked to display advertisements promoting safe transport.

118 Gaming Machines

- (1) Although not a licensable activity under the Licensing Act 2003, where premises wish to provide such machines, they must hold the appropriate permit or have provided the Licensing Authority with the appropriate notification.
- (2) Premises that have two or less machines must notify the Licensing Authority that they intend to use the machines along with the appropriate fee, while premises using three or more require a licensed premises gaming machine permit.
- (3) All machines should be sited in view of the bar. The DPS should ensure that the machines are not played by anyone aged under 18 years.
- (4) Applications for the machines may be posted, along with the fee, to the Licensing Team at North Lincolnshire Council.

119 Hypnotism

- (1) No exhibition, demonstration or performance of hypnotism, as defined in Section 6 of the Hypnotism Act 1952, shall be given on any person on a licensed premises except with the written consent of the Council and in accordance with any conditions attached to such consent.
- (2) The hypnotist is responsible for registering with us, however the DPS or responsible person should check that this has been done. We should have not less than 28 days notice before the intended date of the exhibition, demonstration or performance.

120 Adult Entertainment (Sex Establishments Licence)

- (1) North Lincolnshire Council has adopted schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) in order to regulate sex shops, sex cinemas and sexual entertainment venues in the area.
- (2) North Lincolnshire Council recognises that Parliament has made it lawful to operate sex establishments and as such these businesses are a legitimate part of the retail and leisure industry.

- (3) An application for a Sex Establishment Licence should be made to the Licensing Authority.
- (4) We would advise that no entertainment is allowed on licensed premises which is considered licentious, indecent, obscene, profane, improper or of a suggestive nature, which may cause a breach of the peace. Following a relevant representation we may attach a condition to restrict this type of entertainment.
- (5) Where entertainment consists of striptease, lap dancing, pole dancing, nude or semi-nude performances by either sex which involves exposure of intimate parts of the body or any performance, exhibition or display of a similar nature, the DPS or responsible person should carry out a risk assessment prior to the event. This risk assessment should focus on the protection of children from harm and the safety of the performer.
- (6) Where such activities are a cause for concern, we may attach a condition to the licence to restrict the type of entertainment allowed. Such a condition may be attached following a relevant representation.

121 Smoking

- (1) Smoking is not permitted in those parts of the premises which are substantially enclosed in accordance with the Health Act 2006. Further guidance on smoking related issues can be obtained from the Licensing Team.
- (2) Where a smoking shelter is provided by a premises we would recommend that the DPS or Responsible person advise their patrons to have consideration to the neighbours, so as not to cause a nuisance.
- (3) We would suggest that premises who allow their patrons to smoke on the public highway take responsibility to clear away any smoking related litter and provide an Ash Bin where possible.

122 Information Sharing

- (1) Subject to the provisions in the Data Protection Act 1998 and the Freedom of Information Act 2000, we will share information with key partners in order to reduce alcohol fuelled crime and disorder.
- (2) In addition to the provisions in the Data Protection Act 1998, we may also share information with our partners under section 115 of the Crime and Disorder Act 1998. We will only do so where there is a need for the detection or prevention of crime and disorder.

Section 10

Enforcement

123 Introduction

- (1) This section of the Licensing Policy details the Council's commitment to enforcing the provisions contained within the Licensing Act 2003. The Council has signed up to the Enforcement Concordat.
- (2) It also highlights the Council's commitment to work in partnership with all enforcement agencies, to provide consistent enforcement on licensing issues.
- (3) The Licensing Act 2003 details a number of offences. Many of these relate to the supply and sale of alcohol to children. It is an offence to sell or supply alcohol to anyone aged under 18 years. Council Licensing Officers will work closely with Humberside Police and Trading Standards Officers on these issues.
- (4) Section 186 of the Licensing Act 2003 allows any proceedings for an offence to be brought by the Crown Prosecution Service or by the Licensing Authority. In addition Trading Standards Officers can prosecute certain offences.
- (5) The Licensing Team also aims to work closely with other enforcement authorities when dealing with licensed premises, especially concerning health and safety and noise/nuisance.
- (6) The Licensing Act 2003 also provides the police with powers to close premises, where there are problems with crime & disorder. Any such closure requested by the police must not be for more than 24 hours.
- (7) It is an offence to carry on or attempt to carry on a licensable activity without the authorisation provided by a premises licence, a club premises certificate or a temporary event notice. It is also an offence knowingly to allow such an activity to carry on.
- (8) Such offences cover premises that are licensed for one activity but not for another. For example: premises are licensed to sell alcohol, but not to provide regulated entertainment. If entertainment is held on the premises, then they would be carrying on a licensable function other than in accordance with the licence issued by the Council and the conditions attached to such a licence.
- (9) The Council has adopted the Concordat relating to enforcement. In dealing with enforcement issues, the Council will act in a fair and consistent manner and will treat all cases and people with consideration and empathy. There is a directorate enforcement policy and a Business Compliance and Support Policy that sit alongside the policies from the Licensing Team.

124 Complaints

- (1) We will investigate all complaints about licensed premises, subject to completing a risk assessment of the complaint. Complainants will firstly be encouraged to raise the complaint with the licensee or business concerned. Failing this, the Council will then arrange a mediation meeting to try to resolve any issues.
- (2) This process will not override the right of any interested party to ask that the Licensing Sub Committee consider any valid objections and have the licence reviewed. A licence holder and/or DPS may decline an invitation to such a mediation meeting.

125 Notices and Prosecutions

- (1) There are a number of enforcement bodies within North Lincolnshire, which might serve a Notice or prosecute a premises licence holder or DPS, etc. In order that we can take all such matters into consideration where deemed relevant, such enforcement bodies should disclose to the Licensing Team when a Notice has been served or when a person has been convicted of an offence.

126 Test Purchasing

- (1) We will work very closely with the Police and Trading Standards to arrange test purchases for underage sales. Such test purchases will be made paying due regard to the Trading Standards Institutes Code of Practice.

127 Enforcement Protocols

- (1) We will work very closely with other enforcement agencies. We will develop enforcement protocols during the period of this policy. The protocols will be referred to the Licensing Committee for approval.

Glossary of Terms

“we”	- means North Lincolnshire Council
“ASA”	- means Advertising Standards Authority
“Authorised Officer”	- means an Officer employed by North Lincolnshire Council authorised under the Licensing Act 2003
“BBFC”	- means British Board of Film Classification
“BS”	- means British Standards
“CIP”	- means the Cumulative Impact Policy
“CIZ”	- means the area covered under the Cumulative Impact Policy
“Consent of the Council”	- means written consent or approval by the Council
“Container”	- means either a glass or plastic vessel in which alcohol/other beverages are either sold or supplied (Bottle, Pint/Half Pint Glass)
“Council”	- means North Lincolnshire Council
“CPC”	- means Club Premises Certificate needed to authorise the supply of alcohol to a member of a club
“CSE”	- means Child Sexual Exploitation
“Cumulative Impact”	- means a concentration of a type of licensable premises in one area which results in a breach of the licensing objectives
“Delegation”	- means what Officers are authorised to do
“DBS”	- means the Disclosure and Barring Service
“DPS”	- means Designated Premises Supervisor
“employee of Humberside Police”	- means a Police Constable or a civilian employee of Humberside Police who works in the Licensing Team
“EMRO”	- means Early Morning Alcohol Restriction Order that may be applied to an area within North Lincolnshire to restrict the time when alcohol may be sold or supplied
“EPOS”	- means Electronic Point of Sale
“ESAG”	- means the Event Safety Advisory Group who consider and advise on the safety of events
“Licensed Premises”	- means the building and land to which the public have access, which is licensed to hold a licensable activity as defined in the Licensing Act 2003
“Licensing Committee”	- means a group of between 9 and 15 members of North Lincolnshire Council who will deal with Cumulative Impact and Policy Issues
“Licensing Sub-Committee”	- means a group of 3 members of North Lincolnshire Council who will deal with Licence Applications where there is a representation and reviews of licences
“Magistrates' Court”	- means Grimsby Magistrates' Court
“PASS”	- means Proof of Age Standard Scheme, a nationally recognised proof of age scheme
“Personal Details”	- means any details provided by an individual (not a business) about themselves, including their address, telephone number, email address
“Pre-application Advice Service”	- means a service provided by the Licensing Team to help applicants fill in their application forms

