



CANNOCK CHASE COUNCIL

COUNCIL MEETING

WEDNESDAY, 28 NOVEMBER, 2018 AT 4:00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

Notice is hereby given of the above mentioned meeting of the Council which you are summoned to attend for the purpose of transacting the business set out below:-

1. Apologies

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

To declare any interests in accordance with the Code of Conduct.

Members should refer to the guidance included as part of this agenda.

3. Minutes

To confirm the Minutes of the Meeting held on 26 September, 2018, Minute Nos. 34 – 44; Page Nos. 21 – 23.

4. The Chairman's Announcements and Correspondence

5. Questions Received under Council Procedure Rule 8

None received.

6. Recommendations Referred from Cabinet, Committees etc.

None received.

7. Motion(s) Received under Council Procedure Rule 6

- (i) To consider the following Motion submitted in accordance with Rule 6 by Councillor A. R. Pearson, Housing Portfolio Leader:

“This Council is opposed to the hidden Treasury statement that is set to slash £2.7 billion off the NHS budget, despite claims that they are pouring in cash.

The Tory Government pledged to cover the cost of the NHS rise next year, but only ‘til 2020. And Peter Dowd, the Shadow Chief Secretary to the Treasury claimed that: “Billions of pounds are being quietly cut from our NHS, due to a poisonous cocktail of disastrous economic spiteful behaviour.”

Theresa May is set to raid the health budget over a two year period to cover pension costs, because the Tories’ economic programme of austerity to reduce government borrowing has been a total failure – Government borrowing has more than doubled, and all frontline services are on the verge of collapse.

The £2.7 billion of cuts is a disgrace and will further starve the NHS of desperately needed funds. This cut could have paid for 61,500 nurses, 360,000 hip replacements and around 3.3 million cataract operations during the same period.

I move that our Managing Director be instructed to write to the Secretary of State and our local Member of Parliament, calling for the spiteful £2.7 billion NHS stealth cut to be scrapped and replaced with a pragmatic plan to protect frontline services and regenerate the economy.”

- (ii) To consider the following Motion submitted in accordance with Rule 6 by Councillor G. Adamson, Leader of the Council:

“Charter Against Modern Slavery

Cannock Chase Council will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.

8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

This Council authorises a budget of up to £7,000 to cover the costs of training and implementation.”

- (iii)** To consider the following Motion submitted in accordance with Rule 6 by Councillor J.T. Kraujalis, Corporate Improvement Portfolio Leader:

“This Council opposes the Chancellor’s plan to slash £1.3 billion from front line council services in 2019.

Local authorities claim that grant funding from central government will be cut 36% in 2019/20. And the Local Government Association claim that 168 councils will not get any grant money at all. The Prime Minister’s statement at the Tory Party Conference that austerity has ended is a piece of deceitful electoral cosmetics that is simply not true.

This government’s austerity programme is a disgrace, and it is destroying the very fabric of society. This cut is another example of the Tories intent to cut our public services to the bone and put them in danger of collapse. Could it be that this cut is to continue to hand out billions in tax breaks and corporation tax cuts to the rich, in one of the richest countries in the world. And make vicious cuts to the many, in favour of the rich privileged few?

I move that our Managing Director writes to the Secretary of State and our local M.P. calling for the £1.3 billion cut to be reversed, in line with the Prime Minister’s statement that austerity is dead and gone.”

- (iv)** To consider the following Motion submitted in accordance with Rule 6 by Councillor P.E. Woodhead, Green Party Group Leader:

“This Council notes:

- The Government announcement in July 2018 that Councils could set their own energy efficiency standards for new buildings beyond those set in Part L of the Building Regulations.
- The report from the Intergovernmental Panel on Climate Change highlighting that we only have around 12 years to take serious action to reduce emissions to avoid massive damage to the global environment.

This Council believes:

- At every level of government, urgent steps need to be taken to rapidly reduce carbon emissions, whether produced directly or indirectly.
- That we must take urgent action to improve the energy efficiency standards in new buildings to reduce carbon emissions, save energy and keep money that would go to energy companies circulating in our local economy.
- That improving energy efficiency in new buildings is just one part of a strategy to reduce emissions in our area but is an important step to take

that should be part of a wider strategy.

This Council resolves:

- Establish a Working Group, to run for a full year, with a remit to seek advice from experts; to consider systematically each area of the Council's activities; to make recommendations and propose challenging targets including a carbon budget to be presented each year alongside the financial budget.
 - Require all report risk assessments to include Carbon Emission Appraisals, including presenting alternative approaches which reduce emissions wherever possible.
 - Task a Head of Service officer with responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities.
 - To produce Supplementary Planning Guidance at the earliest opportunity calling for higher energy efficiency standards compliant with the internationally recognised Passivhaus Zero Carbon Standard."
- (v) To consider the following Motion submitted in accordance with Rule 6 by Councillor J.P.T.L. Preece, Environment Portfolio Leader:

"Freedom From Fear

This Council notes

1. That USDAW (Union of Shop, Distributive and Allied Workers) runs an annual Respect For Shopworkers Week as part of their Freedom From Fear campaign.
2. That this is held run in the build-up to Christmas, during which events are put on to engage with the public around the theme 'Keep Your Cool at Christmas'.
3. The campaign as a whole seeks to highlight the abuse that workers suffer whilst simply going about their jobs.
4. That as part of this campaign USDAW also surveys their 430,000 members in an annual Freedom From Fear Survey.
5. This survey shows that during 2018 6 in 10 shopworkers experienced verbal abuse, 37% were threatened by a customer and over 230 shopworkers were assaulted every day.
6. The British Retail Consortium and the Association of Convenience Stores have both also noted rising abuse, threats and violence against shopworkers.

This Council believes:

1. Violent crime, threats and abuse are very real hazards for retail workers and the harassment of staff by customers is an all too common event.
2. Abuse is not part of the job. Workers should never have to face abuse, threats or violence when doing their jobs
3. Employers have a legal and moral obligation to make the working environment as safe as possible for employees and staff should be given

- appropriate training on how to deal with certain situations.
4. Failure to take the necessary steps to protect staff from harassment could result in the company being open to prosecution under health and safety laws and complaints of harassment should always be taken seriously.
 5. Good trade union organisation reduces the risk of bad work practices.

This Council resolves:

1. To publicly support USDAW's campaign and shop workers in the area with a statement of support and by posting on Council social media platforms using the hashtags #RespectShopworkers and to encourage individual councillors to do the same.
2. To encourage individual councillors to engage with retail stores in their ward, talk to shopworkers and listen to their experiences.
3. To use links with local police to ensure retail crime is always treated seriously and the often severe impact on victims is appropriately acknowledged.
4. To use links with local business and retail stores to make sure proper workplace procedures are in place and that front-line staff are appropriately supported."

8. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 1 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.

9. Hednesford Neighbourhood Plan Adoption

Report of the Head of Economic Prosperity (Item 9.1 – 9.123).

Due to its size, Appendix 1 to this Report (Item 9.7 – 9.122) has not been reproduced in hard copy. An electronic version of the Appendix can be viewed via the following link –

<https://www.cannockchasedc.gov.uk/council/meetings/agendas-reports-minutes/98/2018-11-28>

10. Gambling Act 2005 – Statement of Principles 2019 to 2021

Report of the Head of Economic Prosperity (Item 10.1 – 10.50).

11. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Report of the Head of Economic Prosperity (Item 11.1 – 11.6).

12. Exclusion of the Public

The Chairman to propose the following motion:-

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1, Schedule 12A, Local Government Act, 1972."

CANNOCK CHASE COUNCIL

COUNCIL MEETING

WEDNESDAY, 28 NOVEMBER, 2018 AT 4:00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

13. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 2 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.



T. McGovern,
Managing Director

Civic Centre,
Beecroft Road,
Cannock
WS11 1BG

20 November, 2018

GUIDANCE ON DECLARING PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTERESTS AT MEETINGS

DEFINITION OF WHAT IS A PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTEREST

A PERSONAL INTEREST is one where your well-being or financial position, or those of a member of your family or any person with whom you have a close association would be affected to a greater extent than the majority of Council Tax payers, ratepayers, or inhabitants of the electoral ward(s) affected by the decision. You automatically have a personal interest if you have given notice in the Register of Members' Interests, e.g. if you are appointed to an outside body by the Council.

A PECUNIARY INTEREST is a personal interest where the matter

- a) affects your financial position or that of a member of your family or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests or
- b) relates to the determining of any consent, licence, permission or registration in relation to you or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests

and, in either case, where a member of the public knowing the facts would reasonably regard the interest as so significant it is likely to affect your judgement of the public interest

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) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.

PLEASE MAKE IT CLEAR WHETHER IT IS A PERSONAL, PECUNIARY OR DISCLOSABLE PECUNIARY INTEREST.

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

DECLARING INTERESTS AT FULL COUNCIL

The Code of Conduct requires that personal interests where you have a personal interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that

meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4:00 P.M., WEDNESDAY, 26 SEPTEMBER, 2018

PART 1

PRESENT: Councillors:

Witton, P.T. (Chairman)	
Stretton, Mrs. P.Z. M.B.E. (Vice-Chairman)	
Adamson, G.	Hoare, M.W.A.
Alcott, G.	Johnson, J.P.
Allen, F.W.C.	Johnson, T.B.
Allt, Mrs. A.	Kraujalis, J.T.
Bennett, C.	Lea, C.I.
Buttery, M.S.	Lyons, Miss O.
Cartwright, Mrs. S.M.	Mitchell, Mrs. C.
Cooper, Miss J.	Pearson, A.R.
Crabtree, S.K.	Preece, J.P.T.L.
Davis, Mrs. M.A.	Smith, C.D.
Dudson, Miss M.J.	Snape, P.A.
Fisher, P.A.	Startin, P.D.
Foley, D.	Sutton, Mrs. H.M.
Freeman, Miss M.A.	Todd, Mrs. D.M.
Grice, Mrs. D.	Wilkinson, Ms. C.L.
Hewitt, P.M.	Woodhead, P.E.

34. Apologies

Apologies for absence were submitted for Councillors J.L. Bowater; Mrs. C.E. Martin; D.J. Snape; Mrs. L. Tait; A. Dudson; Mrs. C.L. Peake and M. Sutherland.

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

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

36. Minutes

RESOLVED:

That the Minutes of the meeting held on 25 July, 2018, be approved as a correct record and signed.

37. Deputations Received under Council Procedure Rule 4B

Consideration was given to the following Deputation submitted under Council Procedure Rule 4B, by Mr D. Wisehall, Chair, Heart of Hednesford:

“Heart of Hednesford is seeking the support of Cannock Chase Council to help tackle the litter problem across Hednesford. This is an on-going situation that affects the whole of Hednesford but we believe that we can make a huge difference over time to overcome the blight on our town.”

RESOLVED:

That the subject matter of the Deputation be noted.

38. Chairman’s Announcements and Correspondence

(i) Chairman’s Charity Collection

The Chairman advised that a collection box was circulating for Members to make a donation to support his fundraising. At the meeting held on 25 July, 2018 a total of £44.00 was received, and he thanked Members for their donations.

(ii) Freedom of Entry March

The Chairman reminded Members that on Saturday the Council would be hosting a Freedom of Entry March in Hednesford Town Centre, following granting the award to the Royal Air Forces Association (Cannock Chase) in 2017.

The Chairman asked all Members to encourage their friends and family to support the event by going along to watch the parade through Hednesford. He reported that the event would commence at around 10:45 a.m. and he looked forward to seeing everyone there as this would be a very memorable occasion.

39. Questions Received under Council Procedure Rule 8

No Questions had been submitted under Council Procedure Rule 8.

40. Recommendations Referred from Cabinet, Committees etc.

None.

41. Motions Received under Council Procedure Rule 6

Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor G. Adamson, Leader of the Council:

“Dying to Work” Charter

“This Council agrees to sign up to the Trades Union Congress “Dying to Work” Charter which is seeking to provide greater security for terminally ill employees, ensuring that they are not dismissed due to their condition.”

RESOLVED:

That the Council signs up to the Trades Union Congress “Dying to Work” Charter.

42. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

No comments or questions on Part 1 Minutes had been submitted in accordance with Council Procedure Rule 9.

43. Annual Treasury Management Report 2017/18

Consideration was given to the Report of the Head of Finance (Item 10.1 – 10.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The annual treasury management report for 2017/18 be noted.
- (B) The actual 2017/18 prudential and treasury indicators, as set out in Appendix 1 of the report, be approved.

44. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

None received.

The meeting closed at 4:45 p.m.

CHAIRMAN

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Report of:	Head of Economic Prosperity
Contact Officer:	Sarah Jones/ Clare Eggington
Telephone No:	01543 464 494
Portfolio Leader:	Economic Development and Planning
Key Decision:	Yes
Report Track:	Council 28/11/18

COUNCIL
28 NOVEMBER 2018
HEDNESFORD NEIGHBOURHOOD PLAN ADOPTION

1 Purpose of Report

- 1.1 For Council to consider adopting the Hednesford Neighbourhood Plan as part of the Cannock Chase District development plan, following the referendum result.

2 Recommendations

- 2.1 That Council note the results of the Hednesford Neighbourhood Plan referendum, held on the 11th October 2018.
- 2.2 That Council make (adopt) the Hednesford Neighbourhood Plan (see Appendix 1) under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, including approval of the publication of the Regulation 19 'Decision Statement' (see Appendix 2).

3 Key Issues and Reasons for Recommendation

- 3.1 Neighbourhood Planning is one of the provisions of the Localism Act (2011, as amended). Neighbourhood planning aims to help local communities play a direct role in planning for the areas in which they live and work.
- 3.2 Hednesford Town Council (as the qualifying body) applied for the parish of Hednesford Town to be designated as a Neighbourhood Area in 2014, to enable production of a Neighbourhood Plan. The Town Council has been the body responsible for producing the Hednesford Neighbourhood Plan.
- 3.3 The Hednesford Neighbourhood Plan has been the subject of several rounds of public consultation before being independently examined by an appointed

Examiner. The Examiners report (received June 2018) recommended that the Plan, subject to modifications, should proceed to referendum. The District Council agreed with the Examiner recommendations and the decision to proceed to referendum was confirmed on the 2nd August 2018.

- 3.4 The referendum on the Hednesford Neighbourhood Plan (which is conducted in accordance with specified regulations, similar to those provisions for local government elections) was held on the 11th October 2018. Eligible voters (i.e. the electorate of the Hednesford Neighbourhood Area) were asked the following question: 'Do you want Cannock Chase District Council to use to the Neighbourhood Plan for Hednesford to help it decide planning applications in the neighbourhood area?' The result of the referendum was a majority 'yes' vote (79% of votes cast in favour of 'yes').
- 3.5 The District Council is required to adopt the Hednesford Neighbourhood Plan within 8 weeks from the date of the 'yes' vote referendum. Once adopted, the Hednesford Neighbourhood Plan will form part of the Cannock Chase District development plan and will be used to determine planning applications within the Hednesford Neighbourhood Area.

4 Relationship to Corporate Priorities

- 4.1 The Hednesford Neighbourhood Plan (as it has to be in broad conformity with the Local Plan (Part 1)) will help facilitate all aspects of the Council's priorities which have development implications.

5 Report Detail

- 5.1 Neighbourhood Planning is one of the provisions of the Localism Act (2011, as amended). The Council has a statutory duty to support Neighbourhood Plans pursuant to Schedule 4B of the Town and Country Planning Act 1990, Section 38A of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended). This duty includes designating Neighbourhood Areas, publicising submitted plan proposals, arranging the independent examination, running the referendum and – should there be a majority (50%+1) 'yes' vote – making (adopting) the Neighbourhood Plan.
- 5.2 Neighbourhood planning aims to help local communities play a direct role in planning for the areas in which they live and work. Neighbourhood Plan production is an optional choice for communities. A Town or Parish Council is responsible for preparing a Neighbourhood Plan in Cannock Chase District (or neighbourhood forums for non-parished areas, where applicable). This Plan can show how the community wants to shape the development of their local area. The community can consider a range of issues including where they want new developments to be built; what those new buildings should look like; and what infrastructure should be provided.

- 5.3 In this case, the Hednesford Neighbourhood Plan was prepared by Hednesford Town Council. The Plan contains a number of policies that will be used to determine planning applications in the Hednesford Neighbourhood Area (same area as the Hednesford Parish area). These include policies relating to protecting and enhancing local open spaces, heritage assets and rights of way; promoting developments and other improvements within the town centre; promoting housing developments, including encouraging the provision of bungalows where viable; and supporting the redevelopment of specific employment areas. The Plan has to be in broad conformity with national and local planning policies and guidance.
- 5.4 Hednesford Town Council applied to Cannock Chase Council for the land within the Town parish boundary to be designated as a Neighbourhood Area on the 22nd April 2014. In order for the Hednesford Town Council area to be designated as a Neighbourhood Area the Neighbourhood Planning (General) Regulations 2012 (as amended- hereafter referred to as the 'Regulations') required the Town Council to apply to Cannock Chase Council. Cabinet approved the designation of Hednesford Neighbourhood Area on the 20th November 2014, following public consultation.
- 5.5 A draft Neighbourhood Plan was launched by the Town Council at Pye Green Community Centre on 4th July 2016. Consultation was carried out by the Town Council for 6 weeks during July- August 2016. The Town Council then undertook a formal pre-submission consultation (Regulation 14 of the Regulations) on an updated draft Neighbourhood Plan for 6 weeks during September-October 2017.
- 5.6 The Hednesford Neighbourhood Plan was submitted by the Town Council to Cannock Chase District Council in January 2018 for assessment by an independent examiner. The Plan (and associated documents) was published for consultation by Cannock Chase District Council for 6 weeks between 12th February and 26th March 2018 (the Local Authority publicity consultation period- Regulation 16 of the Regulations). Mr Robert Yuille was appointed as the Independent Examiner for the Hednesford Neighbourhood Plan and all comments received to the Local Authority publicity consultation period were passed on for his consideration.
- 5.7 The Examiners Report was received on the 28th June 2018. The Examiner concluded that subject to modifications the Hednesford Neighbourhood Plan met the Basic Conditions. It also met all of the relevant legal requirements. On this basis it should therefore proceed to referendum.
- 5.8 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, requires that a local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in the response to each recommendation. If the authority is satisfied that, subject to the modifications being made, the draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation, then the plan can proceed to referendum. This decision should take place within 5 weeks of receipt of the Examiners report (Regulation 17A of the Regulations).

- 5.9 Cannock Chase Council issued a 'Decision Statement'¹ (in accordance with Regulation 18 of the Regulations) on the 2nd August 2018 confirming that the Hednesford Neighbourhood Plan, as revised according to the proposed modifications, complied with the legal requirements and Basic Conditions set out in the Localism Act 2011; with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004; and such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended). The Plan could therefore proceed to referendum. The referendum must be held within 56 days of the 'Decision Statement' date (or 65 days where this would align with other elections).
- 5.10 The Hednesford Neighbourhood Plan referendum was held on Thursday 11th October 2018. Eligible voters within the Hednesford Neighbourhood Area were asked the following question: 'Do you want Cannock Chase District Council to use to the Neighbourhood Plan for Hednesford to help it decide planning applications in the neighbourhood area?' This is the format prescribed in the Neighbourhood Planning (Referendums) Regulations, 2012 (as amended). The referendum was held in accordance with these regulations, similar to those provisions for local government elections. Section 38A(4) of the Planning and Compulsory Purchase Act stipulates that a local planning authority must make a neighbourhood plan if in the referendum more than half of those voting have voted in favour of the plan (i.e. more than 50%).² The result of the referendum was a majority 'yes' vote (79% of votes cast in favour of 'yes' (1,167 votes) from a turnout of 12.79%).
- 5.11 The District Council is required to 'make' (adopt) the Hednesford Neighbourhood Plan within 8 weeks from the date of the 'yes' vote referendum. Once 'made' (adopted) the Hednesford Neighbourhood Plan will form part of the Cannock Chase District development plan and will be used to determine planning applications within the Hednesford Neighbourhood Area. Note: as per Section 3 of the Neighbourhood Planning Act 2017 (which amends Section 38 of the Planning and Compulsory Act 2004) a neighbourhood plan that has been approved at referendum but not yet made (i.e. adopted) by the local planning authority already forms part of the development plan. This only ceases if the local planning authority decide not to make (adopt) the neighbourhood plan.
- 5.12 It is therefore recommended that Council makes (adopts) the Hednesford Neighbourhood Plan as part of the development plan for Cannock Chase District.
- 5.13 Following the decision to make (adopt) the neighbourhood plan, the Council must also issue a 'Decision Statement' to that effect (see Appendix 2). It is recommended that Council approves the publication of the Decision Statement.

¹ Under existing delegated authority- see Cabinet Report of 14/12/17

² The authority are not to be subject to this duty if they consider that the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

6 Implications

6.1 Financial

The government provides grants to support councils in meeting their statutory duties and £5,000 can be claimed per designated Neighbourhood Area, up to a maximum of five designations. A further £20,000 can be claimed after a successful referendum has been held (there is no limit on the number of Neighbourhood Plans this relates to).

6.2 Legal

Legal implications are set out in the report.

6.3 Human Resources

No issues arising directly as a result of this report although Neighbourhood Plans can be complex and time consuming overall. Work on these is currently absorbed by the Planning Policy team (and Elections team once it reaches referendum stage) and without further dedicated human resources to Neighbourhood Planning being available other work programmes may need to be realigned to ensure that the Council is meeting its statutory duties. This is dependent upon the future level of uptake of Neighbourhood Plans in the District and the extent to which existing Neighbourhood Plans may need to be kept under review in the future in order to align with District Local Plans.

6.4 Section 17 (Crime Prevention)

None.

6.5 Human Rights Act

Neighbourhood Plans are legally required to ensure they do not breach Human Rights and this is independently examined as part of the Neighbourhood Plan process. No implications identified.

6.6 Data Protection

No issues arising directly as a result of this report although the Council has a duty to undertake specific duties in relation to Neighbourhood Planning, to which data protection legislation applies (e.g. consultation processes, referendum).

6.7 Risk Management

A risk assessment has been undertaken. The main area of risk relates to non compliance with the legislative requirements; however this has been minimised via the process of independent Examination; production of the required documents at each stage in the process; and the production of this Council report and accompanying Decision Statement that fulfil the Council's duties.

6.8 Equality & Diversity

The Hednesford Neighbourhood Plan is subject to an Equality Impact Assessment (EqIA). The Equality Impact Assessment identifies that the Hednesford Neighbourhood Plan will help the Council meet its obligations in relation to equality and diversity. Compliance with EU legislation (which includes equality and diversity) is a requirement of the Basic Conditions which a Neighbourhood Plan must meet (confirmed via the independent examination process for the plan).

6.9 Best Value

None

7 Appendices to the Report

Appendix 1: Hednesford Neighbourhood Plan (adoption version)

Appendix 2: Hednesford Neighbourhood Plan Decision Statement

Previous Consideration

Designation of Hednesford Town Council Area as a Cabinet 20/11/14
Neighbourhood Area

Proposed Amendments to the Scheme of Delegations for Cabinet 14/12/17
Neighbourhood Planning and Supplementary Planning
Documents

Background Papers

- Planning and Compulsory Purchase Act 2004,
- Localism Act 2011, Neighbourhood Planning Act 2017,
- Neighbourhood Planning (General) Regulations 2012 (as amended),
- National Planning Policy Framework (2018),
- National Planning Practice Guidance (as updated),
- Examiner Report on the Hednesford Neighbourhood Plan (2018),
- Cannock Chase Council Regulation 18 Decision Statement (2nd August),
- EqIA for Hednesford Neighbourhood Plan (2018).

Neighbourhood Plan

2017-2028



Hednesford Town Council



tomorrow's plan **today**

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Staffordshire University Academy

1

The Neighbourhood Plan: Our story so far

TIME

VOTE

1 - The Neighbourhood Plan: Our story so far

Because we know our residents care about their town, they relished the opportunity to have a say in its future.

We asked for views on:

how it is developed

what features should be preserved

where public money should be invested to make it a better place for those who live and work here

This was thanks to a new type of planning document, introduced by The Localism Act 2011, which can be used by town and parish councils to involve the community in decisions to help shape the future of their area.

A Neighbourhood Plan is adopted following:

CONSULTATION

Members of the community were asked to share their opinions on policies that affect the town. Responses are now incorporated. Further opportunities to comment will arise during the examination.

A REFERENDUM

Local people will vote in a referendum to state whether they agree with the proposals outlined in this document.

RESULT

If the Neighbourhood Plan is supported, it will become part of the statutory Development Plan along with the Local Plan.

Hednesford Town Council (HTC) is the body legally responsible for producing a Neighbourhood Plan.



2

Why have a Neighbourhood Plan for Hednesford?