<p>“Pugilistic Sports”</p> <p>“SEV”</p>	<ul style="list-style-type: none"> - means a sport where the use of the fists is included - means a Sexual Entertainment Venue licensed under the Local Government (Miscellaneous) Provisions Act 1982
<p>“SIA”</p>	<ul style="list-style-type: none"> - means the Security Industry Authority, the body responsible for Licensing Door Supervisors
<p>“Statutory Provisions”</p> <p>“the Act”</p> <p>“TEN”</p>	<ul style="list-style-type: none"> - means laws passed by Parliament - means the Licensing Act 2003 - means Temporary Event Notice which is a temporary licensable activity for up to 499 people
<p>“the Levy”</p>	<ul style="list-style-type: none"> - means a Late Night Levy that can be applied to premises selling or supplying alcohol late at night in to the early hours of the morning
<p>“trace”</p>	<ul style="list-style-type: none"> - means that a person has convictions which have been provided on their Disclosure and Barring Service Check
<p>“vicinity”</p>	<ul style="list-style-type: none"> - means the area surrounding the premises. This area will differ depending on the size and type of the licensable activity taking place
<p>Licensing Manager</p>	<ul style="list-style-type: none"> - means the manager with day to day responsibility of managing the Licensing Function who has budgetary control
<p>Head of Trading Standards and Licensing Group Manager, Trading Standards and Licensing Assistant Director</p>	<ul style="list-style-type: none"> - means the manager with responsibility for the Licensing Function - means the manager with responsibility for the Licensing Function - means a senior manager who has oversight of the function
<p>Technical and Environment Licensing and Mediation Officer</p>	<ul style="list-style-type: none"> - means an authorised officer employed to assist the manager with day to day responsibility of managing the Licensing Function
<p>Principal Licensing and Mediation Officer</p>	<ul style="list-style-type: none"> - means an authorised officer employed to assist the manager with day to day responsibility of managing the Licensing Function

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

STATEMENT OF PRINCIPLES GAMBLING ACT 2005

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To approve the Statement of Principles in accordance with section 349 of the Gambling Act 2005.

2. BACKGROUND INFORMATION

- 2.1 The report attaches as an appendix a copy of the Statement of Principles. We are required to review this policy every three years in accordance with section 349 of the Licensing Act 2003.
- 2.2 The Statement of Principles has been considered by the Licensing Committee, who recommended that it should be approved.

3. OPTIONS FOR CONSIDERATION

- 3.1 That the Statement of Principles be approved.

4. ANALYSIS OF OPTIONS

- 4.1 The Statement of Principles needs to be approved in order to comply with the statutory obligations under the Gambling Act 2005.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no resource implications associated with this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 Statutory Implications – Failure to review the policy in accordance with Section 349 of the Gambling Act 2005 would mean that the Council would fail to meet its legal requirement.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 No integrated impact assessment is required for this report given its nature.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 Full consultation has been carried out, the results of which were presented to the Licensing Committee.

9. **RECOMMENDATIONS**

9.1 That the Statement of Principles be approved.

DEPUTY CHIEF EXECUTIVE

Church Square House
Church Square
Scunthorpe
North Lincolnshire

Author: Nick Bramhill
Date: 16 November 2021

Background Papers used in the preparation of this report – Licensing Policy Review File and Diversity Impact Assessment

North Lincolnshire Council

www.northlincs.gov.uk

Statement of Principles Gambling

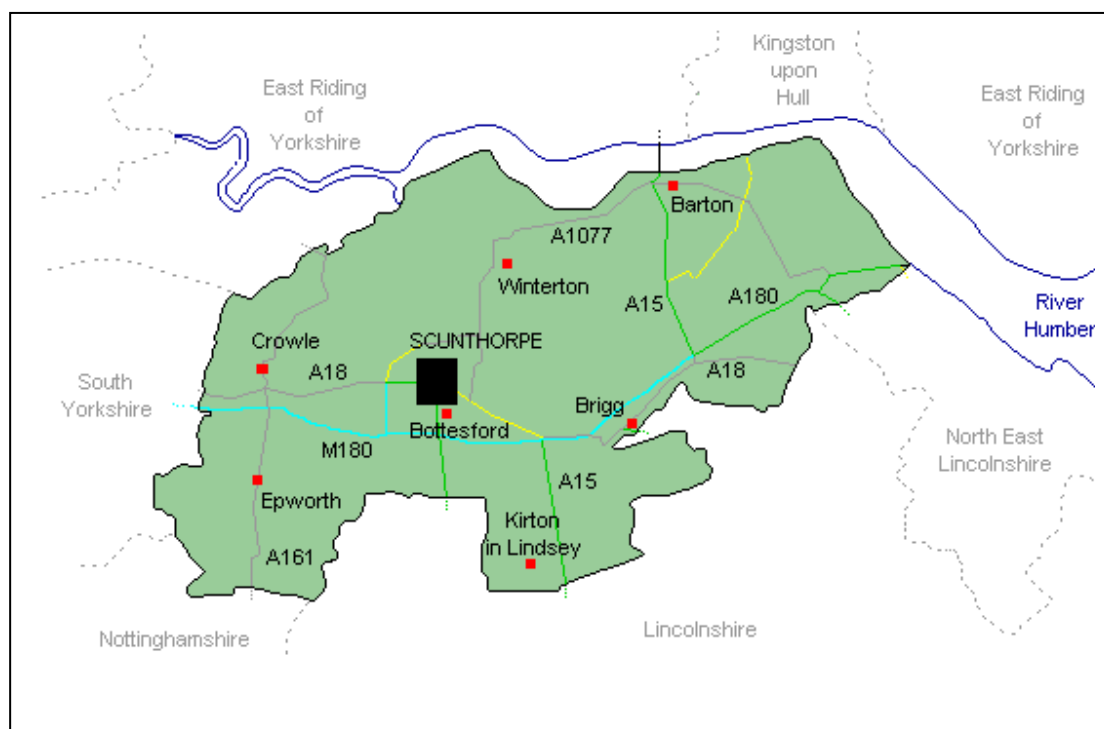
Revised January 2022

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Introduction

1 The Area of North Lincolnshire

- (1) North Lincolnshire covers a mix of urban and rural areas. It includes the towns of Scunthorpe, Barton upon Humber and Brigg. There are also several other market towns, villages and rural areas. Its total area is 328 square miles.
- (2) The 2011 Census said the population of North Lincolnshire was 167,446. Of these, 76,200 live in Scunthorpe and Bottesford. The other 91,246 people live in the rural areas. This includes the towns of Barton upon Humber and Brigg.
- (3) Below is a map of the area:



2 General Information

- (1) This statement of principles will help meet the Council's obligations under section 349 of the Gambling Act 2005 (referred to in this statement as "the Act").
- (2) Under the Act, the Council will aim to permit the use of premises for gambling. This is as long as it is considered to be:-
 - in accordance with any relevant codes of practice issued by the Gambling Commission;

- in accordance with any relevant guidance issued by the Gambling Commission;
 - in accordance with this statement of principles; and
 - consistent with the licensing objectives.
- (3) The Act provides for 3 categories of licence:
- operating licences
 - personal licences
 - premises licences
- (4) The Council is responsible for issuing premises licences. The Gambling Commission is responsible for issuing operating and personal licences. Contact details are detailed in paragraph nine.

3 Authorised Activities

- (1) Gambling is defined in the Act as either gaming, betting, or taking part in a lottery. These are defined as:
- gaming means playing a game of chance for a prize;
 - betting means making or accepting a bet on the outcome of a race, competition, or any other event ; the likelihood of anything occurring or not occurring; or whether anything is true or not;
 - A lottery is where people need to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- (2) The Council's main functions are to:
- licence premises for gambling activities, including provisional statements;
 - issue permits for gambling and gaming machines in clubs, alcohol licensed premises and family entertainment centres;
 - issue permits for prize gaming;
 - consider notices given for the temporary use of premises for gaming;
 - consider occasional use notices for betting at tracks;
 - register small societies lotteries;
- (3) Spread betting is regulated by the financial services authority. Remote gambling is dealt with by the Gambling Commission and the national lottery is regulated by the national lottery commission. Spread betting is defined in section 11 of the Act. It is normally in the form of a prize competition. Remote betting is defined in section 67 of the Act. It is remote from the premises where the betting takes place and is by means of remote communication, such as the internet. The FSA website address is at www.fsa.gov.uk.

4 The Licensing Objectives

- (1) There are three licensing objectives that are central to the regulatory regime created by the Act. These are:
 - preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime
 - ensuring that gambling is conducted in a fair and open way
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- (2) More information on the licensing objectives is included in Part 6.