2 - Why have a Neighbourhood Plan for Hednesford?

Hednesford is growing and changing and the town council want to ensure that developments within the town are:

- Completed with the community's best interests at heart
- Meeting the needs of local people
- Respecting the heritage of the town

Some of the major changes in recent times include:

New housing developments to the west of Pye Green Road and in Pye Green Valley, which will result in a large growth in population in the next 5 to 10 years.

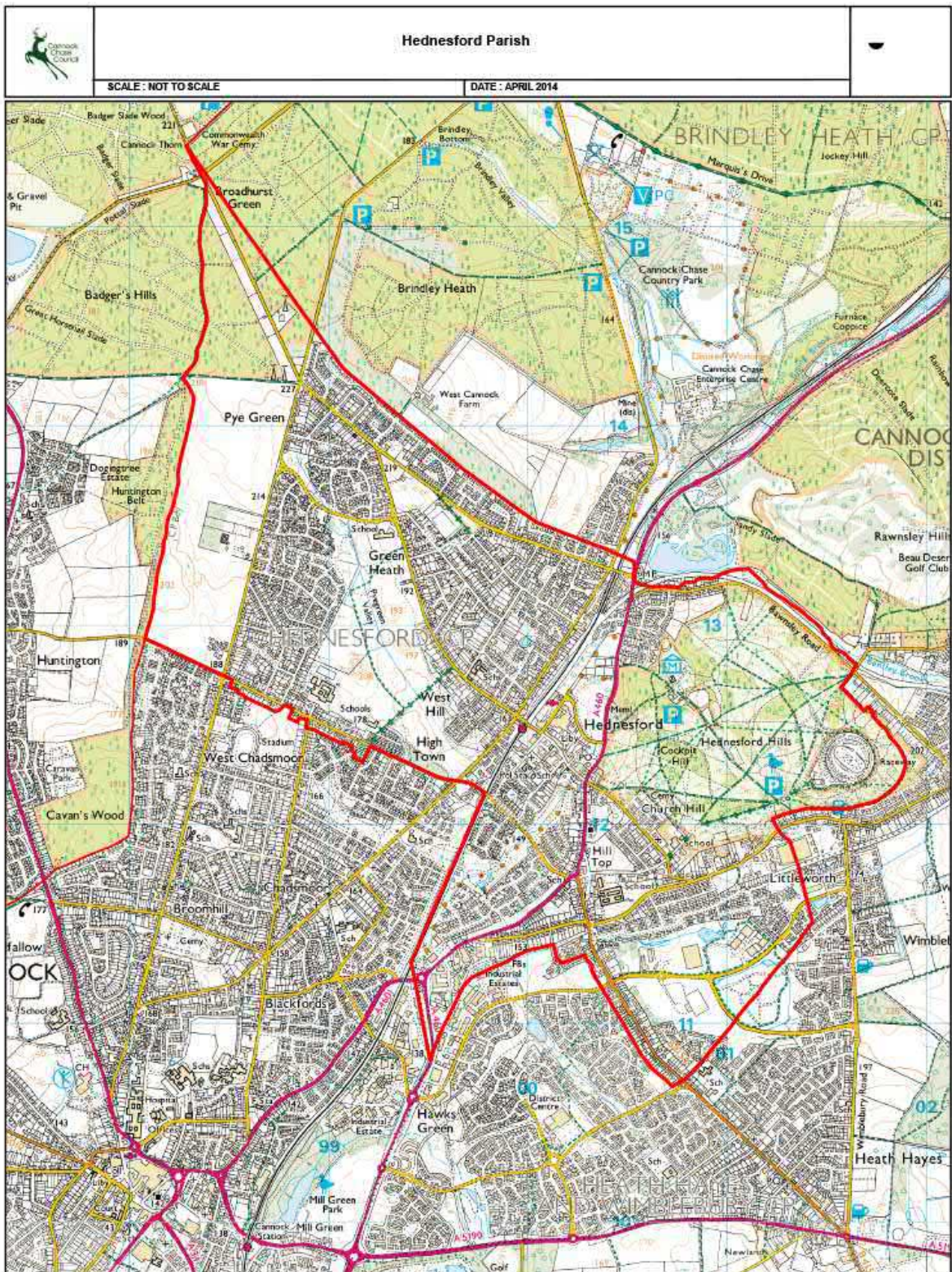
Major new shopping developments on Rugeley Road and in Victoria Street, which have substantially increased the choice of shopping facilities in the town.

These changes will have a significant impact on the area and Hednesford Town Council believe it is important to implement a Neighbourhood Plan to ensure the following:

- Better parking provision particularly around Hednesford station, to accommodate increased commuter traffic.
- The original town centre in Market Street is supported, and retains a viable range of smaller shops and services.
- Recognising and preserving the Victorian and Edwardian heritage and character of the town.
- Small scale open spaces within housing estates are preserved and maintained.
- Necessary environmental improvements are documented and tackled.
- Consideration given on a site by site basis to types of housing built on smaller sites with potential for housing development in order to meet specific needs of local people.



Hednesford Parish Neighbourhood Plan area



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— Boundary of Town Council Area and Neighbourhood Plan Area

3 - Hednesford Timeline

1500s

Hednesford begins as a small agricultural settlement located around where the Riddings Brook crosses Hill Street, close to the junctions with Littleworth Road and Lower Road

1500s

Cross Keys Farmhouse built - now a Grade II listed building

1746

The Cross Keys Inn built - now a Grade II listed building

1800s

Rise of the coal mining industry results in major growth in Hednesford

1831

Former home of Edmund Peel, 3rd son of Sir Robert Peel, converted to Anglesey Hotel

1850

Hednesford Hills is known for racehorse training with 6 racing stables in the area

1859

Hednesford railway station and line opened

1868

Parish church built

1850 - 1930

West Hill, Greenheath Road and Church Hill housing developments built and cottages at Pye Green

1870s

Market hall and shops built

1879

South Staffs Waterworks Company reservoir built on Hednesford Hills

1880

Football club formed

1885

Salvation Army Citadel dedicated by General Booth

1904

Hednesford Town FC move to football ground behind the Cross Keys Inn

1907, 1910, 1933

Grand national winners connected to Hednesford!

1922

War memorial built on Hednesford Hills

1931

Hednesford Park opened

1952

Former reservoir on Hednesford Hills converted to motor racing venue

1958

Cannock Chase designated as an Area of Outstanding Natural Beauty

1960s

Pye Green Community Centre built

1965

Train service from Birmingham to Rugeley closes

1970s & 80s

Major land reclamation schemes following the pit closures create new open spaces and land for housing and new businesses

1978

Co-op opens in Anglesey Street

1989

Train service from Birmingham to Hednesford re-instated

1995

Hednesford Town FC relocated to a new stadium

1997

Train service expands to Rugeley Trent Valley

2005

New multi-practice health centre opens in Station Road

2011

Opening of The Lightworks in Market Street

2012

Pye Green Community Centre extended & refurbished

2013

Development of Chase Gateway and Victoria Shopping Park

2015

Opening of new tennis courts and play area in Hednesford Park

2016

Opening of new pavilion and skate park in Hednesford Park

2017

Completion of all-weather pitch, Bradbury Lane

4

**Statutory
requirements relating
to content of the plan**

4 - Statutory requirements relating to content of the plan

Statutory requirements relating to content of the plan

The Localism Act 2011 requires Neighbourhood Plans to meet some basic conditions, as set out in Paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990, which are:

- Have regard to national policies and advice in guidance issued by the Secretary of State.
- Contribute to the achievement of sustainable development.
- Be in general conformity with the strategic policies in the Development Plan for the area.
- Be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

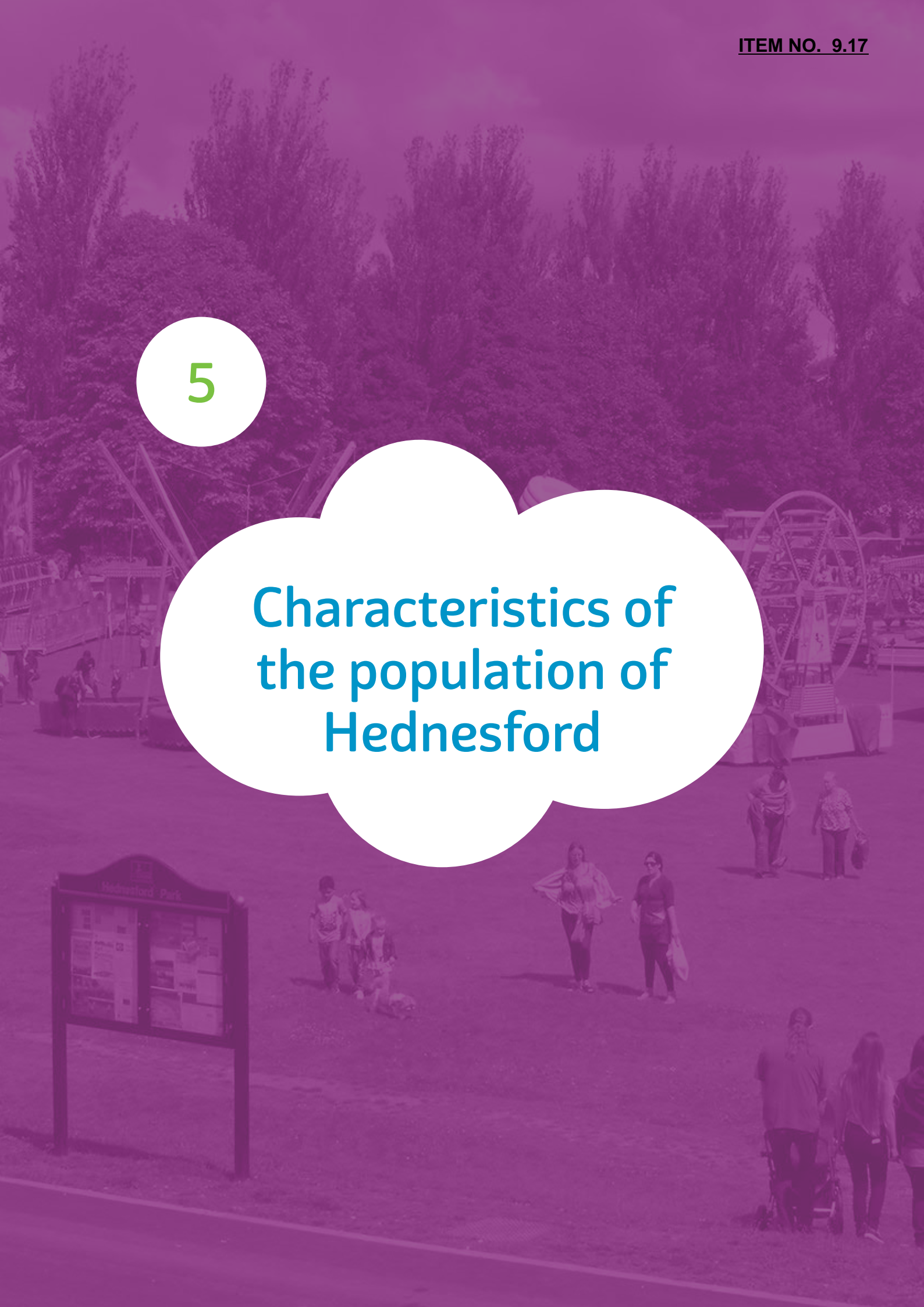
More details on the procedures to be followed are contained in the Neighbourhood Planning Regulations 2012.

See Section 16 - references/sources pages 81 to 95 for further details on the planning policy context of the Hednesford Neighbourhood Plan.



5

Characteristics of the population of Hednesford



5 - Characteristics of the population of Hednesford



Hednesford town comprises three wards:

PYE GREEN

WEST HILL

ANGLESEY

However, population statistics produced from the 2011 census and later annual mid-year estimates relate to the District Wards of Hednesford North, Hednesford South and Hednesford Green Heath.

Hednesford North extends into the parish of Brindley Heath, including the housing estate west of Brindley Valley Road (comprising properties on Brindley Heath Road, Bramble Drive, Edison Close, Brindley Crescent, Bracken Close and Marconi Place) and small numbers of dwellings east of Rugeley Road and north of Rawnsley Road. Statistics relating to Hednesford North include the numbers and characteristics of people living in these locations.

Total population of all three wards in 2001 census

16,961



Total population of all three wards in 2011 census

17,343



Total population of all three wards in 2014 mid-year estimate

17,400



5 - Characteristics of the population of Hednesford

Trends in the age structure of the population of all three wards shows :

An increase in the percentage of residents over the age of 65

A reduction in the percentage of residents under the age of 16

Residents in the 16 to 65 age group have remained stable

Ethnicity remains predominantly White British at over 96% and 97% across all three wards

One person households in 2011:

over 30%
in Hednesford
North

21% in
Hednesford
South

21% in
Hednesford
Greenheath

The main implication of the trend in age structure and the number of single person households is the need to provide appropriate housing for the elderly.

Single person households aged 65 and over exceeded 10%.

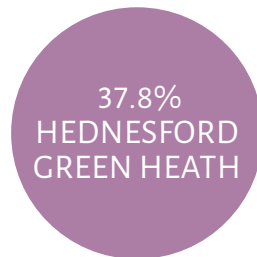


5 - Characteristics of the population of Hednesford

Employment sectors:



The extent of commuting to work out of the area is evidenced by the fact that the workday population declines:



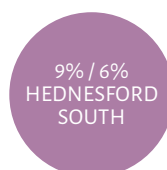
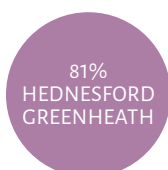
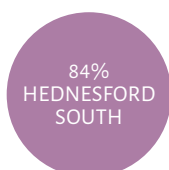
The percentage of residents reporting bad or very bad health at the time of the 2011 census :



Housing profile

Owner occupied

Privately rented and social rented



6

Vision for Hednesford



6 - Vision for Hednesford

The Hednesford Neighbourhood Plan aims to promote and support development to meet the needs and aspirations of the present and future community of Hednesford, whilst ensuring that environmental change respects the heritage of the area, as evidenced by its buildings of distinctive character and precious open spaces.

Neighbourhood Plan Mission Statement

“ Our Neighbourhood Plan gives the people of Hednesford a chance to have their say, shaping their community for the future.

We're proud of our heritage and want to ensure our town continues to thrive for generations to come. ”



7

Key issues and opportunities

7 - Key issues and opportunities

7.1 Two strategic elements of the Cannock Chase Local Plan have had, or will have, a major impact on the town:

The population of Hednesford is expected to grow by approximately 15% (3,000 people) because of housing developments under way, and planned within the next 10 years.

Housing developments include:

- Pye Green Valley - 420 dwellings are planned to be built over the next 6 to 7 years together with the opening of the new distributor road linking Greenheath Road with Cannock Road/Stafford Lane at Hightown and provision of children's play facilities.
- Land west of Pye Green Road and north of Limepit Lane has potential for the construction of up to 900 dwellings over the next 10 years.

7.2 The recently completed town centre redevelopment in Victoria Street and off Rugeley Road has delivered all of the planned growth in retail floorspace for Hednesford identified in the Local Plan. This has created a need to effectively integrate the different shopping areas, creating better links between Market Street and Victoria Street for the benefit of the centre as a whole.

7.3 All the infrastructure associated with these schemes, including highway improvements, a new primary school and public open spaces are provided for under the terms of S106 agreements completed between the District, County Councils and the developers.

7.4 Section 106 of the Town and Country Planning Act 1990 makes provision for developers to commit to funding or direct provision of infrastructure, the need for which arises from the impact of their development to make it compliant with planning policy.



7 - Key issues and opportunities

- 7.5 Community Infrastructure Levy (CIL) is a new form of funding for infrastructure which is needed to respond to demands placed on local areas as a result of new development. It partly replaces the system of S106 agreements. Currently, in Cannock Chase District CIL funds are collected from some new housing and retail developments and a proportion of these funds are required to be passed to parish and town councils, which have a broader remit for use of CIL funds to include any purpose which responds to demands placed on a local community as a result of development.
- 7.6 Hednesford Town Council has identified a number of key issues and opportunities arising from these developments, however, which it believes are important to the future planning of Hednesford.
- A Enhance the core of the town centre on Market Street to enable it to function as a vibrant and viable centre for local shopping, financial and professional services and leisure uses including eating out and socialising.
 - B Develop areas of underused and unattractive land between Market Street and Victoria Street, opened up to view by the re-alignment of Victoria Street, to enhance the town centre and improve links between Market Street, the new retail developments, the park and Hednesford Hills. This could possibly include tourist accommodation to enable the town to function as a gateway to Cannock Chase.
 - C Improve the public realm of Market Street, in particular the car park at the rear of the Co-op and the land between the boundary of this car park and the railway station, in order to provide an attractive gateway to the town.
 - D Provide a larger taxi rank to serve the town and railway station.
 - E Plan for additional car parking to cater for the growth in commuting by train.



7 - Key issues and opportunities

7.7 In relation to the wider area of the town as a whole, the following matters are considered to be relevant topics for inclusion in the Neighbourhood Plan:

- A** Identify buildings that are important to the character of the area, and examine ways of retaining them in the town, including the feasibility of alternative uses to enable long-term retention.
- B** Support the retention of assets of community value such as pubs.
- C** Support the expansion and/or redevelopment of existing businesses outside the town centre, particularly within established industrial estates. This would be subject to appropriate environmental controls and provision of satisfactory parking and servicing arrangements.
- D** Ensure small areas of public open space which are valued by the community, particularly those below the scale identified to be protected as Greenspace Network on the Local Plan Policies Map, are retained for the benefit of the local community and enhanced when opportunities arise.
- E** The District Council in consultation with landowners and developers identifies sites with potential for housing development, to ensure a continuous supply of land to deliver the required numbers of dwellings proposed in the Local Plan via an annual Strategic Housing Land Availability Assessment (SHLAA). The latest SHLAA statistics are summarized in section 16. The Town Council wishes to enable the development of small scale housing schemes on SHLAA sites which currently do not have the benefit of planning permission and windfall sites within existing housing areas. The Town Council wishes to ensure that development of these sites respects the scale and character of the locality and contributes to meeting local housing need, particularly for the elderly.



**7 - Key issues
and
opportunities**

- F** Identify specific character areas outside the town centre, particularly those where Victorian/Edwardian design and layout characteristics predominate, and ensure that any new development in these areas meets design criteria which respect the historic character.
- G** Arising from the consultation on the Plan, matters relating to the Area of Outstanding Natural Beauty and public rights of way are now included.



8

Policies and proposals

**8 - Policies
and proposals**

8.1 These are the policies and proposals which the Town Council is seeking to take forward to address the issues identified above.

**Hednesford
Town Centre
Policies**

**Open
Spaces**

**Public
Rights
Of Way**

**Built
Environment**

**Housing
Development**

**Industrial/
Business
Parks**



9

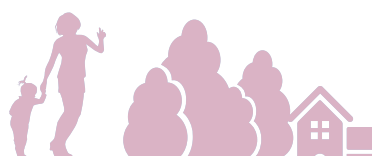
Hednesford Town Centre Policies



9 - Hednesford Town Centre Policies

Issues, opportunities and evidence

- 9.1 The major new retail and leisure development completed since 2012 on two sites on the edge of the town centre has already been described on page 11.
- 9.2 Investment in the core of the historic town centre comprising Market Street extending from the railway bridge to the junction with Rugeley Road has, in recent years, been limited to three developments
- The extension/conversion of the former Lucas Lighting Factory to the Light Works mixed use retail, food and drink and residential development.
 - The redevelopment of the corner of Market Street/Rugeley Road to create 5 retail units with residential/business/storage space above as part of the larger Chase Gateway retail/leisure development.
 - The refurbishment and conversion of Anglesey Lodge to a Wetherspoons public house.
- 9.3 The core of the original centre in Market Street largely comprises of locally and independently owned retail businesses with few national chains represented.
- 9.4 The size of the centre makes it unlikely that this will change, so the Town Council believes it is important to encourage additional footfall into Market Street to support local businesses and minimize the number of vacant units.
- 9.5 Some initiatives, such as publicity and events, are beyond the scope of this Plan - but some funding is available under the terms of planning obligations (S106 agreements) completed in connection with the major retail/leisure schemes to support such activities.



9 - Hednesford Town Centre Policies

- 9.6 There are, however, planning policies which can be proposed to help maintain the character of Market Street and enhance its vitality and viability as a shopping/leisure destination. Primarily to take advantage of the additional potential footfall attracted by the major redevelopment schemes on Victoria Street/Rugeley Road and the planned major growth in housing development to the north of the town.
- 9.7 Taking a flexible approach to changes of use of ground floors on Market Street, provided that proposed uses will attract footfall, is considered to be an appropriate response.
- 9.8 There are many attractive buildings in Market Street dating from the Victorian/Edwardian period which, in the District Council's Design Supplementary Planning Document are recognised as providing a positive character to the street. The detailed features of particular interest on these buildings include patterned brickwork, tiling, dentil and string courses of brickwork, other brickwork and stone detailing, jettied bay windows, oriel windows, sash windows and original shop front details. However some are in need of maintenance/refurbishment and some original features have been lost as a result of inappropriate alterations.
- 9.9 Retaining the character of Market Street is an important element of securing the ongoing vitality and viability of the centre, because it is this character which gives Market Street its unique appeal.
- 9.10 A list of the key buildings which make the major contribution to the character of the street is set out in appendix 4 (pages 57-58).



9 - Hednesford Town Centre Policies

- 9.11 There are areas of land between Market Street and Victoria Street which are underused and unattractive which detract from the overall appearance of the enlarged centre. The realignment of Victoria Street has opened up views into these backland sites.
- 9.12 Another area of unattractive and underused land is situated on Cardigan Place between Market Street and the Rugeley Road car park. These sites are within the town centre boundary identified on the Local Plan Policies Map. The development of these areas of land, with appropriate uses in a way which would encourage people to access Market Street, would benefit the centre and improve the local environment.
- 9.13 In addition, the approach to the centre from the railway station, particularly the land between the southbound platform and the car park together with the embankment, is currently unattractive. Environmental improvements are needed to enhance the experience of visitors accessing the area by train and there may be an opportunity to enlarge the car park.
- 9.14 Car parking has been identified by local traders as an issue with the main surface car park between the Co-op store and the station often being full, partly with train commuters' vehicles, in addition to the station car park further to the west on Anglesey Street.
- 9.15 The current taxi rank in Anglesey Street is small and congested. The potential for relocation as part of improvements to the station car park should be investigated. Hednesford is the nearest town to Cannock Chase and could function better as a gateway for visitors with provision of tourist accommodation in or near to the town centre, which would also have potential to encourage more footfall in the centre.
- 9.16 There are several poor quality buildings around the junction of Cannock Road/Station Road and Greenheath Road which include a mix of retail and service uses but this area no longer functions as part of the town centre. These include numbers 427-433 which have recently been partially demolished and 437 to 445 Cannock Road of which numbers 427 to 433 are currently vacant. Some of these properties include substantial areas of land to the rear which provide significant potential for redevelopment.



9 - Hednesford Town Centre Policies

- 9.17 To enhance the approach to the town from this direction a comprehensive approach to re-development of these sites is considered to be appropriate. As the sites are detached from the town centre, redevelopment for residential purposes is considered to be the most appropriate land use. This form of development would meet the aims of the emerging national policy of focusing high density residential development close to transport hubs as the area is within easy walking distance of the railway station and well served by buses.
- 9.18 Completed S106 agreements relating to the recent major retail developments which have been completed in Hednesford make provision for funding to support the town centre.
- 9.19 The site of 419 to 435 Cannock Road has had planning permission for the erection of 25 flats and 2 bungalows. However, by possibly incorporating adjacent land, the developer has been asked to consider the potential of providing specialist housing for the elderly including communal facilities, as there is currently no development of this type in Hednesford to respond to the demands arising from and ageing population.



9 - Hednesford Town Centre Policies

- 9.20 Any development which results in a net increase in dwellings in the Neighbourhood Area will be required to mitigate for its impact on the Cannock Chase Special Area of Conservation (SAC) in accordance with Policy CP13 of the adopted Local Plan Part 1 in accordance with the provisions of the policy and associated guidance, or any replacement policy associated with a review of the adopted Local Plan. The main impact is additional visitor pressure on the integrity of the heathland habitat and mitigation will also be required for some types of visitor accommodation e.g. hotels. The normal method of securing appropriate mitigation is either via completion of a Planning Obligation (S106 agreement or unilateral undertaking) prior to the grant of planning permission, or with use of Community Infrastructure Levy (CIL) funding.