5 Consultation

- (1) We have consulted the following people and bodies to help determine this statement of principles:
 - The Gambling Commission
 - Chief Constable of Humberside Police
 - Chief Officer of Humberside Fire Brigade
 - North Lincolnshire Magistrates Court
 - North Lincolnshire NHS Trust
 - Director of Public Health
 - Child Protection team
 - Neighbouring Licensing Authorities, including:
 - East Riding of Yorkshire Council
 - Kingston upon Hull City Council
 - North East Lincolnshire Council
 - West Lindsey District Council
 - Doncaster Metropolitan Borough Council
 - North Lincolnshire Tourism
 - Security Industries Authority (SIA)
 - Federation of Small Businesses
 - Disabled access groups
 - Current licence and permit holders
 - Local and national licensing solicitors
 - Training providers (North Lindsey College)
 - Religious and ethnic groups
 - Residents Associations and Neighbourhood Watch groups
 - Scunthorpe Charter Trustees
 - Town and Parish councils
- (2) We have considered and taken into account the views of all the appropriate bodies and organisations.

6 Approval of the Statement of Principles

- (1) The initial statement of principles was approved by a meeting of the full Council on 22 November 2006. Copies were made available both via our website, in writing or by personal request.
- (2) The licensing authority, in developing this statement of principles has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and the responses made following the consultation.

7 Review of the Statement of Principles

- (1) The Gambling Act 2005 states that this statement should be reviewed every three years. At the time of the review, we will again consult all interested parties. As well as the three-yearly reviews, we will continue to evaluate the statement and reserve the right to update this statement at any time.
- (2) A full list of comments made about the review of this statement and how they were taken into consideration by the Council is available by contacting the Licensing Manager, North Lincolnshire Council, Church Square House, Scunthorpe, DN15 6XQ. This information is also available via our website, www.northlincs.gov.uk

8 Explanations in the Statement

- (1) In preparing this statement, we have briefly explained the reasons for including each item and its relevance to the licensing objectives. The explanations, where necessary, are in italics (in red type) after the heading.

9 Contacts

- (1) The licensing function is part of the Operations Directorate. Our address is:

Licensing Team
Church Square House
PO Box 42
Scunthorpe
North Lincolnshire
DN15 6XQ

Website: www.northlincs.gov.uk/jobs-business-regen/licensing

Email: licensing@northlincs.gov.uk

- (2) Any comments about this statement can be made in writing or be emailed to the email addresses above. To ask about any licensing issue, contact the licensing division on: (01724) 297751.
- (3) You can contact the Gambling Commission at:

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Website: www.gamblingcommission.gov.uk
Email: info@gamblingcommission.gov.uk

Part 1 – Licensing Principles

Introduction

We are required under the Act to set out in a separate part of the Statement certain matters as specified in Statutory Instrument 2006, Number 636. These matters are:

- The body to be specified to advise the licensing authority about the protection of children from harm.
- The principles to determine if a person is an interested party in relation to a premises licence or application for a premises licence.
- The principles regarding the exchange of information with the Gambling Commission and other persons listed in schedule six of the Act.
- The principles to be adopted regarding the inspection of premises and to consider legal proceedings.

10 Body Specified to advise on the Protection of Children From Harm

- (1) Under the Act, we need to designate, in writing, a body that is competent to advise the Council about the protection of children from harm. The principles are:
 - the need for the body to be responsible for 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.
- (2) In accordance with the guidance issued under section 25 of the Act, the Council has chosen the local safeguarding children board to advise for this purpose.

11 Interested Parties

- (1) The Act states that an interested party, for the purposes of determining an application, is a person:
 - a) who lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
 - b) has business interests that might be affected by the authorised activities; or
 - c) one who represents persons who satisfy (a) or (b), or both.
- (2) In determining if a person lives or has a business in the vicinity of the premises we will not apply a rigid rule. We will determine each case on its own merits. In doing so we will follow the guidance laid out in the Gambling Commissions guidance for local authorities. We will take into account:
 - the size of the premises
 - the nature of the premises
 - the nature of the authorised activities being proposed
 - the distance of the premises from the person making the representation
 - the characteristics of the complaint
 - the potential impact of the premises
- (3) Business interests will mean any business, including partnerships, charities, faith or religious groups and medical practices.
- (4) Interested parties may also include trade unions, trade associations and residents and tenants associations. In each of these cases, the interested party would normally be expected to represent people who live or work in the vicinity of the premises.

- (5) Interested parties can also include Councillors and MPs. MPs and Councillors can also represent interested persons, as long as they are representing persons in their own ward/constituency.

12 Exchange of Information

- (1) The Council, is required under section 29 and 30 of the Act, to produce information that forms a public register and to exchange information with the Gambling Commission. This public register will be available on our website or by contacting the licensing division.
- (2) We have a duty under section 350 of the Act to exchange information with other persons listed in Schedule six of the Act.
- (3) In exercising our duties under sections 29, 30 and 350 we shall not contravene the provisions of the Data Protection Act 1998. We will also have regard to any guidance issued by the Gambling Commission and any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- (4) Details of applications and representations that are referred to the licensing sub-committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. The personal details of the persons making representations will be made known to applicants and only withheld from publication under exceptional circumstances on the grounds of personal safety.
- (5) Any protocols that are established on the sharing of information with other bodies will be made available on our website, or by contacting the licensing division. Contact details can be found in paragraph 9.

13 Inspection of Premises

- (1) The principles regarding the inspection of premises and considerations for legal action are contained in Part 7 (Enforcement) of this statement.
- (2) We will consider any relevant guidance issued by the Gambling Commission when dealing with the inspection of premises and enforcement.

Part 2 – Licensing Process and Delegation

Introduction

This part of the statement, is about the principles the Council will adopt when dealing with licence and permit applications. It explains the following:

- the roles and duties the licensing committee and officers carry out,
- how conditions will be attached to licences and by whom,
- how the Council will deal with objections and reviews, and
- how we will inform applicants, objectors and statutory bodies about our decisions, including any right of appeal.

14 General Statement

- (1) We recognise the wide variety of premises that will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs and amusement arcades.
- (2) In carrying out our licensing functions we will consider any guidance issued by the Gambling Commission.
- (3) We will not use the Act to resolve matters more readily dealt with under other legislation.
- (4) To ensure the licensing objectives are met we will establish a close working relationship with the police, the Gambling Commission and, where appropriate, other responsible authorities.
- (5) Where children and other vulnerable people are allowed access to premises where gambling takes place, we will take whatever steps are considered necessary to either limit access generally or by introducing measures to prevent under age gambling. To help protect vulnerable persons, applicants may wish to consider providing information leaflets or helpline numbers for organisations such as GamCare.
- (6) We will not normally seek to limit the access of children to any premises unless we receive representations to that effect or believe it is right to do so for the prevention of their physical, moral or psychological harm.
- (7) Additional conditions will only be attached to a licence where there is clear evidence that there is a risk to the licensing objectives.
- (8) The overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits.

15 Making an Application

- (1) When applying for a licence or a permit, applicants should consider the guidance issued by the Gambling Commission and this statement of principles.

16 Licence/Permit Fees

- (1) Where the Council is able to set the fees for licences and permits, they will be set by the licensing committee. This differs from the guidance issued by the Gambling Commission. We believe fees for these activities should be set by those members of the Council elected to represent the businesses and Council tax payers of the area rather than officers. The fees will be set to cover the cost of administration and enforcement. We will not budget to make a profit from licensing and regulating gambling activities.

17 Responsible Authorities

- (1) The following are considered to be responsible authorities in accordance with section 157 of the Act:
 - a council's licensing team where the premises is wholly or partly situated within the area it covers;
 - the Gambling Commission;
 - the chief constable for the area the premises is wholly or partly situated;
 - the fire and rescue authority for the same area;
 - the council's planning service;
 - environmental health, for pollution to the environment or harm to health;
 - HM revenue and customs; and
 - any other person prescribed in regulations by the Secretary of State.
- (2) In addition, where an application is made for licensable activities in relation to a vessel, the following are be responsible authorities:
 - the Environment Agency;
 - the British Waterways Board; and
 - the Secretary of State for Transport.
- (3) Any concerns expressed by a responsible authority in relation to their own functions cannot be taken into account unless they are relevant to the application itself and the licensing objectives.
- (4) The contact details of all the responsible authorities are available via the Council's website, at: www.northlincs.gov.uk or by contacting the licensing division from the contacting details in paragraph nine.
- (5) The responsible authority specified to advise on the protection of children from harm can be found in paragraph 10 of this statement.

18 Notification on Applications for Premises Licences

- (1) When we receive an application for a premises licence or to vary a current premises licence, we will let the appropriate ward and town or parish Councillors know that an application has been received.

19 Relevant Representations

- (1) We will not consider representations that are irrelevant, frivolous or vexatious or which relate to the need or demand of gambling facilities. Officers will determine if an objection is irrelevant, vexatious, frivolous or repetitious. Representations on moral grounds will not be taken into account.

- (2) Where an objection or irrelevant representation has been determined as irrelevant, vexatious or frivolous, the Council will write to the objector or person making the representation, providing the full reasons for the decision. Officers will also report to the licensing committee, giving full details of the decision and the reason the representation was rejected.
- (3) A vexatious representation is generally considered to be without foundation or made for some other reason, such as malice. A frivolous representation is generally considered to lack seriousness, or to be unrelated to the licensing objectives, the guidance issued by the Gambling Commission or this statement of principles.

20 Mediation

- (1) Where the licensing team receives an objection or relevant representation, officers will do their best to resolve the issue through mediation. Officers will invite all parties to meet at a neutral venue, to try and resolve the issues. Where such a meeting is not possible or a resolution is not forthcoming, they will refer the matter to the licensing sub-committee.

21 Licensing Committee and Sub-Committee

- (1) Under section 154 of the Act, the licensing committee will be responsible for determining applications. This is the same committee formulated under the provisions of the Licensing Act 2003. The sub-committee will determine most applications where a representation has been made. This is in accordance with the table in paragraph twenty two of this statement.
- (2) The licensing committee and sub-committee must act in a fair and reasonable manner at all times. Therefore, all members must have training before they can sit on either the committee or sub-committee.
- (3) Members of the licensing committee should not hear or decide on any application for a premises licence in their own electoral ward. If a member of the committee has an interest in a premises or knows an applicant personally, they must declare an interest. They will then take no part in the decision. This reduces conflicts of interest and the perception of bias.

22 The Licensing Process and Delegation

- (1) The Council will delegate its licensing function either to the licensing committee, licensing sub-committee or to an authorised officer of the Council. The approval of this statement and setting the policy not to permit casinos will remain the function of the full Council.

- (2) Delegation will follow the guidance issued by the Gambling Commission, as follows:

Matter to be dealt with	Full Council	Committee	Sub-Committee	Officers
Final approval of three year policy	X			
Policy not to permit Casinos	X			
Consider draft policy prior to approval		X		
Fee Setting (when appropriate)				X
Application for a premises licence			If a representation is made and not withdrawn	If no representation is made or has been withdrawn
Application to vary a licence			If a representation is made and not withdrawn	If no representation is made or has been withdrawn
Application to transfer a licence			If a representation is made and not withdrawn	If no representation is made or has been withdrawn
Application for a provisional statement			If a representation is made and not withdrawn	If no representation is made or has been withdrawn
Review of a premises licence			X	
Application for club gaming/club machine permits			If an objection is made and not withdrawn	If no objection is made or has 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 issue counter notice to temporary use notice			X	
Application for Small Society Lottery				If no representation is made or has been withdrawn
Application for Small Society Lottery			If a representation is made and not withdrawn	

- (3) Where applicable the fees for premises licences and permits will be determined by the licensing committee.
- (4) The licensing committee will consider the draft statement prior to approval by a meeting of the full Council and any draft amendments to this statement.

- (5) Where an application is referred to the sub-committee, they will determine each application on its own merit. Members of the sub-committee will consider all information before coming to a decision.

23 Decisions

- (1) Following the determination of an application by the licensing committee or sub-committee, we will inform the applicant, and any objectors or people making the representation. We will then send confirmation in writing, as soon as possible after the decision, or in any case within seven days of the hearing. Along with the decision, we will inform the applicant about their right of appeal.

24 Appeals

- (1) The Council will inform the appropriate parties of their right of appeal in accordance with the Act, when confirming a decision of the licensing committee or sub-committee.
- (2) Anyone aggrieved with a decision has a right of appeal. People should lodge any appeal with the Magistrates' Court within 21 days of the notification of the decision provided at the end of the hearing.
- (3) On determining an appeal, the Magistrates' Court may:
 - a) Dismiss the appeal;
 - b) Replace the decision concerned by any other decision which could have been made by the licensing authority; or
 - c) Pass the case to the licensing authority to deal with in accordance with the direction of the court.
- (4) The court may order costs, as it sees fit.
- (5) Once the Magistrates' Court has determined an appeal, the Council will implement the decision within a reasonable time. The licensing authority appreciates that any delay could be construed as bringing the appeals system into disrepute.

25 Working in Partnership/Licensing Forum

- (1) The Council is committed to working closely with all interested parties within its area. We are committed to setting up licensing forums, which will include members and officers of the Council, other regulatory bodies and trade representatives.
- (2) Licensing officers aim to work in partnership with other enforcement agencies, such as the Gambling Commission, Humberside Police,

Humberside Fire and Rescue Service, trading standards and environmental health with a view to supporting the licensing objectives.

- (3) When considering applications and advising applicants, licensing officers will aim to draw on the expertise of other bodies. We will set up joint site visits (where appropriate) to ensure that we give applicants clear, concise advice. The licensing division will normally act as a focal point in arranging these visits.
- (4) When making licensing decisions, the Council will take into account other regulatory regimes. We aim to work in conjunction with planning and building control, and the transport authority. The licensing committee will receive reports from planning, tourism, the transport authority and highways to try to avoid duplication of these roles.

26 Integrating Strategies

- (1) Where possible, we will integrate our statement with other policies and strategies. These need to be taken into consideration as follows:
- (2) **Cultural Strategy** – We need to look at the impact that our statement has in relation with gambling. Our aim is not to deter gambling, rather to ensure that the licensing objectives are being supported.
- (3) **Local Transport Plan** – We aim to work with the Council's transport service to develop the local transport plan. We will look at ways that local people can use public transport to access facilities.
- (4) **Racial Equality** – We live in a multi-cultural area. Therefore, we need to ensure that our policy does not exclude anyone. We will look at the impact our policy has, through consultation and amend it where necessary. We will also take notice of the provisions in the Race Relations Act 1976 and the Race Relations (Amendment) Act 2002.
- (5) **The Local Development Framework** – We will look to work with the Council's planning service to ensure as far as possible that all premises have the appropriate consent and to consider the regeneration of the area.
- (6) **Tourism and Town Centre Management** – Our aim is to have a thriving town centre and we see the licensed community as an integral part of that. We will look at the impact our policy has on the economy, through consultation and adjust it as appropriate, within the licensing objectives.
- (7) **Crime Reduction Partnerships** – We will work very closely with our partners to reduce crime and disorder. We will actively look at ways in which we can reduce crime and disorder and the fear of crime.
- (8) **Other Partnerships** – We will also work together with other bodies when needed to help support the licensing objectives.

Part 3 – Premises Licences

Introduction

Under the Gambling Act 2005 the Council is responsible for issuing licenses used for licensable activities. In this part of the statement we will set out our general principles for licensing premises within North Lincolnshire. We will also explain the types of activities where a premises licence is needed.

27 General Principles

- (1) In carrying out this function in relation to premises licences and temporary use notices, we will have due regard and act in accordance with:
- a) any relevant codes of practice;
 - b) any guidance issued by the Gambling Commission;
 - c) the licensing objectives; and
 - d) this statement of principles.

28 Definition of a Premises

- (1) The Act defines a premises as “any place”. This includes a vessel and/or a vehicle.
- (2) Different premises licences cannot apply in respect of a single premises at different times. The Act does allow a single building to be subject to more than one premises licence, provided that the different parts of the building can be regarded as separate. This will include separate entry and exits.
- (3) When deciding to licence such premises, we will have due regard to the guidance issued by the Gambling Commission. This states:
- We will 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 we are aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
 - We will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). There will be specific issues that we will consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. However, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
 - We will consider the Commission Licence Conditions and Codes of Practice (Supplement 4) in relation to the primary gambling activity of licensed operators where gaming machines are made available for use. [currently para 7.6 - 3rd Edition of guidance]
 - We will take regard of applications to “split” premises where the split

is artificial or temporary, for example by ropes, or moveable partitions. Where this is the proposal, determination shall be on the basis that the split is 'genuine' and not created to increase the gaming machine entitlement.

- (4) An applicant cannot obtain a premises licence until the premises where it is proposed to offer the gambling are built. A licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Gambling Commission advises that it is a question of fact and degree whether premises are finished and that they can be considered for a premises licence. The need for the building to be complete will allow it to be inspected by the licensing authority and any other responsible authority as necessary.

29 Provisional Statements

- (1) We note the Gambling Commissions guidance which states that:
- “It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence”
- and that
- “Requiring the building to be complete ensures that the authority could, if necessary, inspect it full...”.
- (2) In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they are about matters that could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, we may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional licence stage; or
 - (b) which in the licensing authority’s opinion reflect a change in the operators circumstances.
- (2) We have noted the Gambling Commission’s guidance that
- “A licensing authority should not take into account irrelevant matters one example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.”

30 Demand

- (1) Although demand issues cannot be considered with regard to the location of premises, considerations in terms of the licensing objectives can.