9 - Hednesford Town Centre Policies

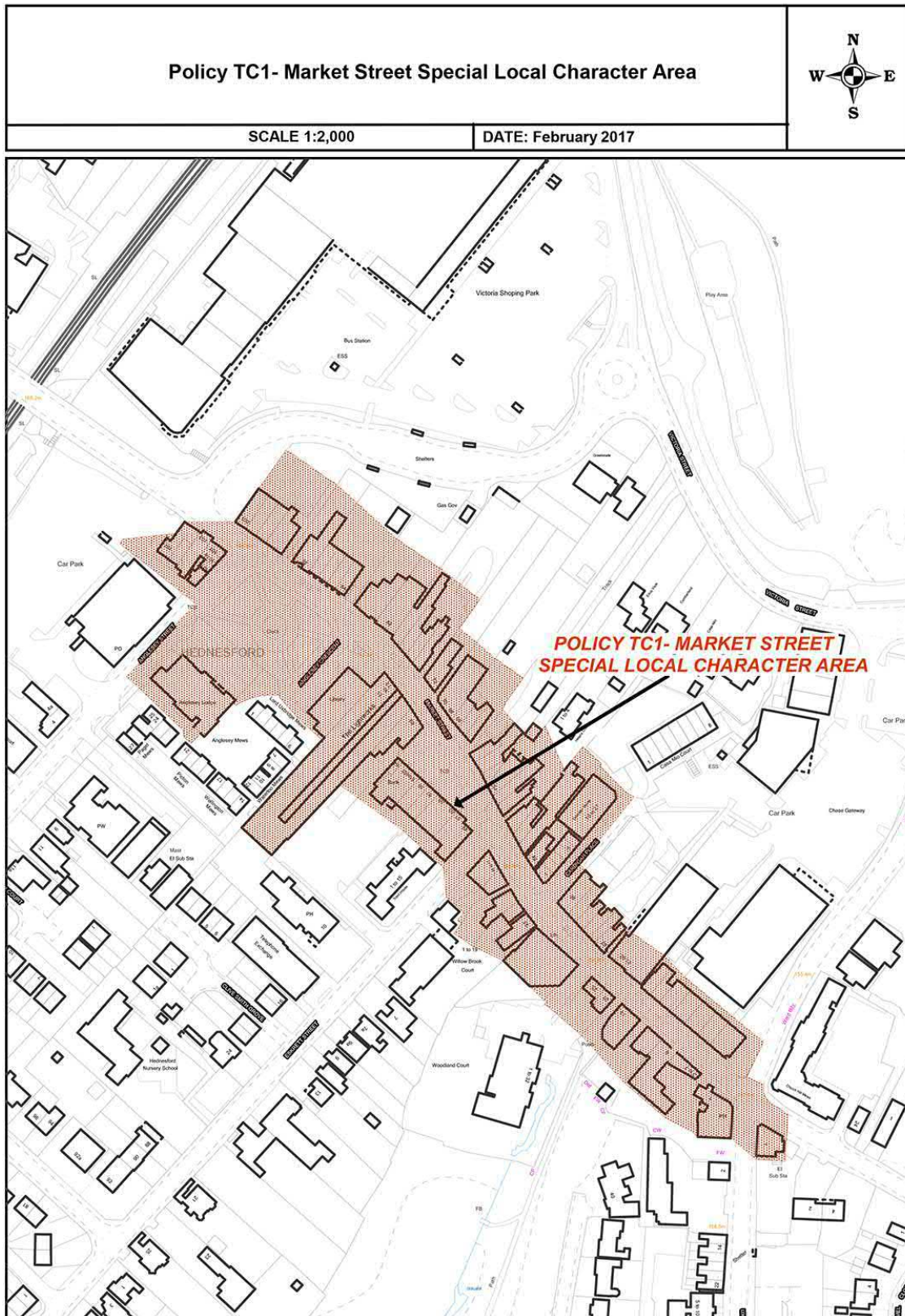
9.21 The following policies are proposed to address these issues -

Policy TC 1

The historic core of Hednesford Town Centre in Market Street, (as shown on the map on page 21) is identified as an area of special local character as a result of the quality and specific detailing of its Victorian and Edwardian buildings. This historic character will be maintained and enhanced. Any alterations proposed to buildings, including shop fronts, signage, doors and windows should aim to retain the key characteristics described above. Where inappropriate replacement of original features has taken place in the past, owners will be encouraged to reinstate features which replicate the original design at paragraph 9.8 on page 16. Use of modern materials such as UPVC can be acceptable provided that it is used in a sensitive way for example in replacement sliding sash windows.



Policy TC1 Market Street area of special local character



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9 - Hednesford Town Centre Policies

9.22

Policy TC 2

The core of Hednesford Town Centre in Market Street, as identified on the proposals map, will be protected from the introduction of inappropriate uses at ground floor level. Permitted uses will comprise -

- food takeaways
- hotels
- health uses
- day nurseries
- art galleries
- shops
- restaurants
- cafés
- pubs
- cinema
- concert hall
- theatre
- financial and professional services
- gyms and fitness centres

within Use Classes A1, A2, A3, A4, A5, C1, D1 and D2 of the Town and Country Planning Use Classes Order provided that an overall mix of uses where retail, food and drink uses predominate is maintained. Some changes between Use Classes are automatically permitted by National Planning Regulations (see appendix 5, page 59) but the aim of the policy is to give more flexibility and assurance to owners of properties in Market Street that a wider variety of alternative uses which attract footfall will be supported subject to maintaining the overall mix of uses where Class A businesses predominate. Any other uses not listed, which also attract footfall will also be supported subject to maintaining the overall mix of uses where Class A businesses predominate.

9.23

Residential uses on upper floors of buildings will be encouraged to make use of underused or vacant space and provide more potential customers to local shops living on the doorstep. A good standard of amenity should be achieved including the provision of appropriate space at the rear for the storage of refuse bins. Change of use up to 2 flats above a wide range of Use Classes is already “Permitted Development” (see appendix 5).



9 - Hednesford Town Centre Policies

9.24 **Policy TC 3** The town council, in partnership with the town centre traders, Hednesford in Partnership or any successor organisations, will make representation to the District Council for the use of appropriate S106 funding and will identify projects for use of CIL funds to enhance the vitality and viability of Market Street.

9.25 **Policy TC 4** Development of areas of land between Market Street, Victoria Street and off Cardigan Place as identified on the Proposals Map for a range of appropriate uses listed below shall achieve the following key objectives:

- enhance the vitality and viability of Market Street
- enhance the appearance of the area whilst respecting the scale and character of existing development.
- Improve pedestrian/cycle links between the two streets and Hednesford Park.”

9.26 The larger of the two sites which extends across the rear of 56 to 100 (even) Market Street to the realigned Victoria Street to the south of the new bungalow “Greenslade” has an area of approximately 6,400 square metres.

9.27 The smaller area on Cardigan Place opposite Cardigan House has an area of around 900 square metres.

9.28 The potential uses should include residential development, tourist accommodation and a retail market. These proposals will be delivered via the production of a detailed development brief/master-plan to be produced in partnership with the landowners and the District Council.



9 - Hednesford Town Centre Policies

- 9.29 **Policy TC 5** In partnership with the District Council, Network Rail, West Midlands Trains, West Midlands Rail and the Heart of Hednesford Station Adoption Group, The town council will seek to deliver improvements to the car park at the rear of the Co-op store, including managing stay patterns, a taxi rank, a community building and environmental improvements to the station surroundings. S106 and CIL funds will be used as appropriate. A master plan will be produced and S106 and CIL funding will be used as appropriate.
- 9.30 **Policy TC 6** In partnership with the District Council, the town council will seek to extend the station car park situated between 6 and 30 Anglesey Street including with the appropriate use of S106 and CIL funds.
- 9.31 **Policy TC 7** Redevelopment of no's: 427-433 and 437-445 Cannock Road for residential development suitable for the elderly will be supported and the feasibility of achieving this will be pursued in conjunction with the main landowner. The land is considered to be suitable for high density development, subject to protecting the amenities of existing nearby residential properties (see also Policy H2 and map on page 45).



Policy TC5 Town Centre Proposals

Policy TC5- Town Centre Proposals		
SCALE: 1:1,250	DATE: February 2017	



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10

**Public
Rights
Of Way**



10 - Public rights of way

Issues and evidence

- 10.1 There is a comprehensive network of public rights of way across Hednesford Hills which is managed by Cannock Chase Council.
- 10.2 There are also footpath networks around and within the two major open spaces of Pye Green Valley and The Hednesford Brickworks Nature Reserve managed by Staffordshire County Council and the Land Trust.
- 10.3 The major footpath and cycle way link, The Cannock Chase Heritage Trail which links Cannock and Rugeley passes through Anglesey Park and Hednesford Park.
- 10.4 However the County Council, District Council and AONB Unit mention the issue of the need to improve access from the urban area to the AONB for example improvements to surfacing and installation of kissing gates.
- 10.5 **The following policy is proposed -**



Policy ROW 1

In partnership with Staffordshire County Council, Cannock Chase Council, The Forestry Commission, the Cannock Chase SAC Partnership and the Cannock Chase AONB Unit the Town Council will encourage improvements to the existing public rights of way network in order to provide better access for existing and future residents of Hednesford to the Cannock Chase AONB and the Cannock Chase SAC while avoiding any adverse impacts on their natural heritage.



10 - Public rights of way

Cannock Chase AONB

- 10.6 The northern part of the plan area from Broadhurst Green crossroads to the Commonwealth Cemetery comprising forestry plantations and horse grazing paddocks, together with the Pye Green telecom and water towers, is situated within the Cannock Chase Area of Outstanding Natural Beauty. In addition the southern boundary of the AONB follows the rear boundaries of the housing estates north of Broadhurst Green/Bradbury Lane and houses on Rawnsley Road. The Chase was designated as an AONB in 1958 because it is the largest surviving area of lowland heathland in the Midlands, which is an internationally scarce and threatened wildlife habitat. Policies CP13 and CP14 of the Cannock Chase Local Plan 2014 respectively support the protection of the heathland habitat and the Chase landscape as a whole. In addition to planning policies there is an adopted AONB Management Plan produced by the AONB Unit which contains detailed policies and proposals relating to the management of the landscape and visitors.
- 10.7 There is no need for the Neighbourhood Plan to include additional policies relating to the AONB, although the following policy aims which specifically relate to the landscape/land-use characteristics of that part of the plan area which is within the AONB are supported –
- The good management of horse grazing pasture and field boundaries, including the “gapping up” of hedgerows in order to improve habitats.
 - The creation of additional tracts of heathland where forestry plantations are felled.
 - Ensuring that any new development within and on the edge of the AONB is of high quality and respects the landscape character.
- 10.8 These principles apply to land adjoining the AONB which form its setting including the Hednesford Hills Site of Special Scientific Interest.



11

Open Spaces

11 - Open Spaces

Issues and evidence

11.1 At a scale below the “Green Space Network” of protected open spaces shown on the district wide Local Plan policies map, there are smaller public open spaces, including those previously listed and many others within existing housing estates, which are important amenities for local communities. The open spaces covered by the policy below fall into three broad categories:

- Green spaces/play spaces owned by Cannock Chase Council sites within housing estates.
- Green corridors alongside the Ridings Brook and the former Cannock Extension Canal
- Verges/embankments of varying widths adjoining highways and the railway.

Potential improvements include tree and hedgerow planting, provision and improvement of footpaths and provision of play equipment.

11.2 The Town Council considers it appropriate to ensure that these spaces are retained and where possible enhanced for the benefit of their local communities. These sites are listed in appendix 6, page 60.



11 - Open Spaces

The following policy is proposed -

- 11.3 **Policy OS 1** Development of open spaces within the urban area identified in appendix 6 will not be permitted unless;
- in the case of small spaces within existing housing estates, this is associated with comprehensive estate redevelopment. In these circumstances replacement open space of at least equivalent size and quality shall be provided as part of the redevelopment proposals; or
 - The open space is no longer needed as an informal recreation area; or
 - the community benefits of redeveloping the open space outweigh its loss
- 11.4 Those open spaces which function as informal recreation resources for their local communities will be maintained and enhanced for this purpose. Proposals for improvement will be made in consultation with residents and Cannock Chase Council including with the use of CIL funding.
- 11.5 Landowners will be encouraged to maintain and enhance those open spaces that function as local visual amenities, wildlife corridors and areas of water storage and conveyance.



12

Built Environment




12 - Built Environment

Issues and evidence

- 12.1 As noted previously, Cannock Chase Council's Design Supplementary Planning Document recognises the distinctive architectural features on 19th century buildings which make a positive contribution to the character of Market Street. The document also notes the existence of other 19th century properties in the residential areas around the town centre.
- 12.2 An extensive survey of the whole of the town has identified buildings, in addition to those which are statutorily listed, which are of significant quality and importance as key examples which reflect the character of the development of Hednesford through its major growth phases in Victorian and Edwardian Times, together with some later landmark buildings and public realm structures. They include key buildings which identify the character of Market Street, plus churches, pubs, and large villas together with the telecom and water towers at Pye Green. These buildings are important to the history and development of Hednesford and significant harm would result from their loss, but the approach to flexibility of future uses should enable alternative viable uses to be found should any become redundant in their current use. It is intended that these buildings should be candidates for inclusion in the District Council's Local List.
- 12.3 They include key buildings which identify the character of Market Street, churches, pubs and large villas together with the telecom and water towers at Pye Green.
- 12.4 Most of the buildings are scattered across the town but the southern end of Greenheath Road, Station Road and parts of High Mount Street have a particular character formed by the number of large Victorian/Edwardian villas, Trinity Church, West Hill Primary School and some more modest terraced houses with attractive decorative details. Key features which make a positive contribution to the character of this area include front garden walls and hedges, gate piers, chimneys, decorative brick detailing, date and name plaques, porches, bays and finials.





12 - Built Environment

- 12.5 It is considered to be appropriate to have policies which support the retention of the individual buildings and the area identified and ensure that any proposed alterations/extensions respect their character in the interests of the overall quality of the built environment of Hednesford.
- 12.6 **The following policy is proposed -**



Policy BE 1

There will be a presumption that the buildings listed in appendix 4 will be retained. Any extensions and alterations should respect the original character of the building and generally be subservient to the original building.

Where the original use of a building becomes redundant or unviable, a flexible approach will be taken to supporting changes of use, provided that uses are compatible with the immediate surroundings and secure the long term life of the building.



12 - Built Environment

Policy BE 2

- 12.7 The area of Greenheath Road, Station Road and High Mount Street shown on page 39 is identified as an area of special local character, as a result of the quality and local distinctive character of its Victorian and Edwardian architecture evidenced in large villas, more modest terraced housing a school and church.
- 12.8 There will be a presumption that these buildings are retained and any extensions and alterations should respect the original character of the buildings and generally be subservient to them. New infill development within this area should be of a scale which is compatible with its immediate surroundings and use materials and design details which respect the local characteristics.
- 12.9 Key features which make a positive contribution to the character of this area include front garden walls and hedges, gate piers, chimneys, decorative brick detailing, date and name plaques, porches, bays and filials.

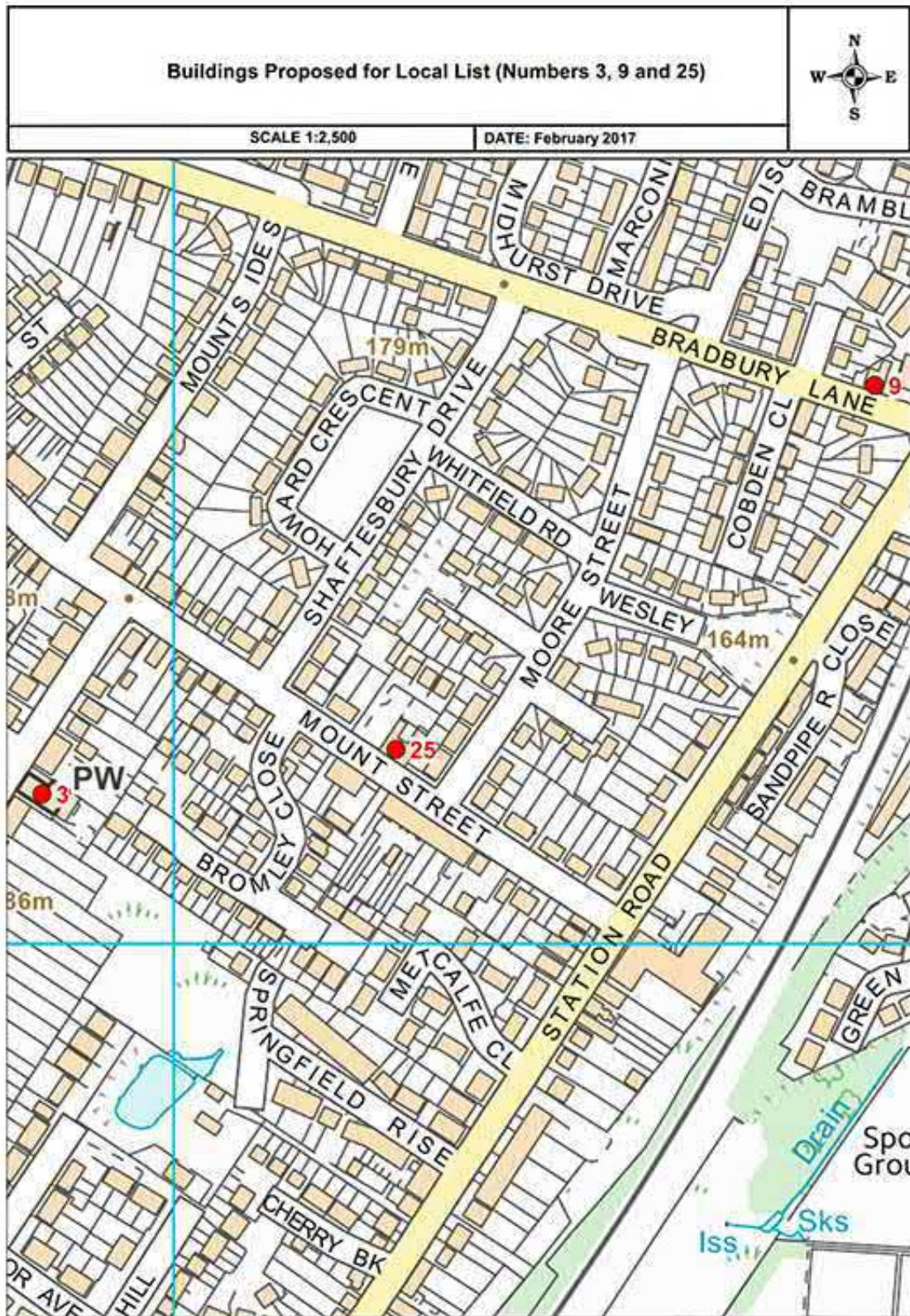


Buildings Proposed for Local List with OS Background (Numbers 1-2)



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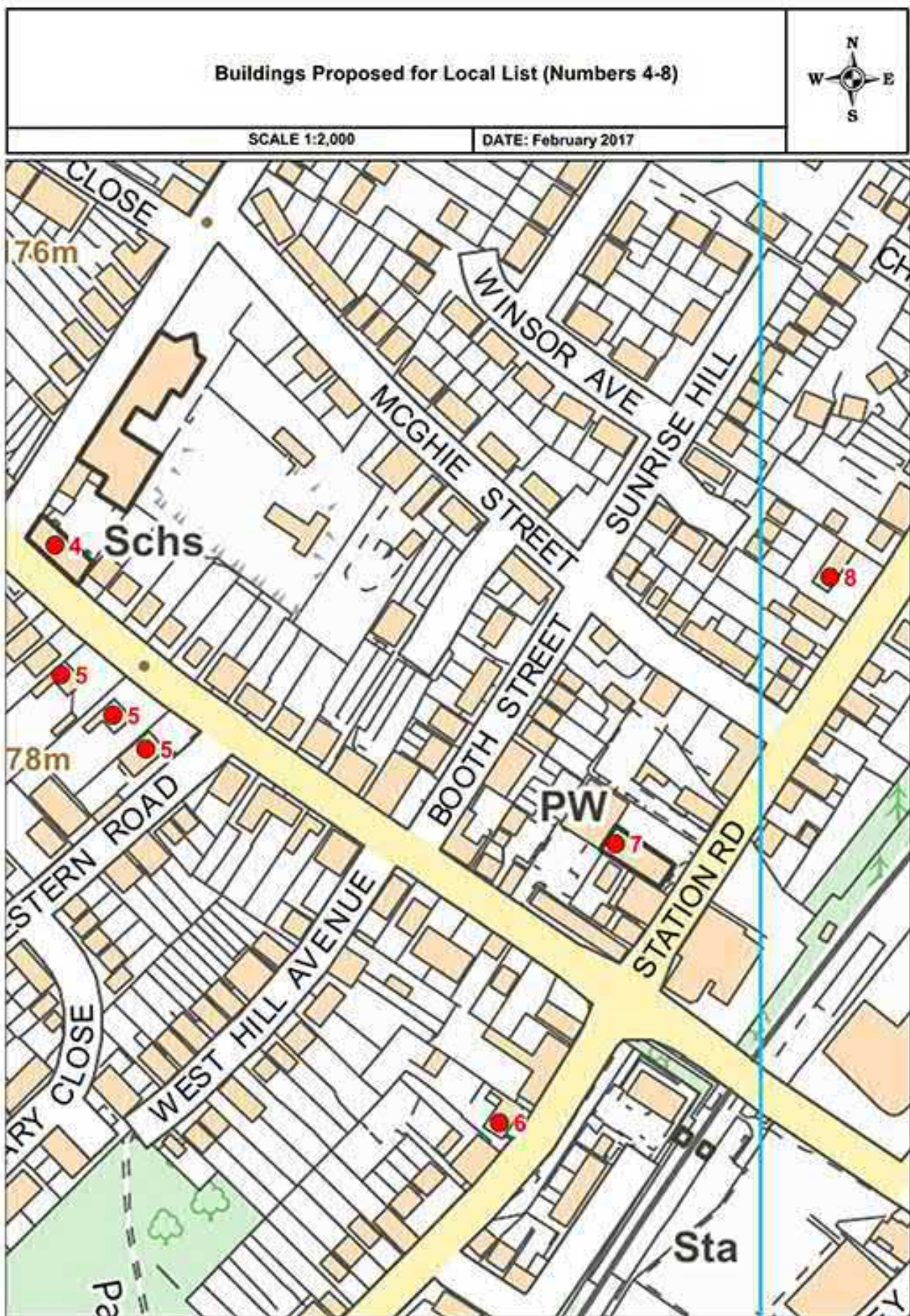
Buildings Proposed for Local List (Numbers 3, 9 and 26)



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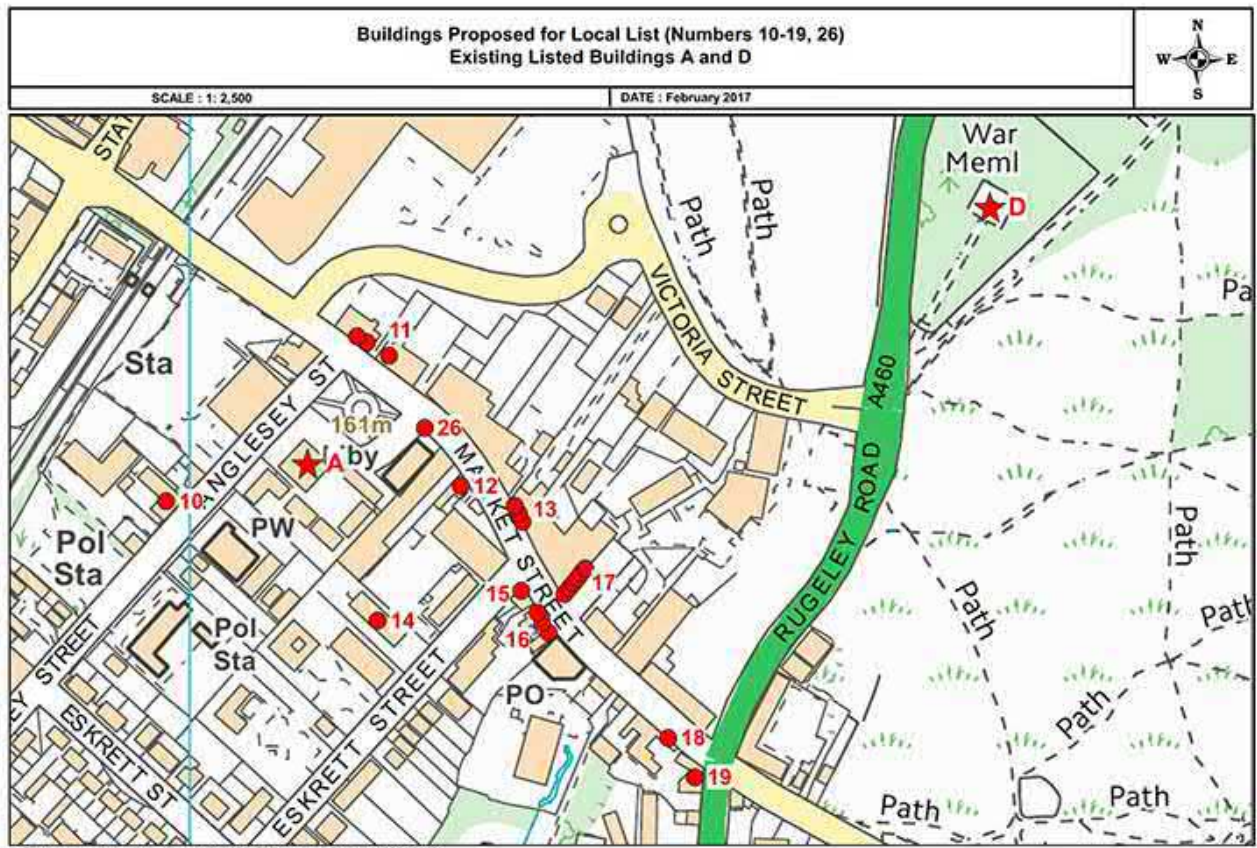
Buildings Proposed for Local List with OS Background (Numbers 4-8)



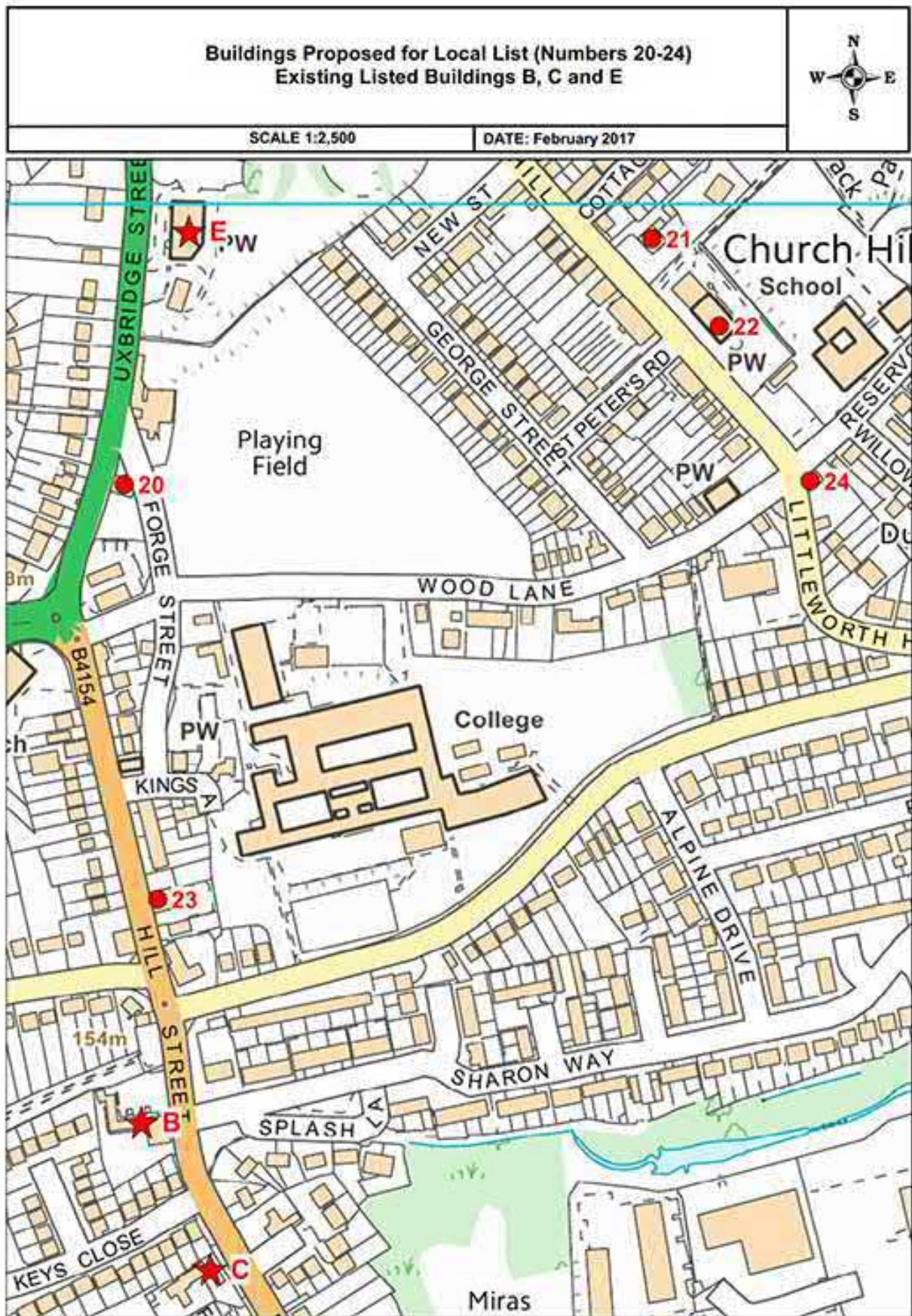
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Buildings Proposed for Local List with OS Background (Numbers 10-19)



Buildings Proposed for Local List with OS Background (Numbers 20-24)



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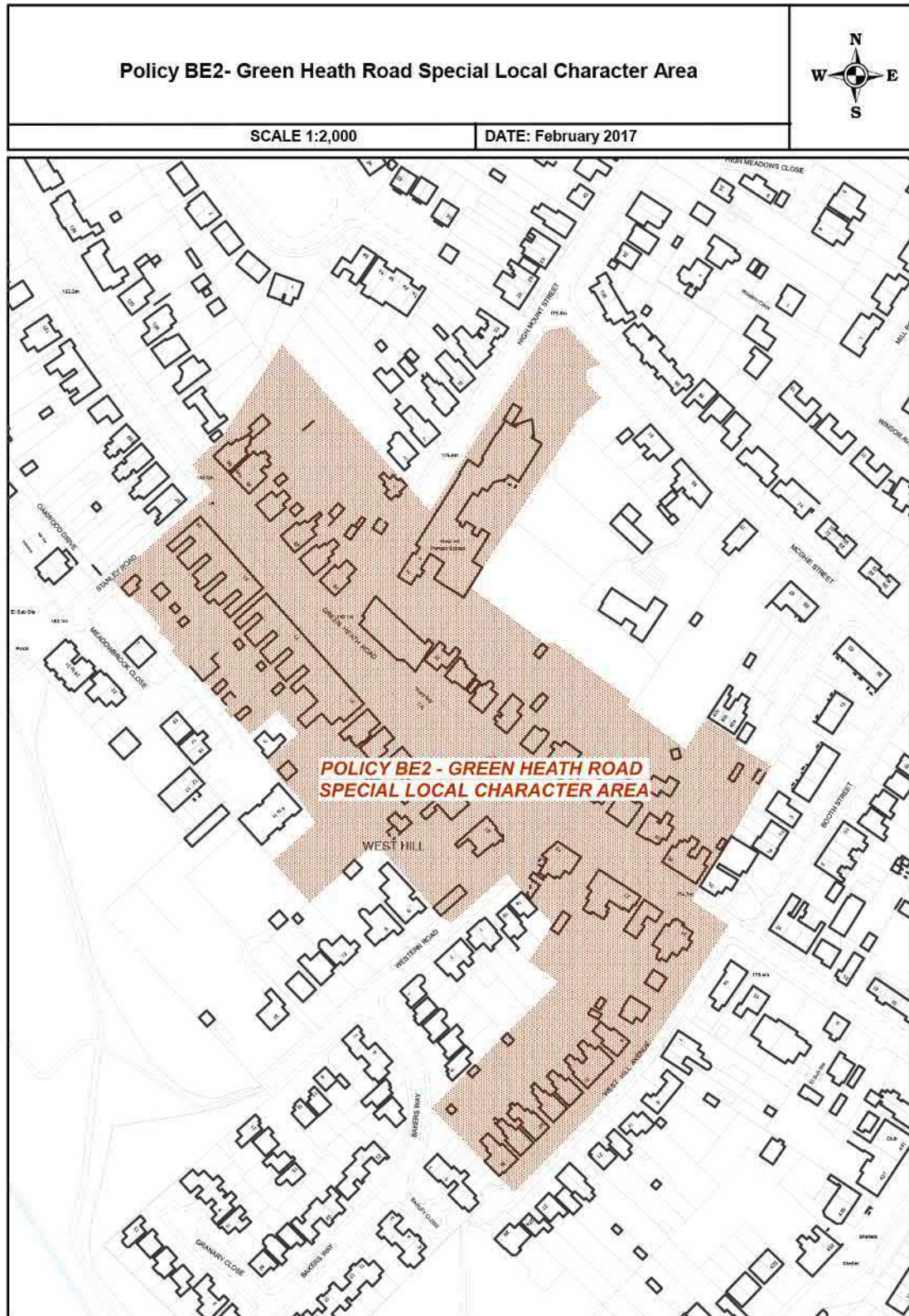
Buildings Proposed for Local List with OS Background (Number 27)



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Policy BE2 Green Heath Road Special Local Character Area



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13

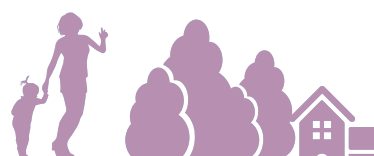
Housing Development



13 - Housing Development

Issues and evidence

- 13.1** The main evidence identifying housing need in Cannock Chase District used in support of the policies in the Cannock Chase Local Plan adopted in July 2014 is the South Staffordshire Housing Needs Study and Strategic Housing Market Update 10/05/12 produced by consultants NLP. The report covers Cannock Chase District, Lichfield District and Tamworth Borough.
- 13.2 Key messages/statistics in this report relating to Cannock Chase District are:**
- Residents aspirations in relation to size of dwelling in the market sector are – 5% 1 bed flats, 40% 2 bed flats/houses/bungalows, 40% 3 bed houses/bungalows, 15% 4 bed houses. Unfortunately there is no breakdown in the report between houses and bungalows.
 - Theme throughout is the need to meet the needs of older people, the fact that the age profile in the District is ageing, declines in household size and that people aged over 60 tend to stay in the area.
 - In relation to matching housing need to size of existing dwelling 240 households said that their property was too large.
 - When people were asked about the type of property they would like to move to in the next 5 years 30% said bungalows (compared with 17% in Lichfield and 4% in Tamworth).
 - The number of households aged 60+ is expected to increase from 14,454 in 2011 to 19,591 in 2028.
 - There are several types of housing needed to deal with an ageing population including extra care, flexi-care, sheltered housing and bungalows. A high demand for bungalows in Cannock Chase is noted and the fact that building more 1 and 2 bed bungalows would free up 3 and 4 bed housing for younger families. Having said that 1 bed bungalows are not particularly popular in Cannock because there is no spare bedroom for relatives/carers.



13 - Housing Development

- The net annual need for affordable housing is identified as 197 units per year mostly for younger people and families with children.

13.3 Estimated housing need broken down by size for the period 2011 to 2028 is as follows:

SIZE OF DWELLING	2011 NUMBERS AND %		2028 NUMBERS AND %	
1 bed flats	2049	5.1%	2883	6.5%
2 bed flats/houses/ bungalows	18,367	45.9%	22,618	51.4%
3 bed houses/bungalows	17,077	42.7%	14,942	33.9%
4 bed houses	1,313	3.3%	1,183	2.7%
Supported housing	1,211	3.0%	2,415	5.5%

- 13.4 It is unfortunate that there is no breakdown in the tables between houses and bungalows, but clearly there is predicted to be an increase in demand for 2 bed bungalows and supported housing. Despite this evidence, the adopted Local Plan Policy CP7 Housing Choice, in its reference to providing a mix of housing types and tenures which meet the needs and aspirations of the current and future population, informed by the Strategic Housing Market Assessment, does not specifically mention bungalows in relation to meeting the needs of an ageing population, but states in general terms that a range of housing options will be encouraged which provide a choice of homes for the elderly, including those with care options.
- 13.5 The local evidence on demand for bungalows is that there are currently 290 applicants on the District Council's Housing Register aged over 55 and eligible for a bungalow.
- 13.6 Government policy statements on housing since the adoption of the Local Plan include the ministerial statement of 21/03/2015 urging Local Authorities to have specific policies dealing with housing older and vulnerable people including building bungalows. The Housing White Paper 07/02 2017 talks about housing for a future ageing population by offering people a better choice of accommodation and building for life standards.



13 - Housing Development

- 13.7 The key issues arising from this evidence for Hednesford are the current lack of opportunities for building bungalows and the absence of any supported living complex in the area. Potential supply of land for all types of housing development is provided by an annually updated Strategic Housing Land Availability Assessment (SHLAA) which sets out what sites are deliverable in 0-5 years, virtually all of which already have planning permission and those defined as developable, which can come forward in 6-15 years. A summary of the statistics relating to sites in Hednesford from the 2017 SHLAA is included at section 6 of the Chapter 10 on References and Sources below.
- 13.7 Bungalows are not normally included in the range of dwelling types proposed for either market or affordable housing on volume housebuilders' sites. This is the case in relation to the three main housing sites in Hednesford identified in the District Council's April 2017 SHLAA –
- The strategic site allocated for an urban extension on land west of Pye Green Road for 750 dwellings, with scope for this to increase to 900. The site is the subject of an adopted development brief and has full planning permission for 338 units and outline planning permission for 481 units.
 - Land at Pye Green Valley with a capacity of 425 units also the subject of an adopted development brief and with the benefit of full planning permission.
 - Land adjoining Hednesford Town Football Club where a current application proposes the erection of 123 units.
- 13.9 The above sites are accepted as commitments where any new Neighbourhood Plan housing policy would not apply.
- 13.10 Whilst the Local Plan Policy CP7 deals in general terms with a range of types of housing demand, the Town Council considers it appropriate to have specific policies relating to the building of bungalows and supported living accommodation in the area.



13 - Housing Development

- 13.11 In relation to bungalows, of the units with full planning permission in the 2017 SHLAA totalling 770, only 11 are bungalows. So the demand for bungalows identified above is clearly not currently being met by existing adopted policies.
- 13.12 In relation to the potential for sites coming forward which could comprise entirely bungalow development or a proportion of bungalows, these could potentially be from SHLAA sites which currently either have the benefit of outline planning permission only, have no planning permission or are future “windfall” sites as yet not identified. The estimated capacity of the SHLAA sites is 102 units. Windfall sites may come forward from sources such as disused garage courts on estates owned by the District Council or redevelopment of brownfield sites redundant from former employment uses.
- 13.13 An alternative housing model for the elderly is supported living complexes comprising flats and communal social facilities. These may take the form of “Extra Care” facilities provided as partnership projects between Housing Associations and the County Council, where some of the residents need specific care packages, or market housing containing flats for sale with communal facilities. Two of the main providers of this type of market housing made representations on the District Council's proposals for Community Infrastructure Levy in 2014, which is evidence that they may wish to develop in the area. The owner of most of the site described in Policy TC7 has expressed a willingness to explore the possibility of building a retirement flats development.
- 13.14 All housing developments will be required to make appropriate mitigation of impact of additional visitor pressure on the Cannock Chase Special Area of Conservation, as already described above, either via use of S106 agreements or with CIL funding.



13 - Housing Development

The following policy is proposed -

13.15

Policy H1

The building of bungalows will be supported where it is viable either as a component of the dwelling types or, on appropriate small developments as the whole development, on housing sites identified in the SHLAA which do not have the benefit of full planning permission or are the subject of adopted development briefs, together with any windfall sites which come forward during the plan period. Bungalows should be designed to mobility standards suitable for occupants who may need to use wheelchairs or other mobility aids. The properties should normally be two bedroomed units on plots which provide the minimum garden space identified in the District Council's adopted Design Supplementary Planning Document. The District Council should consider withdrawing "Permitted Development" rights for extensions in order to retain the property at a size to meet the identified demand.

13.16

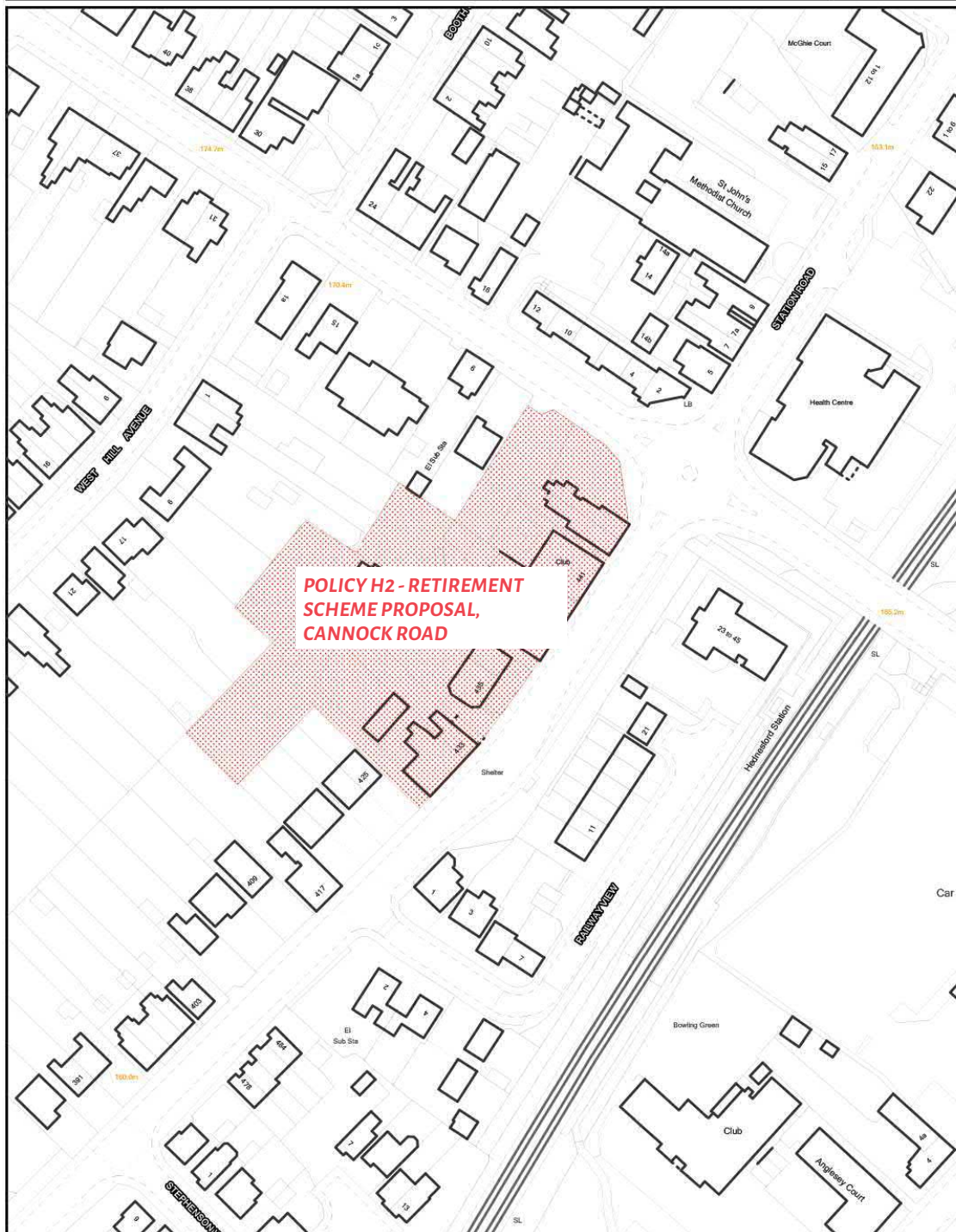
Policy H2

The construction of a retirement housing development with appropriate communal facilities will be supported on land identified in Policy TC7.



Policy H2 Retirement Scheme Proposal

Policy H2 - Retirement Scheme Proposal, Cannock Road		
SCALE 1:1,250	DATE: June 2016	



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14

Industrial/ Business Parks



14 Industrial/Business Parks

Issues and evidence



- 14.1 Other than the two industrial/business sites being promoted for housing development mentioned previously, there are five other industrial/business estates in Hednesford.
- 14.2 Keys Business Park off Keys Park Road comprises a mix of modern office, warehouse and light industrial units developed in the last 15 years.
- 14.3 Anglesey Business Park off Littleworth Road is also relatively modern, developed in the 1990s.
- 14.4 Part of the Hemlock Way Business Park with units in Hyssop Close and Burdock Close also extends into Hednesford. Again this is also a relatively modern estate. These sites don't currently raise any planning issues in need of a policy response in this plan.
- 14.5 The remaining two industrial areas off Old Hednesford Road/Chaseside Drive and at the junction of Rugeley Road/Station Road contain some unattractive developments including skip hire and scrap business. Clearly there is a need for such businesses to be accommodated in the district. However if opportunities arise to redevelop sites that are prominent in the street scene there would be potential for environmental improvements.

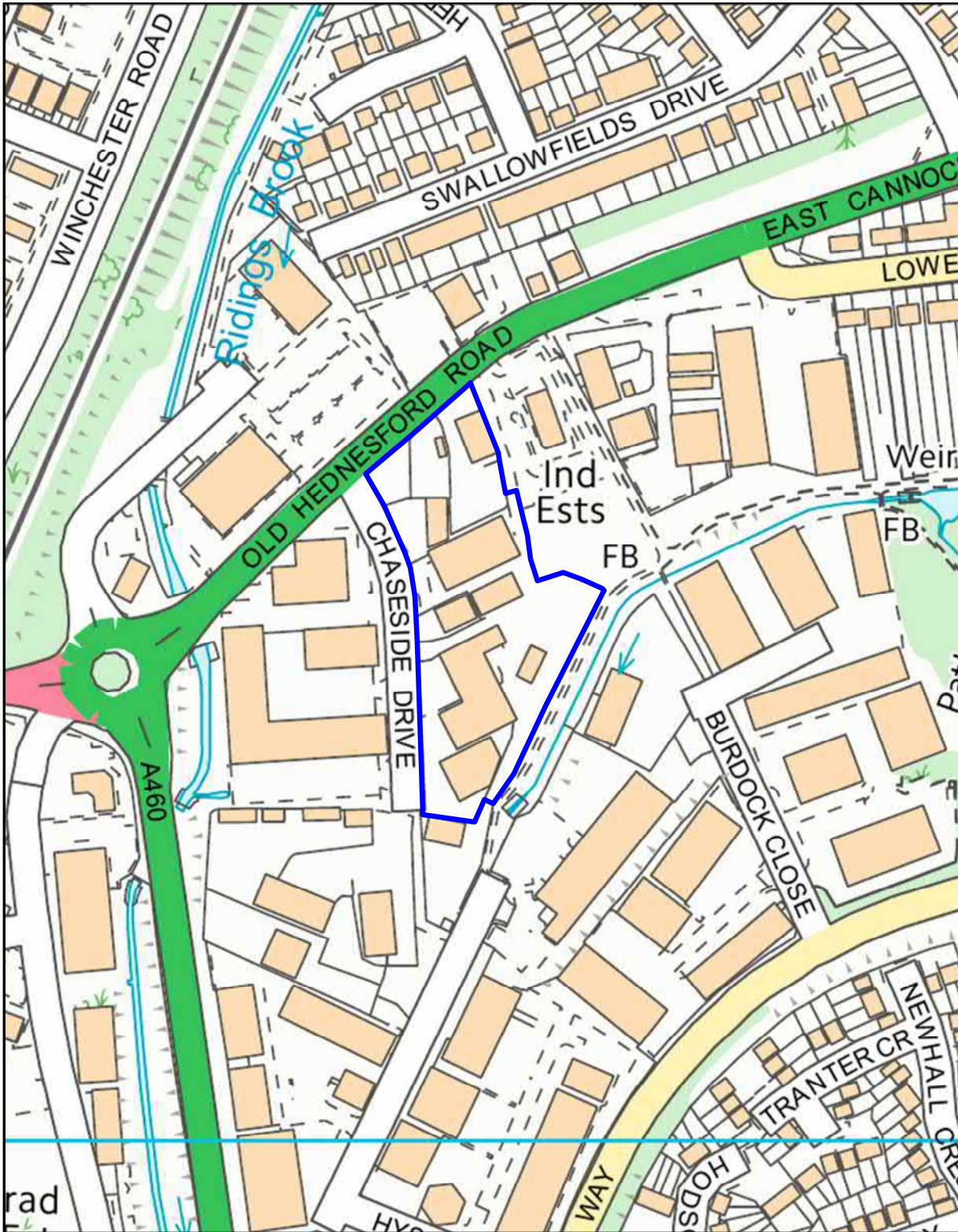
The following policy is proposed -

- 14.6 **Policy EMP 1** Where opportunities arise for the redevelopment of unattractive areas of industrial development at Old Hednesford Road/Chaseside Drive and Rugeley Road/Station Road development for employment uses will be supported, subject to appropriate environmental controls and provision of satisfactory off-street parking/servicing arrangements and other normal planning considerations. Where there is no evidence of demand for employment uses on these sites the alternative of residential development will be supported.