31 Location of Licensed Premises

- (1) Under the Gambling Commission's guidance for local authorities, we will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder. If a specific policy is decided upon we will update this statement. It should be noted that such a policy does not stop an application being made. Each application will be decided on its own merits.

32 Local Area Profiles

- (1) A local area profile has been developed to assist applicants and licence holders with their application. Applicants should consider this document when completing their Local Area Risk Assessments and current licence holders should refer to the document when they review their risk assessment. A copy of the Local Area Profile can be viewed at www.northlinc.gov.uk.

33 Local Area Risk Assessments

- (1) Operators are required to prepare a risk assessment for their business which takes into account the nature and characteristics of the locality in which they are situated.
- (2) The Gambling Commission issues codes of practice under section 24 of the Act about the manner in which facilities for gambling are provided. These are subject to change and the latest version can be found by going to the Gambling Commission website at www.gamblingcommission.gov.uk.
- (3) North Lincolnshire Council has produce guidance for licence holders, which can be viewed at www.northlincs.gov.uk.

34 Conditions

- (1) Any conditions attached to licences will be proportionate and will only be attached to a licence where there is evidence of a risk to the licensing objectives. Conditions 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.
- (2) Decisions on individual conditions will be made on a case-by-case basis. There will be a number of control measures that we will consider using if there is an evidenced need. These could include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult-only areas etc. There are specific comments made in this regard under each of the licence types below. We will also expect the licence applicant to offer their own suggestions as to how the licensing objectives can be met effectively.
- (3) There are some conditions that the licensing authority cannot attach to premises licences. These are:
- any condition on the premises licence that 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 is 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.

35 Duplication with other Regulatory Regimes

- (1) We will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. We will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, when considering it. We will though, listen to, and carefully consider, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

36 Door Supervision

- (1) The Gambling Commission advises in its guidance that local Authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- (2) It is noted though that the Gambling Act 2005 has amended the Security Industry Act 2001 so that door supervisors at casinos or bingo premises

do not need to be licensed by the security industry authority. However, we believe it would be good practice for all door supervisors to be trained and licensed to Security Industry Authority standards.

- (3) We will only attach conditions requiring door supervisors where there is clear evidence that the premises cannot be adequately supervised and that a condition is both necessary and proportionate.

37 Credit

- (1) Section 177 of the Act does not prevent the licensees from allowing the installation of cash dispensers (ATMs) on the premises.
- (2) These machines may accept credit cards and debit cards providing the arrangement is subject to the licensee having no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines. This is relevant to casinos premises licences and bingo premises licences only.

38 Types of Premises Licence

- (1) The Council will be responsible for licensing premises for the following activities:
 - Adult gaming centres
 - Betting (including tracks)
 - Bingo
 - Casinos
 - Family entertainment centres (Licensed)

39 Adult Gaming Centres

- (1) Adult gaming centres (AGCs) must have a gaming machines general operating licence from the Gambling Commission and must get a premises licence from the licensing authority.
- (2) No-one under the age of 18 can enter an AGC. We will have particular regard to the location of and entry to AGC's to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as in a shopping centre.
- (3) We will expect applicants to offer their own measures to meet the licensing objectives to cover issues such as:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas

- Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare.
- (4) This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

40 Betting and Tracks

Betting

- (1) The Act contains a single class of licence for betting premises. However, within this single class of licence, there are different types of premises that need licensing.
- (2) The Act also allows betting intermediaries to operate from premises, although betting intermediaries usually offer their services via remote communication, such as the internet. In principle, however, there is nothing to stop a betting intermediary applying for a betting premises licence to offer intermediary services upon the premises.
- (3) We are aware of our power to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. We will only limit the number of machines where there is evidence that such machines have been or are likely to be used in breach of the licensing objectives.
- (4) If we consider that we should impose such a condition on any particular licence, we may, among other things, take into account the size and layout of the premises. We may also look at the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines by children and young or vulnerable people. We appreciate that children are not lawfully allowed to enter where a betting premises licence is in force.
- (5) Each application will be determined on its own merits.

Tracks

- (6) We are 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, we 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 allowed to enter.

- (7) Track operators do not need to hold an 'operators licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the licensing authority are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- (8) Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence, in respect of a track, does not give an automatic entitlement to use gaming machines.
- (9) When looking at the number of betting machines at a track, we will consider the circumstances of each individual application. We will also consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children, young people and vulnerable people betting on the machines.
- (10) We are aware that the Gambling Commission may provide further specific guidance regarding tracks. We have taken note of the guidance from the Gambling Commission that tracks are different from other premises in that there may be more than one premises licence in effect. In addition the track operator may not need to hold an operator licence as there may be several premises licence holders at the track which will need to hold their own operator licences.
- (11) There may be some specific considerations regarding the protection of children and vulnerable people from being harmed or exploited by gambling. We will expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young people will be allowed to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still not allowed to enter areas where gaming machines (other than category D machines) are provided.
- (12) Appropriate licence conditions may be:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage

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

- (13) This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- (14) Measures such as the use of self-barring schemes, providing information leaflets, and helpline numbers for organisations such as GamCare will all be considered suitable in relation to the protection of children and vulnerable people.

Gaming machines (Tracks)

- (15) We are waiting for further guidance from the Gambling Commission as to where these machines may be located on tracks. We are also waiting for guidance as to any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. We note the commission's guidance that licensing authorities therefore need to consider the location of gaming machines at tracks. Applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his/her entitlement to four gaming machines, these machines are located in areas where children are excluded. Children and young people are not prohibited from playing category D gaming machines on a track.

Betting machines (Tracks)

- (16) We will, as per the Gambling Commission's guidance, take into account the size of the premises, and the ability of staff to monitor the use of the machines by children and young people (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number, nature, circumstances of betting machines that an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

Condition on rules being displayed (Tracks)

- (17) Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances that they are made available. This can be done by attaching a licence condition to a betting premises licence.
- (18) In addition to the comments above at betting machines in betting premises, similar considerations apply in relation to tracks. The potential space for such machines may be considerable, bringing with it significant

problems in relation to the increase in numbers, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machines. We may restrict the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

- (19) We note the Commission's view, that it is preferable for all self-contained premises operated by off-course betting operators on tracks to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Applications and plans (Tracks)

- (20) We await regulations setting-out any specific requirements for applications for premises licences. However, the Gambling Commission's guidance states, that the application should include a detailed plan for the track itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring"). In the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities, should be made clear on the plan. Applicants should make clear what is being sought for under the track betting premises licence. They should also make clear what, if any, other areas are to be subject to a separate application for a different type of premises licence."
- (21) We also note that in the Gambling Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

41 Bingo

- (1) Bingo is a class of equal chance gaming and will be allowed in alcohol licensed premises and in clubs provided that it remains below a certain threshold (where the aggregate stakes or prizes are less than £2,000 in any seven day period). Otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.
- (2) The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.
- (3) Commercial bingo halls will require a bingo premises licence from the Council.

- (4) Amusement arcades providing prize bingo will need a prize gaming permit from the Council.
- (5) It is important that if children are allowed to enter premises licensed for bingo that they do not take part in gambling, other than on category D machines. If category C or above machines are available in premises where children are admitted Licensing Authorities should ensure that:
 - all such machines are located in an area of the premises separate from the rest of the premises by a physical barrier. This must be effective to prevent access other than through a designated entrance;
 - only adults are allowed in the area where the machines are located;
 - access to the area where the machines are located must be supervised;
 - the area where the machines are located is arranged so that it can be seen by staff of the operator or the licence holder; and
 - at the entrance to, and inside the area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.
- (6) The Gambling Commission is going to issue more guidance on issues that the licensing authorities should take into account in relation to the suitability and layout of bingo premises. The Council will consider this guidance once it is made available.
- (7) We will expect applicants to offer their own measures to meet the licensing objectives to cover issues such as:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare.
- (8) This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- (9) **Members' clubs and commercial clubs** – Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days to £2000. The commission must be notified as soon as is reasonably practicable if the limit is breached. Stakes or prizes above that limit will need a bingo

operators licence and the corresponding personal and premises licences.

42 Casinos

- (1) There are currently no casinos operating within North Lincolnshire.
- (2) There is no resolution to prohibit casinos in the area at present. However, we reserve the right to review this situation and may, at some time in the future, resolve not to permit casinos.
- (3) If we choose to make such a resolution, this will be a resolution of Full Council following considered debate, and the reasons for making the resolution will be given. There is no right of appeal against this resolution.