Policy EMP1 East of Chaseside Drive



	East of Chaseside Drive	
	1:2,500	November 2017



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Policy EMP1 Rugeley Road Station Road

 <p>Cannock Chase COUNCIL</p>	<h2>Rugeley Road/Station Road</h2>	 <p>N W E S</p>
	1:2,500	November 2017



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15

Appendices

15 - Appendices

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List of local open spaces- Pages 60-79

APPENDIX 7

Proposed protected open spaces - maps- Page 80





Appendix 1

Neighbourhood Plan Timeline

- **Application to Cannock Chase Council for Neighbourhood designation - 22 April 2014.**
- **Work on Neighbourhood Plan Commenced - Spring 2014.**
- **Neighbourhood designation approved by Cannock Chase Council - 20 November 2014.**
- **Detailed preparation of draft Plan - 2015.**
- **Draft Plan launched - 4 July 2016.**
- **Consultation on Draft Plan carried out - July/August 2016.**
- **Amendments to Draft Plan produced - Autumn 2016.**
- **Strategic Environmental Assessment produced - June 2017.**
- **Consultation on amended Pre-submission plan carried out - October 2017.**
- **Final amendments on Plan produced ready for submission - November 2017.**
- **Plan submitted to Cannock Chase Council - January 2018.**
- **Examiners report received June 2018.**



Extract from CCC Design Supplementary Planning Document

DESIGN GUIDANCE FOR HEDNESFORD TOWN CENTRE

Aim of guidance

As the result of a desire expressed by Hednesford Town Council and the 'Heart of Hednesford' Project to raise the appearance of the town centre to contribute to its viability and vitality some enhancement opportunities and guiding design principles are suggested below. Key aims include:

- To encourage development/change which preserves/enhances/conserves Hednesford town centre's local distinctiveness as a key contributor to its vitality and viability
- To support initiatives promoted by Hednesford Town Council and the 'Heart of Hednesford' Project to uplift the town centre through better quality design, materials, shop-fronts and signs based on a community wish to restore buildings and enhance the retail offer
- To encourage links between the town, park and Hednesford Hills based upon the Heritage Trail; better links between the Museum of Cannock Chase and the public transport 'hub' in the town centre; and improved links between the traditional shopping centre in Market Street and the new Chase Gateway and Victoria shopping areas.
- To provide a basis for community development of Neighbourhood Plan policies.



Appendix 2

15 - Appendices

Sources of useful information

- Appendix A: CCDC Character Area Descriptions for Design SPD: Hednesford Town Centre
- Historic England 'Streets for All - West Midlands' and 'Streets for All - Practical Case Studies' (including 'How to Do a Street Audit')
- Shop-fronts and Advertisements in Historic Towns - EHTF 1991
- Free downloads from www.helm.org.uk

Key features and character

- Compact town with rapid growth in the 19th C standing at foot of Hednesford Hills which create prominent green backdrop to town.
- Hednesford forms a gateway between urban Cannock and the rural Chase beside a key north-south route. A good variety of shop units and services are provided
- 'Old Hednesford' historic settlement away from present day town centre retains buildings dating from 16th C
- Present day town focussed on Market Street with 19th C high/medium density character, predominantly 2 storey and some 3 storey terraced buildings with shops lining the winding main street and some modern/contemporary infill e.g. Lightworks ground levels fall along Market Street from west to east.
- Distinctive Anglesey Lodge set back from road behind public gardens with town clock at west end of Market Street, recent change of use to public house will make this former hotel (more recently used as offices) more accessible to the community
- Red brick and grey tile predominate, with some render and yellow brickwork detail. Unique and traditional detailing reinforce area's distinctive character.
- Ongoing regeneration/modernisation at each end of Market Street and area to the north providing larger scale retail units including supermarkets to complement traditional small town centre shops and new road layout/car parks/service areas with opportunities to integrate old and new and link to Hednesford Hills and the park.



Key features and character cont'd

- Hednesford's buildings exhibit a variety of architectural styles which were 'modern' in their time - the north side of Market Street was well developed by 1888 with a Market Hall opposite the 'Anglesey Hotel' and the Uxbridge PH at the Rugeley Road end. On the south side there were few buildings lower down the hill beyond Eskrett Street. Many of these building remain today. By 1902 infill development had taken place on the northern side of Market Street and by 1917 most of the rest of the southern side had been built up. The bank at no. 69 is noted on the map from this date and the post office and club are labelled. There are 'picture theatres' on Anglesey Street and Rugeley Road - Hednesford was clearly a self-contained town offering a variety of facilities. Post war further infill development has occurred and most buildings along Market Street have been 'modernised'.
- Nearby landmarks mark local heritage and identity - Our Lady of Lourdes Catholic Church (1927-33), the recent Miners Memorial and the refurbished Hednesford Park and Hednesford War Memorial
- Key architectural positives:
 - decorative/architectural details (e.g. plaque at 92/94 Market Street, windows at 98 Market St, chimneys and ridge tiles at 94 Market St, contrasting brick colour eaves and string courses, stone detailed frontage to former bank at 69 Market St including lion heads on doorway)
 - distinctive buildings characteristic of their period (e.g. Anglesey Lodge; former Club and Institute at corner of Cardigan Place, 3-7 Market St)
 - remnants of good traditional shop-fronts and windows (e.g. at 3-7 and 11 Market St)
 - well-designed modern signage which complements its host building (e.g. 'Spice of Hednesford' at 13 Market Street.)
 - attractive public realm providing controlled vehicular access, short term accessible parking and attractive tree planting, with locally distinctive Miners Memorial as focal point
- Key architectural negatives - extensive and ad-hoc modernisation of buildings in often very unsympathetic modern designs and materials (windows, shop-fronts, signs and repairs) have cumulatively detracted from the appearance of the town, in common with many towns in Britain.



Enhancement opportunities

- Where planning permission is required for changes (e.g. new shop-fronts and signs) the use of appropriate design guidelines can ensure proposals take account of agreed principles
- Some repairs and changes to buildings do not require planning permission so building owners need to be convinced of the benefits of following design guidelines as a longer term investment in their property and the future of the town centre
- Small scale but significant enhancements can be achieved by influencing the design and materials used for any repairs and alterations owners may be considering anyway, with maintenance and redecoration over the longer term strongly promoted.
- Larger scale enhancements (e.g. to the public realm) will require longer term planning and funding.
- Repair rather than replacement: historic features tend to be remnants of what once existed so have value. Regular maintenance of traditional building details helps to retain the distinctive appearance of the town. Small scale repairs are often cheaper than wholesale replacement.
- Following the host building's existing design details will usually provide the most successful result: upgrading of buildings does not have to be at the expense of their character and the better its condition and appearance the better any building will hold its value as an investment. Details such as set back of windows within openings can make a difference
- Careful use of matching materials appropriate to age of host building: traditional materials on older buildings (e.g. timber, brick and tile/slate) and modern materials on modern buildings (e.g. UPVC) Artificial/modern materials (e.g. UPVC windows) and non-traditional details tend to be bland and lack the rich textures and colours of natural materials. But they are usually mass produced, easily available and fitted at less cost, so tend to be attractive to owners and are used everywhere. Whilst appropriate for modern buildings they can look out of keeping on historic ones.
- Use of local craftspeople (e.g. joiners, carpenters and builders) to carry out traditional repairs to older buildings: not only benefiting the buildings but the local economy, reinforcing the town's viability.



Appendix 2

15 - Appendices

Enhancement opportunities cont'd

- Even if use of modern materials on older buildings is unavoidable it is still possible to find ways of matching design details as closely as possible: e.g. some double glazed UPVC sliding sash windows provide a good replica of a traditional window, with slim frames recessed within window openings.
- New shop fronts complementing the style, scale and proportions of the building and its neighbours with signage of an appropriate size and colour: good design can go a long way towards enhancing the appearance of the building and the town.
- Careful design of new buildings and infill development: to respect, complement and enhance the architectural character of an area. Fine buildings of any type, style and age can enhance the street-scene and contribute to a sense of identity.
- Opportunity to harness community interest via initiatives such as development of Town Trail linking to District's Heritage Trail route.



Appendix 3

15 - Appendices

List of consultation bodies

- Staffordshire County Council
- Cannock Chase Council
- Teddesley Hay Parish Council
- Brocton Parish Council
- Brindley Heath Parish Council
- Huntington Parish Council
- Heath Hayes and Wimblebury Parish Council
- The Coal Authority
- The Homes and Communities Agency
- Natural England
- The Environment Agency
- Historic England
- Network Rail
- Highways England
- Electronic Communications Code System Operators
- The Cannock Chase Clinical Commissioning Group
- Electricity supplier
- Gas supplier
- Severn Trent Water
- South Staffs Water
- AONB Joint Committee



Appendix 4

15 - Appendices

Buildings proposed for inclusion in local list:

1. South Staffordshire Water Tower – Brindley Road
2. BT Telecom Tower – Broadhurst Green
3. St. Saviour's Church – High Mount Street.
4. West Hill Primary School – Greenheath Road/High Mount Street.
5. Villas 51,53,55 Greenheath Road.
6. Former Police Station now flats 435 Cannock Road.
7. Trinity Methodist Church – Station Road.
8. Large villa now accountancy business – 45 Station Road.
9. Former Chapel now single dwelling – Bradbury Lane.
10. Former Mining College now Anglesey Court flats – Anglesey Street.
11. 92-96 (even) Market Street shops constructed in patterned brickwork with tiled panelling at first floor level.
12. 69 Market Street former bank, grander proportions than other two storey buildings in Market Street, with cornices, pilasters, original brickwork window headers and decorative stone door surrounds.
13. 56-60 (even) Market Street – jettied bay windows at first floor level.
14. Hen House pub Eskrett Street
15. 45-47 (odd) Market Street – dentil course at eaves, original first floor sash windows.
16. 37-41 (odd) Market Street – first floor window details with keystones, string course and dentil course brickwork, original dormer casings.
17. 1-6 Cardigan Place – former working men's club with decorative brickwork including dentil courses, oriel window and stained glass.
18. 3-7 (odd) Market Street – single storey shops with large broadly semi-circular gable front in brickwork with stone edging. Original timber shop-front headings.
19. 1 Market Street (Woody's Bar) late Victorian public house with attractive window detailing, contrasting blue brick bands dentil and string courses.



Appendix 4

15 - Appendices

Buildings proposed for inclusion in local list:

20. Plough and Harrow pub Uxbridge Street.
21. 141 Church Hill - substantial villa, former vicarage.
22. St. Peter's C of E Church, Church Hill.
23. Former Queen's Arms pub Hill Street.
24. Former shop corner of Reservoir Road and Littleworth Hill.
25. Bell and Bottle pub 42 Mount Street.
26. Miners' memorial, Market Square.
27. Gateposts of former West Cannock No.3 Colliery Belt Road.



Extract from town and country planning use classes order 1987

This is a Statutory Instrument which aims to reduce the need to make planning applications for changes of use of buildings or land. In many cases the changes of use are automatically permitted by the Order, but in some cases there is a “Prior Approval” process which is a simplified form of planning application. The main provisions which are relevant to uses often found in town centres are set out below. Permission is never required for changes of use where both uses are within an individual Class.

- CLASS A1 shops including hairdressers, funeral directors, hire shops, dry cleaners and internet cafés. Permitted changes to A2 (financial and professional service), mixed use of A1, A2 and up to 2 flats. Changes of use to dwelling-house C3, restaurants and cafés A3 and gymnasiums, bingo halls, concert halls, cinemas D2 are permitted subject to “Prior Approval” processes.
- CLASS A2 financial and professional services comprising banks, building societies, estate and employment agencies. Permitted change to A1 or A1 plus up to 2 flats. Changes to A3, C3 and D2 are permitted subject to “Prior Approval” processes.
- CLASS A3 restaurants and cafés. Permitted changes to A1 and A2.
- CLASS A4 pubs and wine bars. Permitted change to A1, A2 or A3 subject to building not being an Asset of Community Value.
- CLASS A5 hot food takeaways. Permitted change to A1, A2 or A3.

Casinos, car sales premises, taxi hire businesses, nightclubs, amusement centres, betting offices and pay day loan shops are not in any of the Classes and permission is always required to change to or from one of these uses. However a casino can change to D2 or A3 (in the latter case subject to “Prior Approval”). An amusement centre or casino can change to C3 subject to “Prior Approval”. Betting offices and pay day loan shops can change to A1 or A1 and up to 2 flats, or D2 or C3 subject to “Prior Approval”. This is not a complete list of all changes of which are permitted, but is intended to include the main ones relevant to Hednesford Town Centre or any of the local groups of shops in the area.



Appendix 6

15 - Appendices

Proposed Protected Open Spaces

These are additional to the Green Space Network of protected open spaces shown on the Cannock Chase Local Plan Policies Map.

Hednesford North

- a) Open space between Plantation Road and Tower Road (GS)
- b) Triangular green at Plantation Road (GS)
- c) Green at Cedar Close (GS)
- d) Verges on north side of Broadhurst Green between Croft Avenue and Community Centre (GS)
- e) Greens at Rowley Close (GS)
- f) Verges on north side of Bradbury lane (GS)
- g) Green at Woodland Close (GS)
- h) Green at Howard Crescent (GS)
- i) Green at Millicent Close (GS)
- j) Open space between Wesley Place and Station Road (GS)
- k) Semi-natural open space at western end of Springfield Rise (GS)
- l) Verges at eastern end of Station Road (HV)
- m) Verge at corner of Blewitt Street and Heath Street (HV)
- n) Open space on Heath Street opposite Hill Side Close (GS)

Hednesford Greenheath

- a) Green at Brook Road (GS)
- b) Green at Gray Road (GS)
- c) Playground between Bond Way and Daisy Bank (GS)
- d) Open space between Beech Pine Close and Broadhurst Green (GC)
- e) Open space between Silver Fir Close and Burleigh Close (GS)
- f) Trees rear of Greenheath Road (GC)
- g) Verge in front of Bridge pub Belt Road (HV)
- h) Treed embankment west of railway Stafford Lane (GC)
- i) Verge between Rydal Close and Rose Hill (HV)
- j) Green at Cowley Green (GS)
- k) Verge at corner of Stafford Lane and Cannock Road (HV)



Appendix 6

15 - Appendices

Hednesford South

- a) Treed embankment between Littleworth Road and Anglesey Business Park (GC)
- b) Verges between Littleworth Road and Hewston Croft (HV)
- c) Verges on Sharon Way (HV)
- d) Verge between Sharon Way and Splash Lane (HV)
- e) Verge west of Hill Street (HV)
- f) Walkway linking Hyssop Close with open space north of Hemlock Way (GC)
- g) Open space at corner of Stagborough Way (GS)
- h) Open space between Stagborough Way and Linden View (GS)
- i) Treed bank and cycleway between Nuffield Health Club and railway (GC)
- j) Treed embankment east of Eastern Way (GC)
- k) Open spaces alongside Ridings Brook from Nuffield Health Club to town boundary (GC)
- l) Verge at corner of Lower Road and East Cannock Road (HV)
- m) Verges with mature trees north of Stafford Lane (HV)
- n) Embankment between Market Street and car park r/o Co-op (GC)

Description codes

(GS)	GREEN SPACES
(GC)	GREEN CORRIDORS
(HV)	HIGHWAY VERGES



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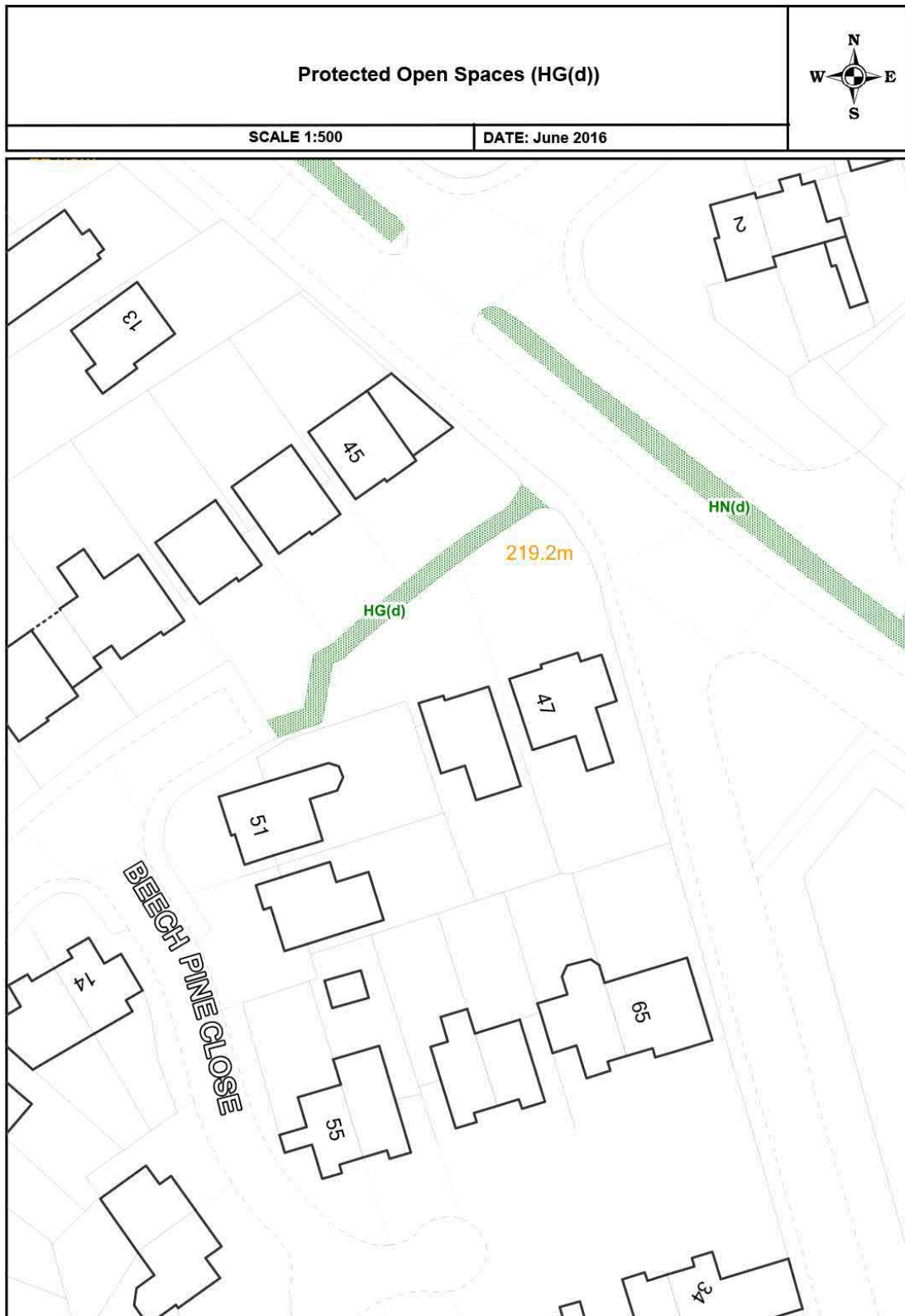
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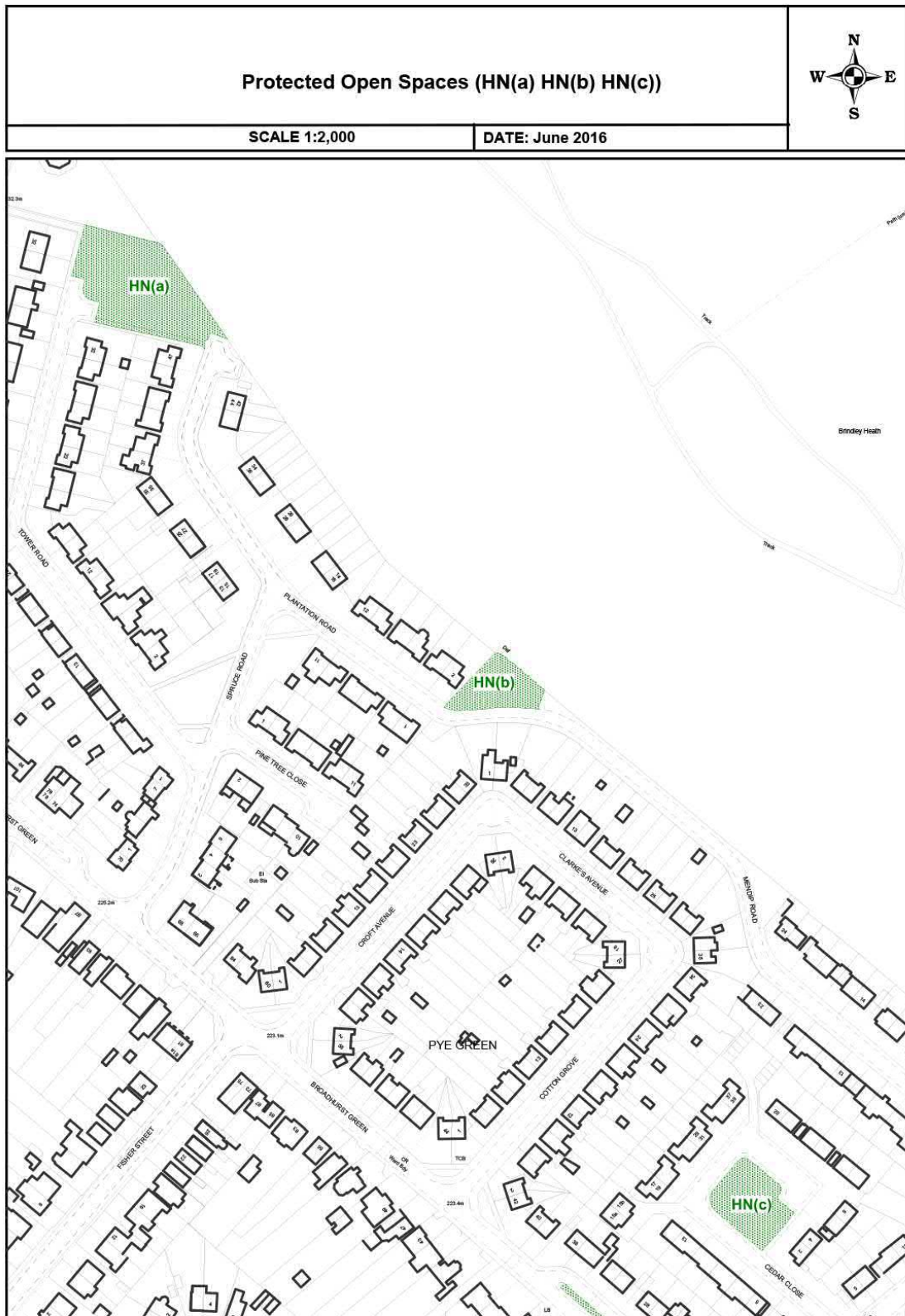
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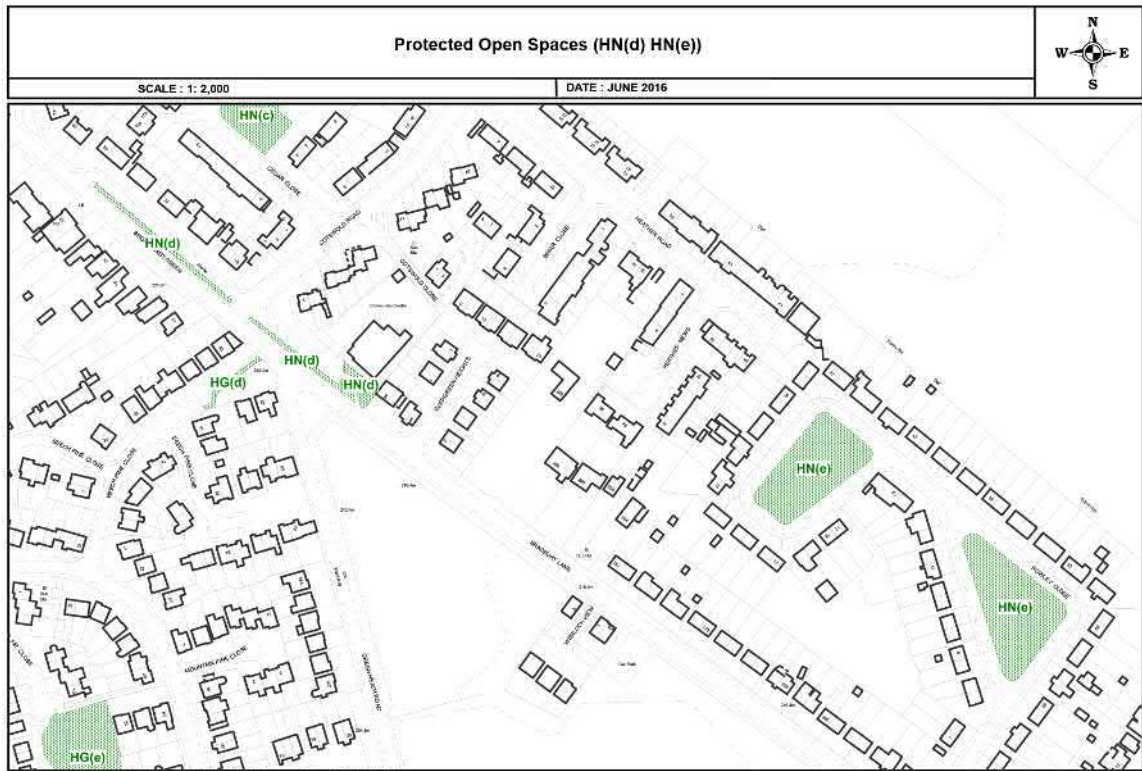
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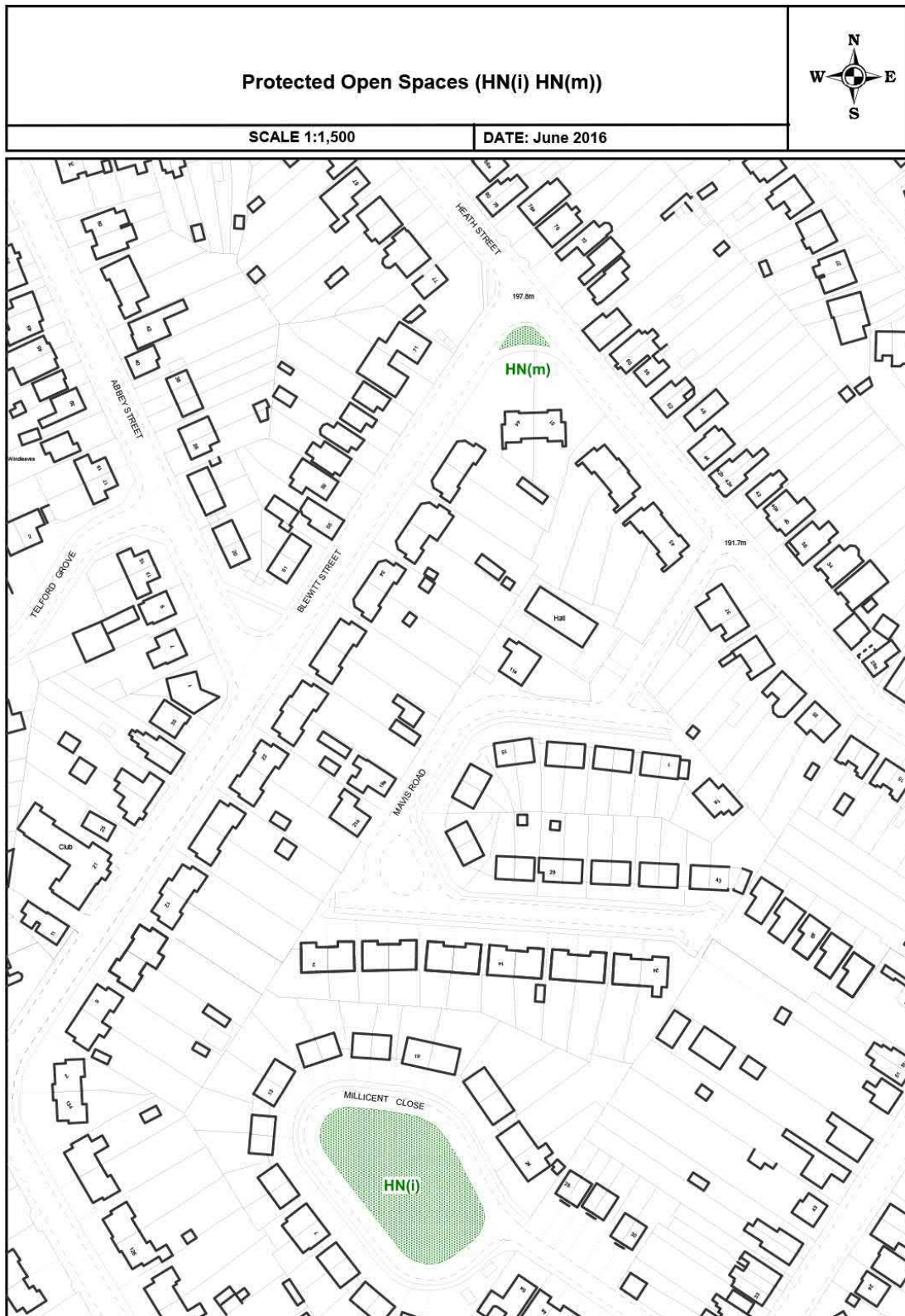
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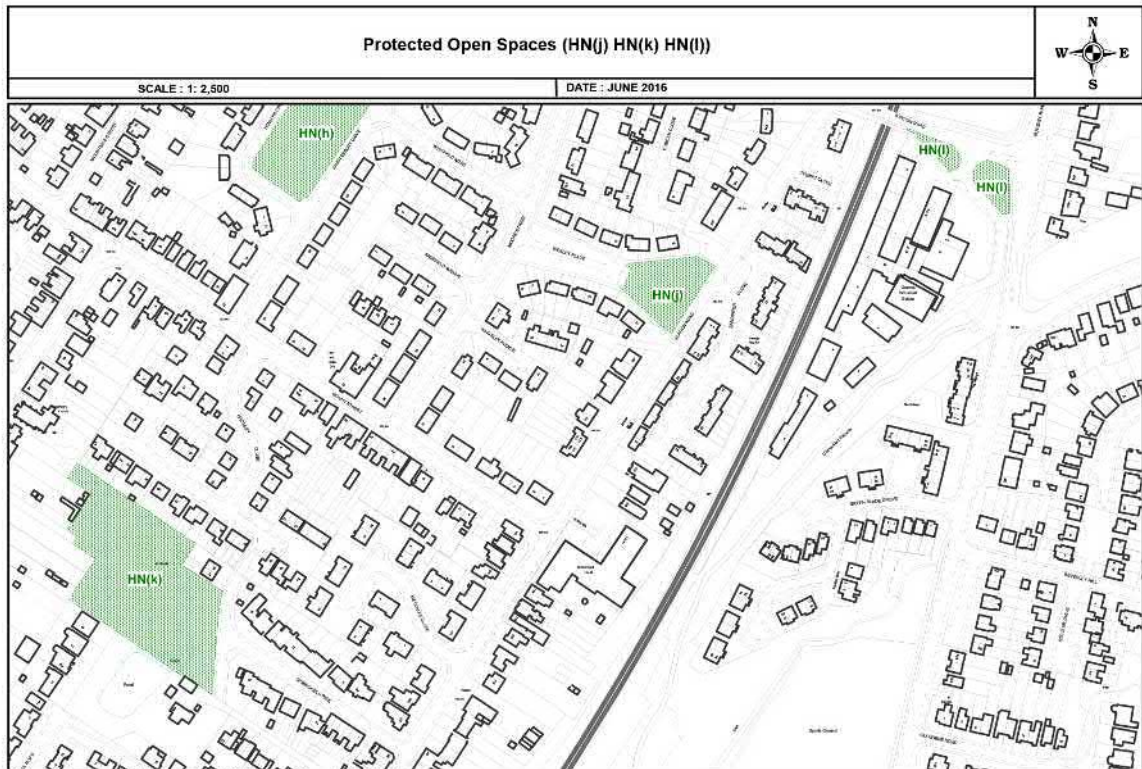
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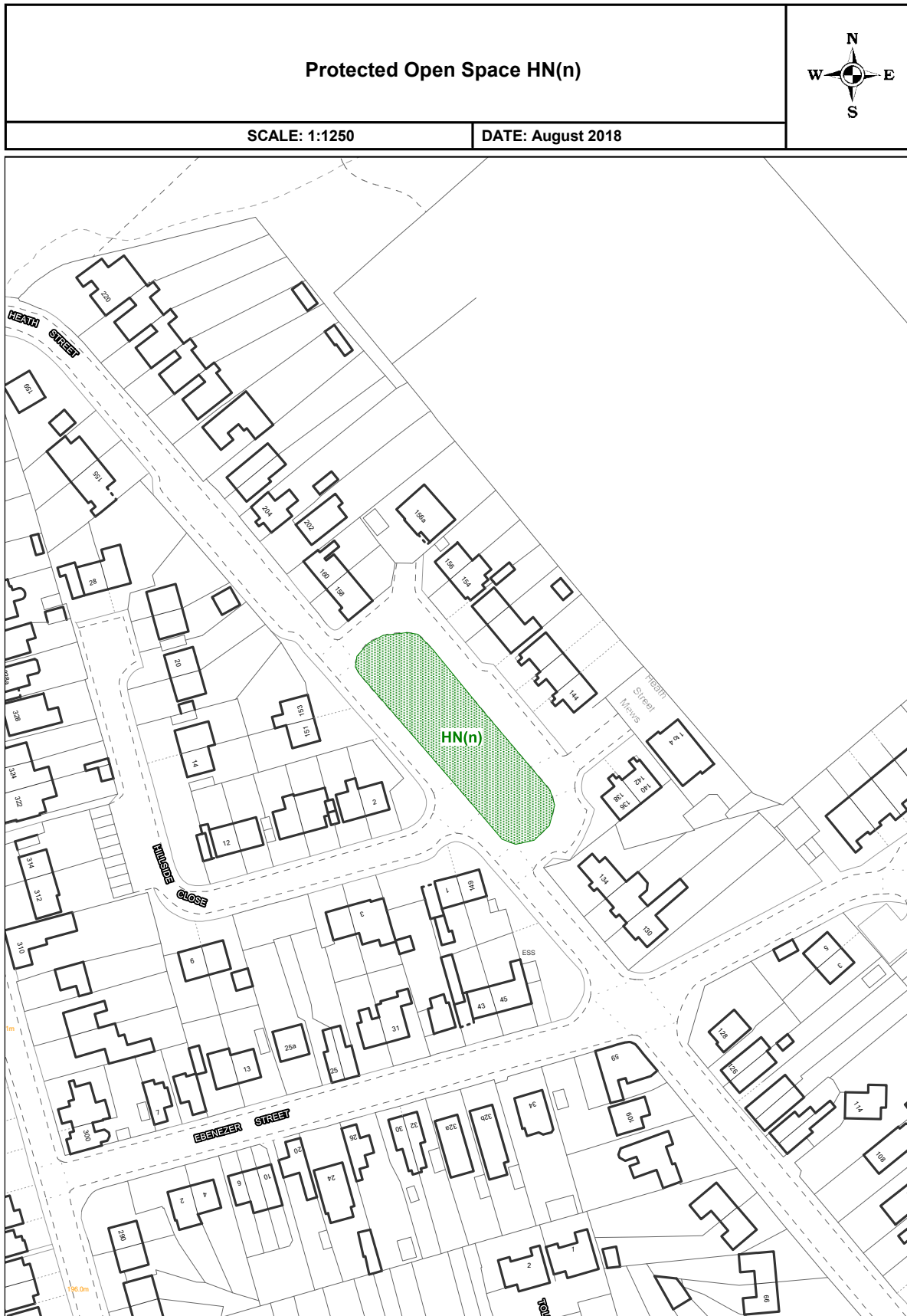
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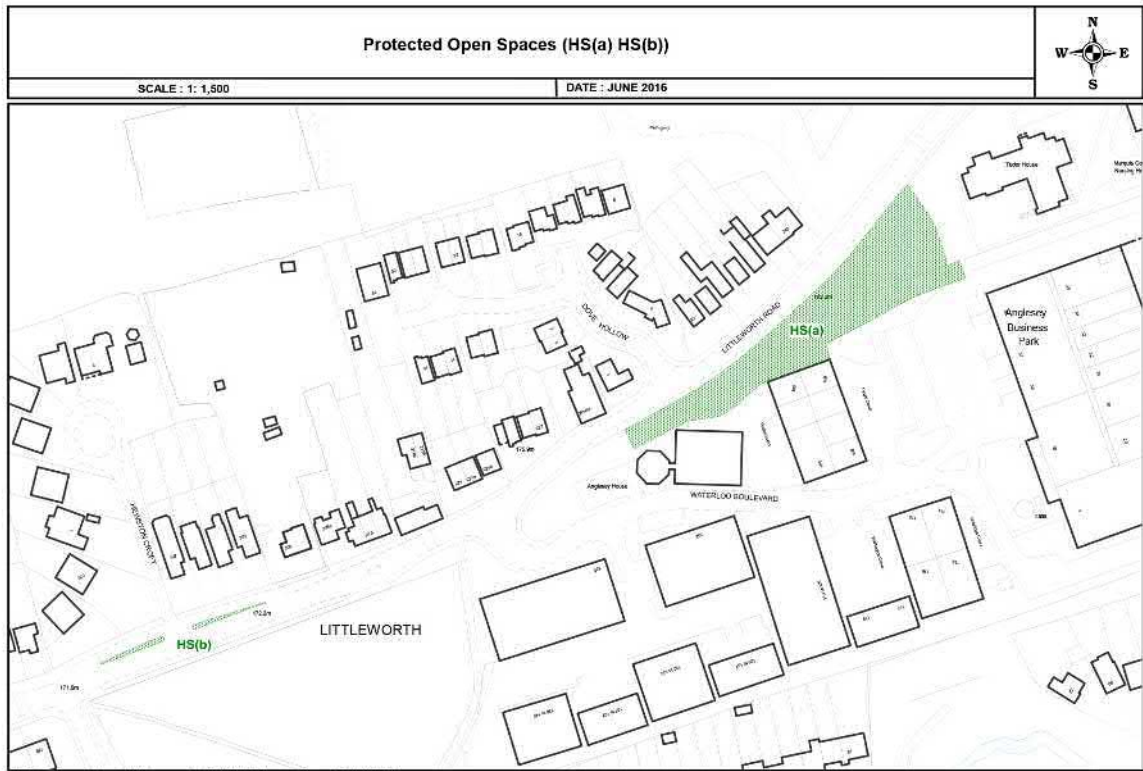
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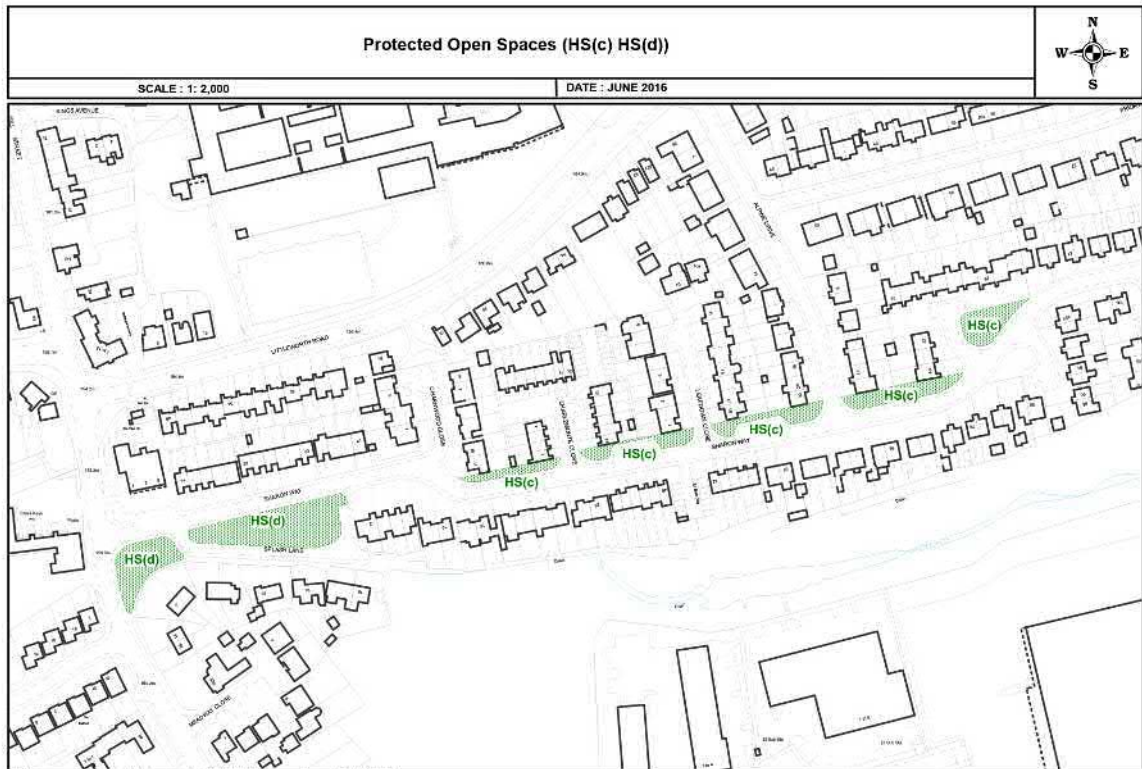
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Appendix 7

Monitoring

When the plan has been adopted the effectiveness of its policies and proposals will need to be monitored, so for each of the individual policies a brief annual report will be produced to identify what progress has been made. The matters to be monitored are briefly described below:

Policy TC1	overall mix of ground floor uses, vacancy rates and number of additional residential units created.
Policy TC2	use of S106 funds.
Policy TC3	state of maintenance, preservation, restoration of original features of buildings.
Policy TC4	Progress in producing a development brief for these sites and subsequently implementing its proposals.
Policy TC5	Progress in implementation of car park/station improvements and replacement taxi rank
Policy TC6	Progress in implementation of enlarged car park
Policy TC7	Progress in achieving comprehensive redevelopment
Policy ROW1	Length of rights of way created or improved
Policy OS1	Open spaces protected and extent of enhancement achieved
Policy BE1	Number of buildings retained and improved
Policy BE2	Character of the area maintained and enhanced
Policy H1	Number of bungalows built on development sites
Policy H2	Progress in implementing comprehensive development
Policy EMP1	Progress achieved in re-development



16

References/ Sources

16 - References/
Sources

- 1 National Planning Policy Framework - page 82
- 2 National Planning Practice Guidance - page 82
- 3 Cannock Chase Local Plan Part 1 2014 - pages 83-86
- 4 Cannock Chase Council Design Supplementary Planning Document April 2016- page 86
- 5 Listed Buildings - page 86
- 6 Strategic Housing Land Availability Assessment (SHLAA) - pages 87-90
- 7 A History of Hednesford and Surrounding Villages - Anthony Hunt - pages 91-95
- 8 Statistics source - page 95
- 9 South Staffordshire Housing Needs Study and SHMA Update 10/05/2012 NLP - available on Cannock Chase Council's website - go to planning policy evidence section.



16 - References/
Sources**1 The National Planning Policy Framework (NPPF)**

The NPPF sets out Government planning policies for England and came into effect in March 2012. It states that the purpose of the planning system is to contribute to the achievement of sustainable development which is defined as development which meets the needs of the present without compromising the ability of future generations to meet their own needs". The NPPF introduces a presumption in favour of sustainable development which should be reflected in policy making in Local and Neighbourhood Plans and decision taking on planning applications.

Neighbourhood Plans are required to support the overall development needs set out in the Local Plan and should not propose less development or be in conflict with its strategic policies. Neighbourhood Plans should plan positively to shape and direct development that is outside the strategic elements of the Local Plan.

2 The National Planning Practice Guidance (NPPG)

This is a "live" document setting out processes to be followed in plan making and decision taking on planning applications in a topic based format. There is a comprehensive section on neighbourhood planning.



16 - References/
Sources

3 The Cannock Chase Local Plan Part 1

This is the strategic part of the Local Plan which was adopted in July 2014. Key policies and proposals providing the strategic context for this plan are -

- **Policy CP1** - Strategy – this focuses investment and regeneration on existing settlements whilst conserving the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the district.
- **Policy CP2** - Developer Contributions for infrastructure – identifies the two main methods of funding via Community Infrastructure Levy (CIL) and Planning Obligations (S106 agreements and equivalent unilateral undertakings). The requirement to pass a proportion of CIL funds to parishes/neighbourhoods is recognised.
- **Policy CP3** - Chase Shaping – Design – identifies a broad set of criteria which need to be met to achieve high quality design and indicates that a Supplementary Planning Document (SPD) elaborating the policy will be produced. The SPD has since been produced and includes a section on Hednesford Town Centre.
- **Policy CP4** - Neighbourhood Led Planning – this provides support in principle for Neighbourhood Plans to be produced.
- **Policy CP5** - Social Inclusion and Healthy Living – this policy focuses on provision of health, education, open space, sport and recreation facilities to meet the needs of communities. It references the “Green Space Network” within the urban areas shown on the Policies Map which is to be protected.
- **Policy CP6** - Housing Land - this identifies the overall housing requirement for the district of 5300 for the period 2006-2028 of which up to 900 are proposed for the strategic allocation west of Pye Green Road and north of Limepit Lane.



16 - References/ Sources

- **Policy CP7** - Housing Choice – dealing with provision of affordable housing on commercial house builders’ sites and the mix of housing required to meet the needs of the whole community including young people, families and the elderly. This policy is likely to need amendment now the Housing and Planning Act 2016 has received royal assent. The Act includes clauses which will require local planning authorities to deliver 20% market housing for first time buyers under the age of 40 discounted at 80% of market value on commercial house builders’ sites. This is likely to significantly reduce the amount of social rented housing built for housing associations which can be negotiated via S106 agreements on these sites.
- **Policy CP8** - Employment Land and Policy CP9 – A Balanced Economy. No new employment sites are proposed in Hednesford, but the policies encourage redevelopment and modernisation of existing employment sites.
- **Policy CP10** - Sustainable Transport – aims to improve bus and rail services together with infrastructure to encourage walking and cycling.
- **Policy CP11** - Centres Hierarchy – Hednesford is identified as a town centre with a boundary shown on the Policies Map. The Victoria Shopping Park on Victoria Street (Tesco, the adjoining block of retail units with the new community building) and the Chase Gateway development on Rugeley Road, Market Street and Victoria Street (Aldi, Bingo Hall and two blocks of shop units) totalling around 14,400 square metres have already been delivered.
- **Policy CP12** - Biodiversity and Geodiversity – aims to protect ecological and geological assets and promote restoration and creation of spaces to accommodate priority species and habitats. Key assets within the area are the Hednesford Hills Local Nature Reserve (a Site of Special Scientific Interest of national importance) and the Old Brickworks Nature Reserve (a local Site of Biological Interest) are identified on the Policies Map. In addition an area of land in Pye Green Valley at the rear of the Staffordshire University Academy and not open to the public, is also identified as a Site of Biological Interest on the Policies Map.





16 - References/ Sources

- **Policy CP13** - Cannock Chase Special Area of Conservation (SAC) – the Chase Heathlands have European status as protected habitats and all new housing developments are required to secure mitigation of impact arising from increased visitor pressure. There is now an approved mitigation strategy in place.
- **Policy CP14** - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB) – the policy focuses on protection of the landscape of the AONB and the wider landscape of the district including woodlands and local green spaces.
- **Policy CP15** - Historic Environment – aims to safeguard all historic sites, buildings, areas, archaeological remains, their settings and their historic landscape and townscape character. Hednesford Town Centre is specifically identified as having a distinctive character with development guidelines to be set out in a Design SPD.
- **Policy CP16** - Climate Change and Sustainable Resource Use – encourages sustainability in design and construction in relation to energy, waste, water use, mitigation of impact of climate change and flood prevention.

Key features within Hednesford identified on the Policies Map are:

- That part of Hednesford which is in the Green Belt and Area of Outstanding Natural Beauty between the Pye Green communications towers and the Broadhurst Green crossroads and a small area of Green Belt north of Station Road, west of the junction with Rugeley Road.
- The strategic housing allocation west of Pye Green Road, north of Limepit Lane and east of the district boundary with Huntington Belt as identified in Policy CP6.
- The boundary of Hednesford Town Centre (Policy CP11).
- The three important protected nature conservation sites, Hednesford Hills, The Old Brickworks and land on the western side of Pye Green Valley (Policy CP 12). These are also part of the wider Green Space Network of protected open spaces.



16 - References/ Sources

- The remaining major parts of the protected Green Space Network including Hednesford Park, Anglesey Park, Pye Green Valley (Policy CP5).
- The proposed footpath/cycleway on the route of the old mineral railway north of Rawnsley Road planned to link Hednesford with Rawnsley, Prospect Village and Hednesford (Policy CP10).