43 Licensed Family Entertainment Centre

- (1) The Act creates two classes of family entertainment centre (FEC). Licensed FEC's, which provide category C and D machines and require a premises licence. Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits.
- (2) Children and young persons will be allowed to enter an FEC and may play on the category D machines. They will not be allowed to play on category C machines. It will be a requirement that there must be clear segregation between the two types of machine, so that children do not have access to category C machines.
- (3) We will expect applicants to offer their own measures to meet the licensing objectives to cover issues such as:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare.
- (4) This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

44 Reviews

- (1) Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing

authority to decide whether the review is to be carried out. This decision will be on the basis of whether the request for the review is relevant, frivolous or vexatious. Where the representation is deemed relevant we would first try to mediate.

- (2) See paragraphs eleven and seventeen of this statement for the list of responsible authorities and interested parties.
- (3) Licensing officers may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution before a full review is conducted. Unlike the Licensing Act 2003, the licensing authority may review premises licences. A referral to a licensing sub-committee of a premises for a review will be first approved by the Head or Assistant Head of Neighbourhood and Environmental Services.
- (4) The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate. This can extend to a review of a class of licences where it thinks particular issues have arisen. Reviews of a class of premises will be first agreed to by the Head or Assistant Head of Neighbourhood and Environmental Services in consultation with the chair of the licensing committee.
- (5) The Gambling Commission will be a responsible authority in premises licence reviews.

Part 4 – Gaming Machine/Prize Gaming Permits

Introduction

This part of the statement looks at permits. In addition to issuing premises licences, the Council will be responsible for issuing permissions to use premises for other activities.

These include:

- Family entertainment centres
- Travelling fairs
- Premises licensed to sell alcohol
- Club gaming
- Prize gaming and prize gaming permits

45 General Principles

- (1) When considering issuing gaming machine permits, we will consider applications in accordance with our statement. However, we appreciate that this Statement cannot cover all eventualities.

46 Alcohol Licensed Premises

- (1) There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines, of categories C and/or D. Under section 284 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, (for example, 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.
- (2) If it is necessary to issue section 284 order, the licence-holder will be given at least twenty-one days' notice of the intention to make the order. This will also let them consider any representations that might be made. The licensing authority will hold a hearing if the licensee requests.
- (3) Officers will invariably make a decision regarding applications for machines in alcohol licensed premises. Where the officer has a doubt regarding the number of machines, then the application will be referred to the appropriate committee for consideration. The licensing authority must consider the application based on the licensing objectives. It must also consider any guidance issued by the Gambling Commission issued under section 25 of the Gambling Act 2005, and such matters we think relevant.
- (4) We consider that 'such matters' will be decided on a case-by-case basis but generally we will take into account the need to protect children and vulnerable people from harm or being exploited by gambling. We will expect the applicant to satisfy the Council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

- (5) Measures that will satisfy the Council that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that people under 18 are not using the machines. Notices and signs may also help. As regards the protection of vulnerable people, applicants could consider providing information leaflets or helpline numbers for organisations such as GamCare.
- (6) We recommend attaching a plan to applications indicating where, and what type, of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the premises licence issued under the Licensing Act 2003.
- (7) We recognise 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.
- (8) 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.
- (9) 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.
- (10) We will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access. These would include take-away premises, taxi offices and supermarkets.
- (11) Notifications and applications for up to four machines will generally be dealt with by licensing officers. Applications for five or more machines will be referred to a licensing sub-committee. Machines should be sited in accordance with any Gambling Commissions code of practice.

47 Club Gaming Permits

- (1) We may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming and games of chance as prescribed in regulations.
- (2) We can 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 Gambling Commission or the police.
- (3) Club gaming permits allow the provision of up to three gaming machines. These may be from categories B, C or D. The club can choose the combination of machines on its premises. We may grant or refuse a permit, but we cannot attach any conditions to a permit.

48 Prize Gaming and Prize Gaming Permits

- (1) Prize gaming is where the prize is determined by the operator before play starts and it is not dependant on the number of people playing.
- (2) A prize gaming permit is issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.
- (3) An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises. The applicant must be an individual, and must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises. The application must be made to the licensing authority in whose area the premises are wholly or partly situated.

49 Travelling Fairs

- (1) It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- (2) We will also consider whether the applicant falls within the statutory definition of a travelling fair.
- (3) It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. We will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

50 Unlicensed Family Entertainment Centres

- (1) Family entertainment centres are often found at seaside resorts, in airports and at motorway service centres. They will cater for families, including unaccompanied children and young people. Unlicensed family

entertainment centres will only be able to offer category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with this permit (subject to other considerations, such as fire regulations and health and safety, which will not be issues for the licensing authority under the Gambling Act). Permits cannot be issued to vessels or vehicles.

- (2) We may wish to include a statement of principles in relation to applications for unlicensed family entertainment centres, in particular the matters to be taken into account when determining the suitability of the applicant.

Part 5 – Miscellaneous Activities

Introduction

This part of the statement deals with both temporary and occasional use notices and registrations for small lotteries.

51 Temporary Use Notices

- (1) The Act sets out the position on temporary use notices. These 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 include hotels, conference centres, and sporting venues.
- (2) A temporary use notice may only be granted to a person or company holding a relevant operating licence. For example, the holder of a betting operating licence could apply to provide betting facilities at a snooker tournament.
- (3) The Secretary of State will prescribe in regulations the gambling activities that may be specified in a temporary use notice, as well as combinations of activities that may not be specified, and activities that may not be combined with any other.

52 Occasional Use Notices

- (1) The licensing authority has very little discretion regarding these notices, apart from ensuring that the statutory limit of eight days in a calendar year is not exceeded. We will consider the definition of a 'track' and whether the applicant is allowed to avail him/herself of the notice.

53 Registration of Small Society Lotteries

- (1) When carrying out our functions in relation to lotteries we will consider the Act, the guidance issued by the Gambling Commission and any regulations issued by the Secretary of State.

Part 6 – The Licensing Objectives

Introduction

This part of the statement looks at the three licensing objectives as stated in paragraph four. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, we have considered the Gambling Commission's guidance to local authorities. The outcome of these considerations can be found in this part of the statement.

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

54 The Gambling Commissions Role

- (1) The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.

55 Crime and Disorder Act 1998

- (1) We have a duty under section 17 of the Crime and Disorder Act 1998 to do all we reasonably can to prevent crime and disorder in the area. A high standard of control therefore needs to be exercised over licensed premises.

56 Suitability of Persons Holding a Licence

- (1) Anyone applying to the licensing authority for a premises licence will have to hold an operating licence from the Gambling Commission before a licence can be issued. We will not be concerned with the suitability of an applicant, however where concerns about a person's suitability arise we will bring those concerns to the attention of the Gambling Commission.

57 Disorder

- (1) As far as disorder is concerned, there are already powers in existing anti-social behaviour and licensing legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. We do not intend to use the Act to deal with general nuisance issues, for example, parking problems, which can easily be dealt with using alternative powers.
- (2) We will only seek to address issues of disorder under the Act if the disorder amounts to an activity, which is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if police assistance was needed to deal with it. Another factor we are likely to take into account is how threatening the behaviour was to those who could see or hear it, whether those people live close enough to be affected or have business interests that might be affected.

58 Determining Applications

- (1) We will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

- (2) Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's licensing officers and Humberside police before making an application.
- (3) When considering licence applications, we will particularly take into account:
 - the design and layout of the premises;
 - the training given to staff in crime prevention measures appropriate to those premises;
 - physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
 - where premises are subject to age restrictions, the procedures in place to check peoples age;
 - the likelihood of any violence, public order or policing problem if the licence is granted.
- (2) Where an application for a premises licence is for a re-site (within the vicinity of the original premises), which enables better facilities, then we will normally look at this sympathetically.

Ensuring gambling is conducted in a fair and open way

59 Gambling Commissions Role

- (1) Generally, the Gambling Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way. This will be a matter for either the management of the gambling business (and therefore relevant to the operating licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the personal licence). Both of these options are the responsibility of the Gambling Commission.

60 Suitability of Betting Tracks

- (1) Because betting track operators do not need an operating licence from the Gambling Commission, we may, in certain circumstances, require conditions on a licence to ensure that the environment in which betting takes place in is suitable.

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

61 Access to Licensed Premises

- (1) With limited exceptions, the access of children and young people to those gambling premises that are adult only environments will not be permitted.
- (2) We will consult with Humberside police and the local child protection board on any application that indicates there may be concerns over access for children or vulnerable people.
- (3) We will judge the individual merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include:
 - supervision of entrances;
 - segregation of gambling areas from areas frequented by children;
 - supervision of gaming machines in non-adult gambling specific premises.

62 Vulnerable Persons

- (1) The term 'vulnerable persons' has not been defined. In seeking to protect vulnerable people we will class as 'vulnerable' those 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, perhaps due to a mental impairment, alcohol or drugs.