4 Design Supplementary Planning Document (SPD)

This was adopted by Cannock Chase Council on 6/04/2016. In addition to setting out detailed guidance on design relevant to most forms of development, this document contains specific guidance to provide a context for Neighbourhood Plan Policies relating to Hednesford Town Centre. The aims of this guidance are to encourage development which conserves and enhances local distinctiveness, to support proposals to uplift the town centre through better quality of design, to encourage links between the town, park and Hednesford Hills.

The document also sets out processes for identifying buildings for inclusion in a Local List of Buildings of Historic Importance and a policy requiring the value of these buildings to the local character of the area to be given weight in any decision making on planning applications.

5 Listed Buildings

There are 5 Listed Buildings in Hednesford which have statutory protection –

- Anglesey Lodge Market Street 1831 grade 2.
- The Cross Keys Inn Hill Street 1746 grade 2.
- Cross Keys Farmhouse Hill Street, probably 16th century grade 2.
- The War Memorial on Hednesford Hills 1922 grade 2.
- Our lady of Lourdes Catholic Church, Uxbridge Street grade 2.



16 - References/ Sources

6 Strategic Housing Land Availability Assessment (SHLAA) 2017

This document, produced by the Cannock Chase Council and updated annually, identifies housing sites which collectively are intended to provide the supply of housing land necessary to deliver the 5300 net new dwellings between 2006-2028 identified in the Local Plan. 2307 (net) dwellings had been completed by the end of March 2016, leaving a residual requirement of 2993 to be built by the end of March 2028. The document divides the supply into two main categories:

1. **Deliverable sites** - those which normally already have either outline or detailed planning permission and are capable of being built in a 0-5 year period.
2. **Develop-able sites** - capable of coming forward in 6-15 years, including parts of some major sites which have planning permission but which will take longer than 5 years to build out and other sites put forward by landowners, Many of which do not yet have planning permission, but are considered by the District Council to be suitable for housing development..

The capacity of sites which do not have detailed planning permission is either that specified in an outline permission, or, where no permission exists, an estimate based on the appropriate density for the particular location.

Sites are further subdivided into major (10 or more units) and minor (9 or fewer units).

The reference numbers prefixed C are those which appear in the published 2017 SHLAA.



16 - References/
Sources

6 2017 SHLAA sites in Hednesford

Data as at April 2017 with the exception of site C80, land adjoining Hednesford Town Football Club, which has been updated with the recent decision to grant planning permission subject to completion of a S106 agreement and therefore appropriate to include in the 0-5 year supply.

Major 0-5 year sites with full planning permission under construction

C37 (part 1) Pye Green Valley	250 (out of total of 425) (73 completions)
C43 r/o 81-129 High Mount Street & 97-105 Mount Street	21 (13 completions)
C113 (a) land west of Pye Green Road	119 (out of total of 900) (61 completions)
C113 (b) land west of Pye Green Road	219 (out of total of 900) (44 completions)
C128 Hednesford Court Office Anglesey Street	14 (1 completion)
	Total 623

Major 0-5 year sites with no planning permission

C80 land adjoining Hednesford Town FC Keys Park	123
	Total 123

Minor 0-5 year sites with full planning permission under construction

C232 r/o 30-34 Market Street (construction ceased)	6
C315 89a Station Road	2
C398 30 Market Street (change of use)	1
	Total 9



16 - References/
Sources**Minor 0-5 year sites with full planning permission**

C31 land adjoining 67 McGhie Street	6
C36 land off Woodland Close	4
C157 19 Eskrett Street	3
C163 land opposite 16 Church Hill	6
C319 land adjoining 167 Littleworth Road	1
C356 land adjoining 2 Laurel Drive	1
C377 land adjoining former Oakley Garage McGhie Street	3
C380 123 Bradbury Lane	4
C388 land r/o 5 Victoria Street	1
C407 523 Pye Green Road (change of use)	1
C4? 52 Broadway (change of use)	4
C410 4 Anglesey Street (change of use)	1
C414 land r/o 19-21 Queen Street	1
	Total 36

Minor 0-5 year sites with outline planning permission

C363 89 Wood Lane	1
	Total 1

Major 6-15 year sites develop-able within the plan period (to 2028)

C37 (part 2) Pye Green Valley (full planning permission)	102
C63 419-435 Cannock Road	27
C113 land west of Pye Green Road (outline pp for 481)	562
	Total 691



16 - References/
Sources

Minor 6-15 year sites develop-able within plan period (to 2028)

C73 former Tenants Bakery Wood Lane	8
	Total 8

Major 6-15 year sites developable post the plan period (after 2028)

C220(a) Oaklands Industrial Estate Lower Road	34
C220(b) Image Business Park East Cannock Road	33
	Total 67

Summary

Units with full planning permission	770 (of which 11 are bungalows)
Units with outline planning permission	482
Units with no planning permission	306
	Total 1558 (of which 67 are post 2028)



About Hednesford

Welcome to
**WEST HILL
PRIMARY**
A Valued Centre Of Learning
All visitors please report
to main entrance on arrival
←

16 - References/ Sources

- 7 The first recorded mention of Hednesford was in 1153 when King Stephen 11 granted the small settlement of “Hednesford” exemption from Pannage dues. Pannage was a tax imposed on the right to feed animals such as pigs in a nearby wood or forest.

Prior to the development of the earliest settlement in the area, it was crossed by two roads originating from before Roman times - Blake Street (running roughly west-east approximately on the line of the current Limepit Lane/Belt Road/Stafford Lane and Hill Street) and South Street (on the line of the current Pye Green Road then extending north through Cannock Chase to the river Trent).

Hednesford, known as Hedgeford in Mediaeval times became a small agricultural settlement located around the area where the Riddings Brook crosses the current Hill Street, close to the junctions with Littleworth Road and Lower Road.

The 15th century saw the beginnings of the early iron industry and by 1561 William Paget had built the first blast furnace in the Midlands along what is now Rugeley Road. The first coal mine is recorded at Old Hednesford in 1603.

Three buildings survive from this pre-industrial era all of which are statutorily listed as grade 2 –

- The former Cross Keys Farmhouse dating from the 16th century.
- The Cross Keys Inn 1746, a former coaching inn.
- Prospect Place a large 18th century house with 19th century stabling associated with racehorse training (sited just outside the Parish boundary).





16 - References/ Sources

The settlement then grew, extending towards Hill Top and along Littleworth Road, but major growth came with the development of the coal mining industry in the 19th century and the opening up of the Cannock Chase coalfield to larger scale mining than had previously been possible as a result of construction of canals and railways providing access to markets.

In the second half of the 19th century and early 20th century housing development took place in the West Hill/Greenheath area and at Church Hill. Cottages were also built at Pye Green. Most of the houses built in this period were terraced properties to accommodate workers in mining and associated industries such as engineering and brick-making. In addition there are some larger “villa” type properties for the more affluent owners/managers. Examples of the latter can be seen on Eskrett Street, Greenheath Road and Station Road.

The town centre was beginning to take shape in latter part of the 19th century extending south-west from the railway station along what was originally named Station Street (now Market Street) to the junction with Uxbridge Street. The 1886 edition of the Ordnance Survey shows that the large house built for Edmund Peel, third son of Prime Minister Sir Robert Peel, in 1831 had been converted to the Anglesey Hotel. On the same map The Uxbridge Arms is shown at the corner of Station Street and Uxbridge Street (now Woody's Music Bar). Another well known building, the former police station at 435 Cannock Road, since converted to flats, is also shown.

The main collieries were located in Pye Green Valley, alongside the Cannock to Hednesford railway line, on the edge of Hednesford Hills and south of Littleworth Road.





16 - References/ Sources

The total number of deep shafted collieries at the peak of the mining industry in the early twentieth century was 8 comprising –

- East Cannock Colliery
- Cannock Chase N. 9 and 10 collieries
- West Cannock Collieries No's 1,2,3 & 4.
- Cannock & Rugeley Colliery Valley Pit.

An extensive network of railways serving the collieries was developed, including a line from Hawks Green (where there were canal interchange sidings) to Wimblebury and Cannock Wood and a separate branch off the main Cannock to Rugeley line north of the town, also to Cannock Wood. Collieries in Pye Green Valley and the Valley Colliery on the edge of Hednesford Hills had separate rail access.

By the 1850's there were at least six racing stables in the area employing over 80 people and Hednesford Hills was extensively used for training racehorses. Over time local racehorses have won many classic races including The Grand National 5 times. This activity subsequently declined as the town became more urbanised. Football took over as the main sporting activity for mining communities and the team that was eventually to become Hednesford Town moved to a new ground behind the Cross Keys Inn in 1904.

Hednesford Park was opened in 1931 partly on the site of Hednesford Big Pool which had been drained and filled as a result of mine-workings.

The former South Staffordshire Waterworks Company reservoir built in a circular shape on the high part of Hednesford Hills in 1879 was subsequently abandoned as a result of leakage caused by subsidence and converted to a motor racing venue in 1952.



16 - References/ Sources

Housing development continued to take place between the wars along and between some of the main roads, Bradbury Lane, Rawnsley Road, Littleworth Road and Lower Road. However the main growth in housing development took place after the second world war with a mixture of private and public housing off Belt Road, Pye Green Road, Broadhurst Green and Stafford Lane. Since the early 1980s nearly all new housing has been built by commercial housebuilders, notably off East Cannock Road and the newly built road of Rose Hill which links Pye Green Road with Greenheath Road.

The first purpose built food supermarket in the town, The Co-op in Anglesey Street, opened in 1978.

Pye Green Community Centre was built in the 1960s and extended and refurbished in 2012.

Evidence of the coal mining industry has virtually disappeared following the closure of the pits and brickworks with major land reclamation schemes taking place in the 1970s and 80s to create new open spaces together with land for housing and new businesses. A substantial area of public open space was created in Pye Green Valley together with land for new housing. East of Hill Street a new road was built linking through to Wimblebury Road and opening up former brickworks and colliery sites for new business development (Keys Park) and a nature reserve was created. Hednesford Town FC relocated to a new stadium in this area in 1995. North of East Cannock Road the former colliery was redeveloped for housing and a new public open space created, Anglesey Park.

The train service from Birmingham to Rugeley, which had closed in 1965 was re-instated in 1989 as far as Hednesford and then through to Rugeley Trent Valley in 1997. The new station was built on the opposite side of the railway bridge to the original 19th century station building.



16 - References/ Sources

Frequent bus services connect the town from the main bus stops on Victoria Street, Cannock Road and Station Road to Pye Green, Chadsmoor, Cannock, Rugeley, Heath Hayes, Burntwood, Lichfield, Walsall, Wolverhampton and Stafford.

A new multi-practice health centre built at the junction of Station Road and Market Street was opened in 2005.

The most recent major changes in the Town have been along Victoria Street, north of Market Street. The former ATP factory, Aquarius Ballroom, bingo hall, TA centre, Pool House and bus station have been re-developed around a realigned Victoria Street with two new shopping developments and car parks. The larger development includes a Tesco store, 4 other retail units, new community centre and relocated TA centre. The smaller development includes new shop units at the southern end of Market Street an Aldi store, 4 other shop units plus a relocated bingo hall.

A new all weather floodlit football pitch with changing and social facilities is shortly to open on the site of the former Mid Cannock Colliery sports ground on Bradbury Lane.

8 Statistics source

Statistics relating to population characteristics of Wards (Ward Profiles) and information on housing demand/need for the elderly have been kindly supplied by Cannock Chase Council.





Hednesford Town Council



tomorrow's plan today



www.hednesford-tc.gov.uk

Hednesford Town Council, Pye Green Community Centre,
Bradbury Lane, Hednesford, Staffordshire, WS12 4EP

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Decision Statement Regarding Hednesford Neighbourhood Development Plan (28.11.18)

(Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, as amended)



Cannock Chase District Council decided by resolution of Full Council on 28th November 2018 to make the Hednesford Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Hednesford Neighbourhood Development Plan now forms part of the Development Plan for Cannock Chase District.

1. Decision and Reasons

- 1.1 The Hednesford Neighbourhood Development Plan meets the Basic Conditions and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the referendum on 11th October 2018.

2. Background

- 2.1 Hednesford Town Council applied to Cannock Chase Council for the land within the Town boundary to be designated as a Neighbourhood Area on 22nd April 2014. In order for the Hednesford Town Council area to be designated as a Neighbourhood Area the Neighbourhood Planning (General) Regulations 2012 (as amended) required the Town Council to apply to Cannock Chase Council. The consultation ran from 21st July 2014-14th September 2014 and no objections were received in response to the proposal. The Council Cabinet ratified the designation of Hednesford Neighbourhood Area on the 20th November 2014.
- 2.2 A draft Neighbourhood Plan was launched by the Town Council at Pye Green Community Centre on 4th July 2016. Formal consultation was carried out for 6 weeks during July- August 2016. The Town Council then undertook the Regulation 14 consultation on an updated draft Neighbourhood Plan for 6 weeks during September-October 2017.
- 2.3 The Hednesford Neighbourhood Plan was submitted by the Town Council to Cannock Chase District Council in January 2018 for assessment by an independent examiner. The Plan (and associated documents) was published for consultation by Cannock Chase District Council for 6 weeks between 12th February and 26th March 2018 (the Local Authority publicity consultation period-

Regulation 16). Mr Robert Yuille was appointed as the Independent Examiner for the Hednesford Neighbourhood Plan and all comments received to the Local Authority publicity consultation period were passed on for his consideration.

- 2.4 The Examiners Report was received on the 28th June 2018. The Examiner concluded that subject to modifications the Hednesford Neighbourhood Plan met the Basic Conditions and all of the relevant legal requirements. On this basis it should therefore proceed to Referendum.
- 2.5 Cannock Chase District Council issued a 'Decision Statement' on the 2nd August 2018 which agreed with the Examiners recommendations and confirmed that the plan should proceed to Referendum.
- 2.6 A referendum was held on Thursday 11th October 2018. 79% of those who voted were in favour of the Neighbourhood Plan. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (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.
- 2.7 This decision statement can be viewed online on the Cannock Chase District Council website www.cannockchasedc.gov.uk/planningpolicy or hard copies are available to view at the following locations during normal opening hours:
- Cannock Chase Council Civic Centre offices, Beecroft Road, Cannock, WS11 1BG
 - Pye Green Community Centre, Bradbury Lane, Hednesford, Cannock, WS12 4EP
 - Hednesford Library, Market Street, Hednesford, WS12 1AD

Report of:	Head of Economic Prosperity
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Key Decision:	No
Report Track:	Council: 28/11/18

COUNCIL
28 NOVEMBER 2018
GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES

1 Purpose of Report

- 1.1 To seek approval and adoption of Cannock Chase District Council's revised Statement of Principles (Policy Statement) in respect of functions under the Gambling Act 2005 (the Act), following consultation on statutory review. The next review is due by January 2019.

2 Recommendation

- 2.1 That the Cannock Chase District Council approves and adopts the revised Gambling Act 2005 Policy Statement given at Appendix 1 to this report.

3 Key Issues and Reasons for Recommendation

- 3.1 The Gambling Act 2005 came into effect on 1 September 2007. Section 349 of the Act requires the Council to prepare and consult on a Policy Statement setting out the principles the Council will apply in exercising its functions under the Act.
- 3.2 The revised Policy Statement, covering 2019-2021, has been developed having regard to revised Gambling Commission Guidance to Licensing Authorities¹ and has been subject to a consultation process.
- 3.3 Four responses were received as part of the consultation process. These responses have been appraised by officers and are attached to the report as Appendices 2, 3, 4 and 5 respectively. These responses have been considered in preparing The Policy Statement.

4 Relationship to Corporate Priorities

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

- Implementing risk-based, proportionate regulation;
- Ensuring high standards of regulatory compliance;
- Tackling non compliant businesses, so these do not gain unfair competitive advantage;
- Preventing gambling from becoming a source of crime and disorder, being associated with crime and disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

5 Report Detail

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

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

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

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

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

The Policy Statement explains in detail how the Council will ensure that premises promote these objectives.

- 5.5 Section 349 of the Act requires the Council to prepare and consult on a Policy Statement and to review the approved, adopted document to ensure its effectiveness in meeting the objectives of the Act.
- 5.6 A draft revised document was consulted on between 20 August 2018 and 23 September 2018. Every effort was made to bring it to the attention of everyone with an interest in gambling matters. A link on the Council's website also brought it to the attention of the wider public with details of how they could comment on it. The consultation document was also sent to the council's "Your Community, Your Voice" residents group.
- 5.7 The Council's Licensing Unit received responses from 4 consultees:
- Novomatic
 - Gamcare
 - Gambling Commission
 - Gosschalks Solicitors on behalf of the Association of British Bookmakers
- 5.8 These responses have been appraised by Officers and are attached to the report as Appendices 2, 3, 4 and 5 respectively.
- 5.9 The responses and appraisals were referred to the Council's Licensing & Public Protection Committee (L&PPC) for consideration on 6 October 2018. Following the consideration by the L&PPC, the Policy Statement is now offered for approval and adoption.

6 Implications

6.1 Financial

None.

6.2 Legal

The legal implications are set out throughout this report.

6.3 Human Resources

None.

6.4 Section 17 (Crime Prevention)

Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of gambling premises for criminal activity, for example money laundering, counterfeiting and drug dealing.

The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

Failure to review the Gambling, Statement of Principles on a 3 year basis would be a breach of legislation and could leave the Council open to challenge or sanctions.

6.8 Equality & Diversity

The Policy Document will be made available in large print, Braille and as an audio version, on request.

6.9 Best Value

None.

7 Appendices to the Report

Appendix 1: Revised Gambling Act Policy Statement

Appendix 2: Response and Appraisal, Novomatic

Appendix 3: Response and Appraisal, Gamcare

Appendix 4: Response and Appraisal, Gambling Commission

Appendix 5: Response and Appraisal, British Bookmakers Association

Previous Consideration

Review of Gambling Act, Statement of Principles	Council	16/11/2016
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Background Papers

¹ Guidance to Licensing Authorities (5th Edition), Gambling Commission, published September 2015



CANNOCK CHASE DISTRICT COUNCIL

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES
2019 - 2021

Amended following consultation v2

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PART A – THE GAMBLING ACT 2005

1. The Licensing Objectives

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

2. Introduction and consultation process

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act.
- 2.2 The Council consulted widely on the Statement of Principles before finalising and publishing. The list of those consulted during the 2018 consultation exercise is provided within paragraph 2.4 below.
- 2.3 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish this statement of principles at least ever 3 years.
- 2.4 List of persons and agencies consulted by this authority:
- Staffordshire Police
 - Staffordshire Social Services
 - Current licence holders and trade associations
 - Staffordshire County Council Trading Standards
 - Representatives of local businesses
 - Local residents and their representatives
 - Town and Parish Councils
 - Local Member of Parliament
 - National bodies representing the gambling trade
 - National charities concerned with the social impact of gambling
 - Representatives of existing licence holders
 - Community Safety Partnership
 - Director of Public Health
- 2.5 The Statement of Principles consultation will took place between 20 August 2018 and 23 September 2018 and followed the Cabinet Office Guidance on Consultation Principles first published in July 2012 and last updated in March 2018. This document is available at:
<https://www.gov.uk/government/publications/consultation-principles-guidance>
- 2.6 The Council approved and adopted this Statement of Principles at full Council on 28 November 2018. The finalised document will be published via the Council's website at: www.cannockchasedc.gov.uk
- 2.7 The finalised document will be placed in District's public libraries as well as being available at the Civic Centre in Beecroft Road, Cannock.

3. Exchange of information and data protection

3.1 Licensing authorities are required to include in their policy, the principles which are to be applied to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g. UK National Fraud Initiative.

3.2 The information that you have provided will be used by Cannock Chase Council, who are the data controller, to allow us to carry out our statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the District. We will only share your information with agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so. For further information, please see:

<https://www.cannockchasedc.gov.uk/council/about-council/data-protection/data-protection-privacy-notice>

4. Equality and Diversity

4.1 Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between diverse communities

4.2 A link to the Council's Equalities and Diversities Policy can be found here-
<http://chaseweb.cannockchasedc.gov.uk/chief-executives-policy-and-performance/equality-and-diversity>

5. Crime and Disorder Act 1998

5.1 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of licensed premises for criminal activity, for example money laundering and drug dealing.

5.2 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

6. The Licensing Framework

6.1 The Gambling Act 2005 changed the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity.

- 6.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operators licence and personal licence from the Gambling Commission before they approach the Council for a premises licence. In this way, the Gambling Commission is able to ensure that applicants have the correct credentials to operate gambling premises.
- 6.3 The Council's role is to ensure premises are suitable for providing gambling in accordance with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices for smaller scale gambling.
- 6.4 The Council does not license large society lotteries or remote gambling through websites. These are regulated by the Gambling Commission. The National Lottery is not regulated by the Gambling Act 2005 but continues to be regulated by the National Lottery Commission under the National Lottery Act 1983.

7. Local area profile

- 7.1 By means of the web links given in paragraphs 8.14 - 8.17 below, the Council has provided wide ranging information on the local environment which should be taken into account by applicants who should explain within their local risk assessments, how they will address these areas of local concern. These web links are reviewed and updated on a regular basis so as to reflect changes to the local landscape.
- 7.2 There is no statutory duty on the licensing authority to complete an area profile; however, it is felt that both new applicants and existing operators would benefit from having a greater awareness of the local area and its associated risks. Importantly, "risk" in this context includes potential and emerging risks as well as actual risk.
- 7.3 Cannock Chase District Council (CCDC) is situated in the administrative area of Staffordshire County Council. The County contains 8 District Councils in addition, Stoke-on-Trent is a Unitary Authority. The Council area has a population of approximately 98,500 and in terms of area CCDC covers 7,887 hectares (approximately 30 square miles). The district is mainly rural with 60% of it classified as Green Belt. There are 3 main urban areas: Cannock, Rugeley and Hednesford. A map of the area is attached to this statement of principles.
- 7.4 According to Cannock Chase Council's District needs analysis 2017 the Government's Indices of Multiple Deprivation (IMD) 2015, Cannock Chase is ranked as the most deprived District in Staffordshire in the IMD 2015 with a rank of 133 out of 326 local authorities in England. The District is identified as being the most deprived in Staffordshire in terms of the proportion of the population experiencing deprivation relating to low income and those excluded from the labour market due to unemployment,

health or caring. Cannock Chase is also the most deprived District for education, skills and training although the District has better ratings in relation to housing and living environment.

- 7.5 The 2018 Locality Profile found that the population of Cannock Chase has a lower proportion of children under five and under 16 compared to England. There are however more people aged 16-64 compared to average and more older people aged 85 and over.
- 7.6 89% of Cannock Chase respondents to the "Feeling the Difference" survey from September 2014 to March 2016 were very/fairly satisfied with the local area during this period. This is similar to the proportion across other Staffordshire Districts.
- 7.7 Benefit claimant data from The Department for Work and Pensions (DWP) indicates that 3,980 people in Cannock Chase were claiming Employment and Support Allowance (ESA)/Incapacity Benefits in May 2016 - 6.3% of people in the District aged 16-64. This was above the Great Britain average (6.2%) but below the West Midlands average (6.4%).
- 7.8 Annual pay for all employee jobs in the District in the tax year that ended on 5th April 2016 (£26,016) indicates that the average house price is 5.7 times higher than the average annual income. Whilst this was a smaller difference than at County, Regional and National levels, annual pay in Cannock Chase was below the Staffordshire (£27, 641), West Midlands (£26, 278) and Great Britain (£28, 314) averages in 2016.
- 7.9 Total Recorded Crime rate in Cannock Chase (rate per 1,000) during 2014/15 was 53.7 which was above the County average of 45.2. However the District rate was below that for the West Midlands (56.9) and England (61.7)
- 7.10 The Council's strategic objectives are set out in the Corporate Plan, namely:
- Promoting prosperity
 - Community wellbeing
 - Sustaining safe & secure communities
 - Support vulnerable people
 - Promoting attractive and healthy environments
- 7.11 Cannock Chase District Council currently has approximately 20 gambling premises licences. Over half of those premises are betting facilities situated within the high streets of the 3 town centres; another quarter are adult gaming centres and a small number are bingo premises.
- 7.12 The Council will proactively engage with all responsible authorities as well as other organisations to ensure any new applications or applications to vary existing licences are assessed by taking the local area profile risks

into account. Applicants should therefore consider how they will address these risks.

8. Local Risk Assessment

8.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in February 2015 formalised the need for operators to consider local risks.

8.2 The Social Responsibility (SR) code requires applicants to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises. It also requires them to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account any relevant matters identified within this statement of principles.

8.3 Applicants are required to undertake a local risk assessment when applying for a new premises licence. Further, their risk assessment must also be updated:

- When applying for a variation of a premises licence.
- To take account of significant changes in local circumstances, including any identified within this policy statement.
- Where there are significant changes at a premises that may affect the mitigation of local risks.