63 Social Responsibility and Self-Exclusion

- (1) We shall work in partnership with operators to look at social responsibility and methods to help with self-exclusion.

Part 7 – Enforcement

Introduction

This part of the statement details the Council’s commitment to enforcing the provisions contained within the Gambling Act 2005. The Council has signed up to the enforcement concordat.

It also highlights our commitment to work in partnership with all enforcement agencies, to provide consistent enforcement on licensing issues.

64 General

- (1) The Council has adopted the concordat relating to enforcement. When dealing with enforcement issues, we will act in a fair and consistent manner and will treat all cases and people with consideration and empathy. Our Licensing Enforcement Policy is available on our website, www.northlincs.gov.uk, or by contacting the licensing division at the address at paragraph nine.
- (2) When enforcing the provisions of the Gambling Act 2005 we will endeavour to be:
 - Proportionate – intervening only where necessary;
 - Accountable – be able to fully justify the actions we take;
 - Consistent – treat all premises equally while determining each case on an individual basis;
 - Transparent – publish clear guidelines as to how we will operate; and
 - Targeted – target only those premises that cause problems.

65 Licensing Authority Responsibilities

- (1) Our responsibility under the Act is to ensure compliance with premises licences and the conditions attached to the licence and to ensure that businesses have the necessary permissions.
- (2) The Gambling Commission will be the enforcement body responsible for operating licences and personal licences.

66 Enforcement Protocols

- (1) We will work very closely with other enforcement agencies. We will develop enforcement protocols during the period of this statement. The protocols will be referred to the licensing committee for approval.

67 Avoiding Duplication

- (1) When enforcing the provisions of the Act we will endeavour to avoid duplication with other regulatory regimes.

68 Complaints

- (1) We will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.
- (2) Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, we

will initially arrange a mediation meeting to address and clarify the issues of concern.

- (3) This process will not override the right of any interested party to ask that the licensing committee consider their valid objections or for any licence holder to decline to participate in a conciliation meeting. Due consideration will be given to all relevant representations.

69 Single Point of Contact

- (2) Where an operator has more than one premises in our area we would request a single point of contact. The contact should be at a senior level within the business. We will then contact this named person regarding compliance issues.

Glossary of Terms

- “we” - means North Lincolnshire Council
- “the Act” - means the Gambling Act 2005
- “Consent of the Council” - means written consent or approval by the Council
- “Council” - means North Lincolnshire Council
- “Licensing Committee” - means a group of fifteen members of North Lincolnshire Council
- “Licensing Sub-Committee” - means a group of three members of North Lincolnshire Council who will deal with licence applications where there is a representation or an application for a review
- “Magistrates Court” - means North Lincolnshire Magistrates Court
- “policy” - means this statement of principles
- “Statement” - means this statement of principles
- “vessel” - means any boat or ship
- “vicinity” - means the area surrounding the premises. This area will differ depending on the size and type of the licensable activity taking place
- “Licensing Manager” - means the manager with day to day responsibility of managing the Licensing Function who has budgetary control
- “Head of Trading Standards and Licensing Group Manager; Trading Standards and Licensing” - means the manager with responsibility for the Licensing Function
- “Assistant Director Technical and Environment” - means the manager with responsibility for the Licensing Function
- “Licensing and Mediation Officer” - means a senior manager who has oversight of the function
- “Licensing and Mediation Officer” - means an authorised officer employed to assist the manager with day to day responsibility of managing the Licensing Function
- “Principal Licensing and Mediation Officer” - means an authorised officer employed to assist the manager with day to day responsibility of managing the Licensing Function

Local Area Profile
(Under development)

No English?

For information please call:

08000 193530 للحصول على المزيد من المعلومات اتصل بـ: (Arabic)

তথ্যগুলি বাংলায় জানতে হলে এই নম্বরে ফোন করুন: 08000 193531 (Bengali)

欲知粵語版的信息, 請致電: 08000 193532 (Cantonese)

हिन्दी में जानकारी के लिये 08000 193533 पर फोन करें (Hindi)

بۆ زانیاری به کوردی سۆزانی تەلەفۆن بۆ ژماره 08000 193537 بکە. (Kurdish Sorani)

Para mais informação em português contacte-nos através do telefone 08000 193538 (Portuguese)

ਪੰਜਾਬੀ ਵਿਚ ਜਾਣਕਾਰੀ ਲਈ 08000 193539 'ਤੇ ਫੋਨ ਕਰੋ (Punjabi)

"Warbixinta oo af Soomaali ah wac 08000 193540" (Somali)

08000 193541 - اردو میں انفارمیشن کے لیے اس ٹیلیفون نمبر پر رابطہ فرمائیں۔ (Urdu)

Nie mówisz po angielsku? Po informacje zadzwoń pod numer 08000 195587 (Polish)

Не знаете английский? Для информации звоните 08000 195586 (Russian)

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NORTH LINCOLNSHIRE COUNCIL

COUNCIL

EXTERNAL AUDIT PROCUREMENT PROCESS

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.2 The Council will be required to reprocure an external audit provider at the end of the current 5-year contract on 31 March 2023.
- 1.3 The procurement options were considered by Audit Committee on 3 November 2021 and are recommending that Council agree to opt into the arrangements allowing Public Sector Audit Appointments Ltd (PSAA) to appoint the Council's external auditor on its behalf.

2. BACKGROUND INFORMATION

- 2.1 Public Sector Audit Appointments (PSAA) was set up as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. In 2017 the Council opting into the scheme, and consequently Mazars was appointed as its external auditor.
- 2.2 Prior to the end of the current contract on 31 March 2023 the Council will need to reprocure external audit services. The Regulations require the appointing person to set the duration of each appointing period; the maximum duration is five years. The Council has until December 2022 to make an external audit appointment. However, the Council is required to indicate whether it wishes to continue with the PSAA Framework arrangement, by 11th March 2022.

3. OPTIONS FOR CONSIDERATION

- 3.1 The options available to the Council are:

- Option 1: To adopt the recommendation of the Audit Committee and continue with the PSAA framework
- Option 2: To not adopt the Audit Committee recommendation and to pursue alternative procurement arrangements

4. **ANALYSIS OF OPTIONS**

4.1 **Option 1:** the Audit Committee considered the merits of the PSAA framework and concluded that opting into this framework for 2023-4 onwards achieves economies of scale and the level of independence required for the appointment of external auditors

4.2 **Option 2:** not opting in would require the Council to put in place an independent auditor panel to oversee both the procurement and contract management process and mean the council may not benefit from economies of scale so requiring additional allocation of resources.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

5.1 The chosen methodology for making the external auditor appointment will potentially impact on the associated costs related to making the appointment and the subsequent audit fees. Option 1 is recommended to contain costs.

6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 There are no specific risks to the Council.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 An Integrated Impact Assessment is not required for this report.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 There are no identified conflicts related to this report.

9. **RECOMMENDATIONS**

9.1 That Council adopts the Audit Committee recommendation to opt into the PSAA framework.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Nina Torr
Date: 29 November 2021

Background Papers used in the preparation of this report –
Audit Committee papers 3 November 2021 and minutes (in council papers)

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

ADOPTION OF WORLABY PARISH NEIGHBOURHOOD PLAN

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Council that the Worlabby Parish Neighbourhood Plan meets the requirements of the Planning and Compulsory Purchase Act 2004 and should, therefore, be adopted by North Lincolnshire Council.
- 1.2 That Council adopts the Worlabby Parish Neighbourhood Plan.

2. BACKGROUND INFORMATION

- 2.1 Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because a Neighbourhood Plan attains the same legal status as a local plan and other documents that form part of the statutory development plan once it has been approved at a referendum. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 The Worlabby Parish Neighbourhood Plan has been developed by a core of Working Group members led by the Parish Council. The Plan can be accessed at the following link: [Worlabby Parish Neighbourhood Plan - Final Plan](#). The local community was engaged throughout the process during several consultation events, questionnaires, surveys, and Visioning Day. Following submission of the final Draft Neighbourhood Plan to North Lincolnshire Council it was advertised and published for a six-week consultation and subsequently submitted for examination.
- 2.3 In his Report on the Neighbourhood Plan the Examiner states that the Plan and supporting material is the result of a great deal of work on the part of the local community led by the Working Group and the Parish Council. The Plan is a clear, concise, and professional document which will provide an effective guide to future development within the Parish. Worlabby is to be congratulated for the collaborative approach to working with North Lincolnshire Council and the effective manner in which the local community has been encouraged to express its aspirations and concerns about the future of the village.

- 2.4 The Examiner made recommendations to modify policies and text to ensure the Plan meets legal requirements. He concluded that, once modified, the Plan should proceed to referendum. The Plan was duly modified and taken to referendum where local people were asked to vote on whether they agreed with the following statement: “Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?”. The referendum met the requirements of the Localism Act 2011.
- 2.5 At the referendum more than 50 per cent of those who voted were in favour of the Plan being used by the Council to decide planning applications in the Plan area. As such, and in accordance with the Planning and Compulsory Purchase Act 2004, the Council must ‘make’ (formally adopt) the Neighbourhood Plan.
- 2.6 Although a Neighbourhood Plan comes into force as part of the statutory development plan once it has been approved at referendum, an Order must be made by the local authority before it has effect. However, Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft Neighbourhood Plan for the purpose of it being used to help determine planning applications.
- 2.7 North Lincolnshire Council has produced the ‘Worlaby Parish Neighbourhood Plan Final Decision Statement’. This document (attached at Appendix 1) explains the Neighbourhood Plan process for Worlaby Parish and the decision and reasoning behind the recommendation for the Plan to be adopted by North Lincolnshire Council. Indeed, Planning Committee of 17 November 2021 resolved to recommend the Worlaby Parish Neighbourhood Plan for adoption by Council in line with the Final Decision Statement.

3. **OPTIONS FOR CONSIDERATION**

- 3.1 There are two options for consideration:
- 3.2 **Option 1** – Council formally adopts the Worlaby Parish Neighbourhood Plan in line with the Final Decision Statement.
- 3.3 **Option 2** – Council does not formally adopt the Worlaby Parish Neighbourhood Plan in line with the Final Decision Statement.
- 3.4 In any case, as the Neighbourhood Plan has been through examination and was approved at referendum it is a material consideration when planning applications in Worlaby Parish are considered by the Council.

4. **ANALYSIS OF OPTIONS**

- 4.1 **Option 1** would ensure that the Council would meet its duties under the Localism Act and the Planning and Compulsory Purchase Act 2004 which states that the Council must make a Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.
- 4.2 **Option 2** would mean that the Council would not meet its duties under the Localism Act and the Planning and Compulsory Purchase Act 2004 to make a Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g., LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

- 5.1 The Council can submit bids to central Government for funding assistance. This is intended to cover its costs in terms of some aspects of neighbourhood planning including providing advice and assistance to local communities. Local planning authorities can claim £20,000 once they have set a date for a referendum following a successful examination.
- 5.2 The 2018-22 Neighbourhood Planning Support Programme aims to continue delivering support to communities who are interested in creating a Neighbourhood Plan. Financial assistance is available to all groups in the form of a basic grant of up to £10,000 to help them with their costs. In addition, groups in certain priority areas are eligible to apply for a further £8,000 grant funding and technical support packages.
- 5.3 The Place Planning and Housing team assisted and guided Worlaby Parish Council and members of the local community throughout the neighbourhood planning process as part of the Council's duty to support local communities as they develop a Neighbourhood Plan.
- 5.4 Officers in Legal and Democratic Services organised and administered the referendum that determined whether the Worlaby Parish Neighbourhood Plan should form part of the development plan.
- 5.5 Development Management Team officers have regard to the Worlaby Parish Neighbourhood Plan when determining planning applications in Worlaby Parish.
- 5.6 There are no further resource implications.

6. **OTHER RELEVANT IMPLICATIONS (e.g., CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

- 6.1 Through consultation, engagement and involvement neighbourhood planning offers all sections of the community the opportunity to shape how their area grows and develops in the future. The council has a duty to assist communities who wish to embark on a Neighbourhood Plan,

and duly supported the Worlaby Parish community throughout the process.

6.2 Development of a neighbourhood plan in Worlaby has, through community involvement, participation, and engagement, contributed towards all three priorities set out in the Council Plan.

6.3 A Strategic Environmental Assessment (SEA) Scoping Report was prepared by North Lincolnshire Council. An SEA is required for all plans that could have a significant effect on the environment. The Report concludes that none of the policies in the Plan would have a negative impact on the Parish. The most common outcome of the assessment is that the Plan would have a strongly positive impact on the Parish.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment has been completed and no issues of concern are apparent.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The Neighbourhood Plan was published for both informal and formal periods of consultation. All representations were considered and they helped to shape the Plan, where appropriate.

9. RECOMMENDATIONS

9.1 That Council notes the contents of this report.

9.2 That Council adopts the Worlaby Parish Neighbourhood Plan.

DIRECTOR: ECONOMY AND ENVIRONMENT

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Date: 3 December 2021

Background Papers used in the preparation of this report:

- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- Statutory Instrument 2016 No. 873 - The Neighbourhood Planning (General) (Amendment) Regulations 2016
- Neighbourhood Planning Act 2017
- 2018-22 Neighbourhood Planning Support Programme
- Examiner Report on Worlaby Parish Neighbourhood Plan 2016-2038
- Worlaby Parish Neighbourhood Plan 2016-38 Final Plan
- Worlaby Parish Neighbourhood Plan Final Decision Statement
- North Lincolnshire Council Planning Committee 17 November 2021

Worlabby Parish Neighbourhood Plan - Final Decision Statement

Friday 5 November 2021

Summary

In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012¹, North Lincolnshire Council has produced this 'Decision Statement' in relation to the Worlabby Parish Neighbourhood Plan submitted to them by Worlabby Parish Council.

Following a positive referendum result on Thursday 4 November 2021, North Lincolnshire Council is publicising its decision to 'make' the Worlabby Parish Neighbourhood Plan part of the North Lincolnshire Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012².

Background

On 4 August 2014 North Lincolnshire Council resolved to designate the whole of the Parish of Worlabby as a Neighbourhood Plan Area in accordance with the Section 61G of Town and Country Planning Act 1990 (as amended by the Localism Act 2011)³.

Designation of a Neighbourhood Area is one of the statutory requirements needed to be in place to enable a Neighbourhood Plan to be adopted and formally become a part of the Development Plan and be used in the determination of planning applications.

A draft Worlabby Parish Neighbourhood Plan was then developed by a core of Working Group members led by the Parish Council. The local community was engaged in the process following several consultation events, questionnaires, surveys, and a Visioning Day. The draft Plan was then submitted to North Lincolnshire Council.

Regulation 16 of the Neighbourhood Planning (General) Regulations 2012⁴ relates to publicising a Plan proposal. The Cabinet Member for Place Shaping agreed to advertise and publish the Worlabby Parish Submission Draft Neighbourhood Plan for a six-week consultation and subsequently submit the Plan for examination. The Submission draft Plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 31 May 2021.

Following the Regulation 16 consultation, North Lincolnshire Council appointed an independent Examiner, Mr Patrick Whitehead DipTP (Nott) MRTPI of Intelligent Plans and Examinations (IPe) Ltd, to review whether the Plan met the basic conditions required by legislation and whether it should proceed to referendum.

From his examination of the Worlabby Parish Neighbourhood Plan and its supporting documentation, including the representations made, the Examiner made recommendations to modify policies and text. This was to ensure the Plan met the 'Basic Conditions' laid down in paragraph 8(1) of Schedule 4B of the Town & Country Planning Act 1990⁵ and other legal requirements. He recommended that the Plan, once modified, should proceed to referendum.

Decision & Reasoning

With the Examiner's proposed modifications, the Neighbourhood Plan is considered to have met the basic conditions. It is compatible with EU obligations (under retained EU law) and the Human Rights Convention and complies with the relevant provisions made by or under Sections 38A⁶ and 38B⁷ of the Planning and Compulsory Purchase Act 2004, as amended.

Residents on the electoral register in Worlaby parish were eligible to vote in the referendum that was held on Thursday 4 November 2021 in Worlaby Parish. The referendum met the requirements of the Localism Act 2011, and the count took place immediately after the close of poll. There are 439 people in the electorate, 120 ballot papers were issued, and the turnout was 27.3 per cent.

In the referendum, 92.5 per cent (111 people) voted in favour of the Plan whilst 7.5 per cent (9 people) voted against the Plan. The referendum met the requirements of the Localism Act 2011.

More than 50 per cent of those who voted were in favour of the Plan being used to help decide planning applications in the Plan area. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004⁶ as amended requires that the Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.

The result of the votes cast in the Worlaby Parish Neighbourhood Plan Referendum is as follows:

<u>Question:</u>		
Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a ' Yes '	111	92.5
Number cast in favour of a ' No '	9	7.5
Total	120	100.0

¹ Publication of the examiner's report and plan proposal decisions

² Decision on a plan proposal

³ Meaning of neighbourhood area

⁴ Publicising a plan proposal

⁵ Basic Conditions

⁶ Meaning of neighbourhood development plan

⁷ provision that may be made by neighbourhood development plans

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