8.4 The Council encourages operators to keep a copy of the local risk assessment (LRA) at the premises at all times. The LRA must be provided to the Council when applying for a new premises licence or for a variation to the existing premises licence. Upon such application, the Council will seek to condition premises licences to require operators to keep a copy of the LRA on the premises at all times.

8.5 The risk assessment should set out measures the applicant has in place to address areas of local concern. In broad terms, the risk assessment should include reference to any specified local risk, how the operator intends to mitigate any risks identified and how the operator will monitor those risks.

8.6 There are no particular geographical areas where ethnic or cultural differences are considered to be of significance. There are however, areas of the District where socio-economic factors may need to be considered when drafting the local risk assessment. These factors are referred to within the materials referred to in paragraphs 8.14 to 8.17.

8.7 Over 60% of the District is green belt and therefore, the 3 town centres are the focal points for our local communities. Under the Rural and Urban Area Classification (2004) almost all of the Cannock Chase population live in an urban area (91%), compared with 81% nationally and 76% of Staffordshire.

- 8.8 As a result, the urban town centres contain the vast majority of gambling facilities which are licensed by the Council. Each town centre also contains a large concentration of premises which are licensed to sell alcohol as well as other amenities.
- 8.9 Applicants should note that each town centre also has a post 16 education facility and therefore, it may be appropriate for applicants to provide information on the line of sight within the premises as well as whether any door warning system or door supervision might be in place.
- 8.10 Cannock is our largest town centre with the largest night time economy. Cannock contains a large market square, a Hospital and a drug and alcohol rehabilitation centre. It is also more likely that homeless people will visit and/or migrate to Cannock as the town centre contains both the Council's Civic Centre and the Government Department of Work & Pensions Office.
- 8.11 This makes it more likely that Cannock town centre in particular will attract homeless people and those who might suffer mental health issues. The proximity of these vulnerable people to gambling facilities should not be encouraged. The local risk assessment should demonstrate how vulnerable people, including those with gambling dependencies, will be protected. Therefore, any application for the provision of gambling facilities within Cannock town centre may require enhanced safeguards around both entry and exclusion.
- 8.12 With these challenges in mind, The Council will expect applicants to have an understanding of the local profile and address the Council's concerns in respect of protecting children and other vulnerable people by ensuring that the licensing objectives are met.
- 8.13 The web links below are links to external documents which are intended to assist applicants in obtaining a greater understanding of the challenges which the Council face.
- 8.14 Public Health England, Cannock Chase District, Health Profile can be viewed at: <https://fingertips.phe.org.uk/profile/health-profiles>
- 8.15 Staffordshire Public Health supports the development of local health and wellbeing provision. This can be viewed at: https://www.cannockchasedc.gov.uk/sites/default/files/health_and_wellbeing_strategy_2013-2018.pdf
- 8.16 Staffordshire County Council and the Staffordshire Observatory Locality Profile for the Cannock Chase District can be found at: <https://www.staffordshireobservatory.org.uk/documents/LocalityProfiles/Locality-Profiles-2018/Cannock-Chase-Locality-Profile-2018i.pdf>

- 8.17 Cannock Chase Council's District Needs Analysis 2017, can be found at: https://www.cannockchasedc.gov.uk/sites/default/files/05-district_needs_analysis_and_ward_profiles_2017_rpt_-_cabinet_150617.pdf
- 8.18 Having considered the information provided above, applicants should provide the licensing authority with the policies and procedures they have in place, which are designed to prevent underage gambling. These policies and procedures should also take account of the structure and layout of the particular premises as well as any training provided to staff.
- 8.19 In the event of any application to vary a premises licence, operators will be required to provide the licensing authority with any age related compliance test results which relate to the premises concerned.
- 8.20 With respect to preventing vulnerable people from gambling, applicants must demonstrate how they intend to ensure that the licensing objective is met. This might include providing details about their own self exclusion schemes and their intentions towards the Multi Operator Self Exclusion Scheme (MOSES).
- 8.21 Details should also be provided of what responsible gambling information is made available to customers. This should include information from organisations such as Gambleaware <https://about.gambleaware.org/> and GamCare <http://www.gamcare.org.uk/>
- 8.22 Further information should be provided which detail what controls are in place for challenging excluded persons from entering into the premises and what arrangements are in place for monitoring the use of fixed odds betting terminals (FOBT).

9. Declaration

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

10. Responsible Authorities

- 10.1 The Act allows certain agencies to act as responsible authorities. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities may also offer advice and guidance to applicants.

- 10.2 The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area;
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 10.3 In accordance with the regulations, the Council designates the Staffordshire County Council, Local Safeguarding Children Board for this purpose.
- 10.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at:
http://www.cannockchasedc.gov.uk/sites/default/files/gambling_act_2005_responsible_authorities.pdf

11. Interested Parties

- 11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.
- 11.2 For the purposes of this part, a person is an interested party if, in the opinion of the licensing authority which issued the licence or to which the application is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - (b) has business interests that might be affected by the authorised activities, or
 - (c) represents persons who satisfy paragraphs (a) or (b).
- 11.3 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:
- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission: Guidance to Local Authorities.
 - In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.

12. Licensing Authority Functions

12.1 Licensing authorities are responsible under the Act for:

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

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

PART B –THE LICENSING OBJECTIVES

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

13.1 The Gambling Commission takes the lead role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however encourage licensing authorities to pay particular attention to the proposed location of gambling premises in terms of this licensing objective.

13.2 Such association with crime may include: money laundering; counterfeiting; drug dealing or any similar involvement in organised crime.

13.3 Operators are also encouraged to consider child protection issues such as the risk of child sexual exploitation.

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

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

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

- 15.1 This licensing objective seeks to prevent children from taking part in most types of gambling and where appropriate, the Council may require specific measures at particular premises which are designed to ensure that the licensing objectives are met.
- 15.2 Preventative measures may include the supervision of premises and machines and appropriate training for staff with regard to suspected truanting school children and how staff should deal in general with unsupervised children.
- 15.3 The Council will pay particular attention to any Codes of Practice which the Gambling Commission issues with respect to this licensing objective.
- 15.4 The Council does not seek to offer a definition for the term “vulnerable people” but for regulatory purposes it will assume that this group includes elderly people, people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.

PART C – PREMISES LICENCES

16. Introduction to Premises Licensing

- 16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. Premises licences may, for example, be issued to amusement arcades, bingo halls and bookmakers.
- 16.2 Premises licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which will be detailed in regulations issued by the

Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

Definition of 'Premises'

- 16.3 Premises is defined in the Act as 'any place'. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact within any given circumstances.
- 16.4 The Council will take particular care when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- 16.5 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

Location

- 16.6 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 16.7 When considering the licensing objectives, the Council's may, upon receipt of any relevant representations, look at location as a specific issue. Location issues might include, but are not be limited to:
- The proximity of the premises to schools and vulnerable adult centres.
 - The proximity of the premises to residential areas where there may be a high concentration of families with children.

- The size of the premises and the nature of the activities taking place.
- The level of organised crime in the area.

16.8 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

16.9 This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.

Duplication with other regulatory regimes

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

Conditions

16.11 Applications will be granted subject only to the mandatory and default conditions. Such conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented. Conditions will only be attached to premises licences where there is evidence of a need to do so.

16.12 Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility.
- Directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based.
- Fairly and reasonably related to the scale and type of premises; and,
- Reasonable in all other respects.

16.13 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures which the Council may consider. These include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult only areas. The Council will also expect the applicants to ensure that the licensing objectives are effectively met.

- 16.14 There are conditions which the Council cannot attach to premises licences which are:
- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
 - Conditions relating to gaming machine categories, numbers or method of operation;
 - Conditions which provide that membership of a club or body be required; and,
 - Conditions in relation to stakes, fees, winnings or prizes.

Door supervision

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

17. Adult Gaming Centres and Licensed Family Entertainment Centres

- 17.1 Adult Gaming Centres (AGC's) are commonly found within town centre environments and are able to make category B, C and D gaming machines available to adults. Nobody under the age of 18 is permitted to enter an AGC.
- 17.2 Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers. They may have a separate section set aside for adult only gaming machines with higher stakes and prizes and are able to make available a certain number of category C and D machines. Clear segregation must be in place so children do not access the areas where the category C machines are located.
- 17.3 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in the above premises. The Council will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to adult gaming centres or adult only gaming machine areas within the LFEC.
- 17.4 The Council will expect applicants to offer their own measures to meet the licensing objectives.
- 17.5 Appropriate measures/licence conditions may cover:
- Proof of age schemes (e.g. PASS schemes)
 - The use of Challenge 25 policy
 - The use of 'No ID No Entry' policy
 - CCTV
 - Door supervision
 - Supervision of machine areas

- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Staff training in the law and the provision of a named point of contact to help ensure compliance.
- Measures/training for staff on how to deal with suspected truanting school children and how to recognise signs of potential child sexual exploitation
- Clear policies that outline the steps to be taken to protect children from harm
- Self-exclusion schemes and the provision of leaflets/helpline numbers to organisations such as GamCare, the Responsible Gambling Trust or GambleAware etc.
- Ensure that there is a policy in place which addresses the Multi operator self exclusion scheme (MOSES)

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

18. Casinos

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

19. Bingo Premises

- 19.1 Bingo is not statutorily defined within the Gambling Act 2005. Such premises may however, provide cash and prize bingo. In addition, bingo premises are also able to provide a limited number of gaming machines in line with the provisions of the Act.

- 19.2 It is important that where children are allowed to enter Bingo premises, that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the operator must ensure that:

- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- Only adults are admitted to the area where the machines are located
- Access to the area where the machines are located is supervised
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and

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

19.3 Other measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

20. Betting Premises

20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises.

20.2 The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines and the nature and circumstances in which they are made available by attaching a licence condition to a betting premises licence. The Council is also aware that it is not possible to restrict the number of gaming machines which may be made available within betting premises.

20.3 When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things, will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.

20.4 Measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

21. Tracks

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

22. Travelling Fairs

22.1 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair.

22.2 The 27 day statutory maximum for the land being used as a fair is per calendar year. This applies to the piece of land on which the fairs are

held, regardless of whether it is the same or different travelling fairs occupying the land. Where appropriate, the Council will liaise with neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

23. Provisional Statements

23.1 The provisional statement process provides an alternative to making a premises licence application. The process permits an applicant to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete.

23.2 A provisional statement is not a licence and merely gives the holder some form of assurance that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required.

23.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

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

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

24. Unlicensed Family Entertainment Centre Gaming Machine Permits

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

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

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

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

24.4 The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes

24.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application.

24.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.

25. Gaming Machine Permits in premises licensed for the sale of alcohol

25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

- 25.2 If a premises wishes to have more than two machines, then application must be made for a permit. The Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case by case basis, but generally regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines
- 25.3 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.
- 25.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 25.5 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached
- 25.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 25.7 A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to licensing authorities by the Gambling Commission.
<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

26. Prize Gaming Permits

- 26.1 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:
- That they understand the limits to stakes and prizes that are set out in regulations;
 - That the gaming offered is within the law.
- 26.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

26.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:

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

27. Club Gaming and Club Machines Permits

27.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).

27.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include workingmen's clubs, branches of the Royal British Legion and clubs with political affiliations.

27.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age.

27.4 The Council may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied
- b) the applicant's premises are used wholly or mainly by children and/or young persons
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities

- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the Police.

28. Temporary Use Notices

- 28.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 28.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises.
- 28.3 The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

29. Occasional Use Notices (for Tracks)

- 29.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.
- 29.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

30. Small Society Lottery Registrations

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

30.2 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial

requirements set out in the Act. These may be administered by the Council for small societies who have a principal office in the area and wish to run such a lottery.

30.3 To be 'non-commercial', a society must be established and conducted:

- For charitable purposes
- For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than that of private gain.

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

PART E – ENFORCEMENT

31. Enforcement Principles

31.1 The Council will work closely with other agencies in targeting known high risk premises. In doing so, we will follow Government guidance on better regulation.

31.2 The Council recognises that the Regulators Code applies to all activities under the Act. This will however, be most obvious in respect of the Councils inspection and enforcement duties and the powers to institute criminal proceedings. The Regulators' Code can be found at: <https://www.gov.uk/government/publications/regulators-code>

31.3 The Council will aim to be:

Proportionate:

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

Accountable:

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

Consistent:

Rules and standards must be joined up and implemented fairly.

Transparent:

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

Targeted:

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

- 31.4 The Council's Enforcement Policy, which explains how the Council deals with non-compliance and unlawful gambling activity can be found at: www.cannockchasedc.gov.uk/ehenforcementpolicy
- 31.5 Known enforcement issues which the Council's Licensing Unit will address include illegal gambling machines in takeaways and poker in pubs.
- 31.6 The Council will endeavour to avoid duplication with other regulatory regimes.
- 31.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licence conditions and other permissions. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission. In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission.
- 31.8 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Regulatory Delivery Division of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.
- 31.9 Since October 2013, the Primary Authority scheme, under the terms of the Regulatory Enforcement and Sanctions (RES) Act 2008, has been extended to include age-restricted sales of gambling in England. The Council is aware that Primary Authority Partnerships have been agreed with a number of national bookmaking companies. The Council will follow any 'age-restricted sales of gambling' national inspection plans that are published on the Primary Authority register when considering proactive age-restricted sales (gambling) activity, including test purchasing.

32. Reviews

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

- Reasonably consistent with the licensing objectives; and
- In accordance with this Authority's Statement of Gambling Policy.
- In accordance with any relevant guidance issued by the Gambling Commission

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

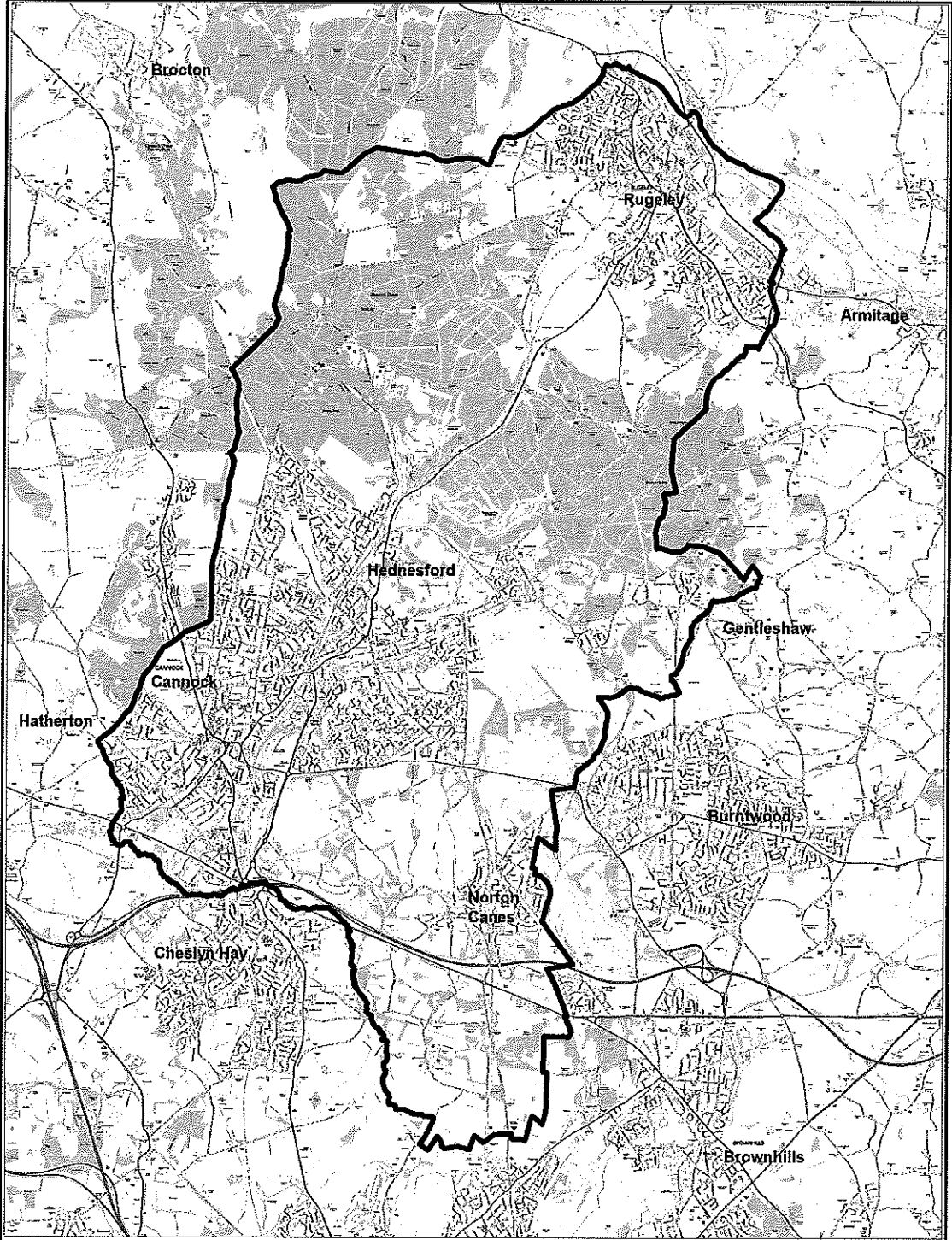
- 32.3 In addition the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the Authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.
- 32.4 The Council can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

33. Functions and Delegations

A table showing the delegation of functions within the Council can be found at Appendix G of the Gambling Commission Guidance: <http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>



Cannock Chase District Boundary



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The Gambling Act 2005 - Cannock Chase Council Statement of Principles Consultation

elizabeth speed [espeed@novomatic.co.uk]

Sent: 21 August 2018 16:22

To: LicensingUnit CCDC

Cc: Tracey Rose [Tracey.Rose@Luxury-Leisure.co.uk]

Dear Sirs

Gambling Act 2005 – Statement of Principles Consultation

Thank you for the opportunity to make comments in relation to the above consultation. On behalf of Talarius Limited we make the following points in relation to the consultation draft (the "Draft"):-

1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That Code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must among other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. While we note that the Draft refers to the Code in the context of Enforcement (para 31.2), we suggest that the Draft makes it clear that the Code applies generally to the Authority's activities under the Act.
2. We suggest that the Draft identifies the 3 year period it is to apply to.
3. Para 2.1: Under s 349 of the Act, the Draft is to set out the principles that the Authority proposes to apply in exercising their functions under the Act – not in exercising their functions generally. We accordingly suggest that this is clarified. Similarly, while we note the provisions at paragraphs 4 and 5, those are matters for other legislation – not under the Act and, we submit, therefore not matters for the Draft.
4. Para 8.4: The Local Risk Assessment (LRA) is a creature of the LCCP, which does not state that the LRA "must be kept on the premises at all times" as the Draft states. As such, while it may be a sensible recommendation, we do not think it is something that the Authority has the power to insist upon – that is for the Gambling Commission through its LCCP.
5. Para 8.6: We are not clear about what this paragraph is trying to say. As the Authority will appreciate, moral or religious objections to gambling are not valid objections under the Act and not relevant for LRAs. We suggest that this paragraph be reviewed and clarified or removed.
6. Para 15.1: As the heading makes clear, the Act is equally clear that the harm in question is restricted to harm caused by gambling. While matters of child protection issues such as CSE, are very important, with respect they are not matters for the first licensing objective, the Act or the Draft. They are for other regimes which, as the Draft confirms at paragraph 16.12 are not to be duplicated in this context.
7. Paras 16.6, 16.7 and 23.1: Contrary to the suggestions in the Draft, it is perfectly legitimate for an application to be made for a premises licence even though the premises are not finished or complete. We refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then current Guidance issued by the Commission was wrong. The Guidance was subsequently amended. As such, we suggest that the wording of these paras be amended to make it clear that applications for premises licences can be made regardless of whether the building in question is complete or finished. An applicant may apply for a provisional statement if the building is not complete, but it does not have to do so and can instead apply for licence.
8. Para 16.9: The matters listed are of course matters for the relevant LRA and we suggest that this is mentioned here. Without that reference, it might suggest that these factors alone might determine the application without reference to the LRA, when it is quite possible that policies and procedures can be put in

place to satisfactorily mitigate the risks.

9. Paras 19 and 20: We note that the list of possible measures/conditions set out for AGCs and FECs is not repeated for Bingo or Betting premises, despite the fact that such premises provide access to gaming machines as well as other activities, where stakes/prizes can be at least as great as in AGCs and FECs. The same issues apply. Indeed, the permitted stake level for B2 gaming machines present in Betting Premises is currently much higher than is allowed on gaming machines in AGCs, FECs or Bingo premises. We suggest that this unjustified inconsistency be remedied.
10. Para 24.3: We do not understand why "harm" in the context of UFEC permits is stated in the Draft to be broader than it is for licensed premises, where gaming machines of a higher category are present. Both types of permissions are creatures of the Act and subject to the same licensing objectives. The 3rd licensing objective is very clear that it relates to harm or exploitation by gambling. As such, we do not think it is correct that applicants for a permit under the Act can be expected to consider harm to children in a wider sense, and we suggest that this paragraph is corrected.

We hope that the above proves useful. If you have any questions, please to not hesitate to contact us.

Yours faithfully,

Elizabeth Speed
Group General Counsel
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CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
GAMBLING ACT 2005

REVISED STATEMENT OF PRINCIPLES 2018

Reference number:

GA05/Principles2018/01

Date received:

21 August 2018

Name and address of respondent

Elizabeth Speed
Group General Counsel
Novomatic UK
Novomatic House
995 Great West Road
Brentford
TW8 9FY

Comments/observations made by respondent:

Novomatic have responded to the consultation of behalf of Talarius Ltd.

They make several specific points in connection with the draft

1. That the Regulators Code mentioned specifically in Paragraph 31.2 should applying to all activities under the Act.
2. There is a request for clarity about period of time to which the policy relates.
3. Comment is made about the wording of paragraph 2.1 of the draft and whether paragraphs 4 and 5 should form part of the Statement of Principles.
4. Novomatic recognise that asking operators to keep of a copy of the local risk assessment on their premises seems reasonable but question whether the local authority has the power to insist upon this.
5. There is uncertainty from the respondent as to the meaning of paragraph 8.6 of the draft document.
6. There are concern about duplicating other legal regimes because the policy asks operators to consider child protection in a wider context
7. Novomatic state that, following a court case in 2008, it is now possible for operators to make application for a premises licence even if those premises are not complete or finished.
8. Clarification is sought with respect to paragraph 16.9. Novomatic agree that the matters mentioned are relevant to the local risk assessment but point out that they are not the only matters which are relevant to the determination of an application.

9. There is concern that paragraphs 17, 19 & 20 are inconsistent because the list of measures and controls provided for in paragraph 17 are not repeated in paragraphs 19 and 20.
10. The respondent does not understand why protecting children from harm in UFEC is of greater importance than that in other gambling premises.

Appraisal of comments by the Authority:

NOVOMATIC UK represents the UK's largest gaming industry operation comprising manufacturing, operating and distribution of gaming and other amusement equipment. Their consultation response provides the licensing authority with an insight into the industry operators and the forensic nature of the response is helpful.

The appraisal of the consultation response is as follows:

1. There is a general understanding by all that the regulators code applies to all aspects of regulation, not just enforcement.
2. The draft policy covers the period 2019 to 2021.
3. The Council's Licensing Unit seeks to create policies which are of a consistently high standard. All licensing policies include mention of our statutory duties to ensure equality and diversity and to prevent crime.
4. The draft Statement of Principles requires operators to keep a copy of the local risk assessment on site. If necessary, a relevant condition can be imposed upon premises licences at the time of application.
5. Paragraph 8.6 is clear that the District does not have significant issues of ethnic, religion or cultural differences. The Council recognised however, that greater clarity might be required.
6. The local authority does not intend to duplicate other regimes but does wish, through its Statement of Principles, to ensure that operators are aware of their responsibilities around child protection.
7. The licensing authority notes the outcome of the 2008 court case and the effect that this has had on guidance to local authorities.
8. The comments are noted and will be clarified.
9. The perceived inconsistency is noted and will be remedied.
10. Novomatic's comments are noted however it does not seem unreasonable for the council's policy to reflect greater concern in areas where children are encouraged to be as opposed to areas where they are prohibited from being by law.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Novomatic UK and proposes to respond as follows:

1. The Statement of Principles will be amended to clarify the Council's commitment to the Regulators Code across all activities under the Act.
2. The revised Statement of Principles covers the period 2019 to 2021. This will be made clear on the finalised document.
3. Paragraph 2.1 will be amended to be more specific. Paragraphs 4 and 5 will remain unchanged as a result of this aspect of the consultation response.
4. Paragraph 8.4 of the Statement of Principles has been amended to encourage operators to keep a copy of the LRA at the premises. Upon submission of application, the licensing authority will seek to impose a condition upon the premises licence requiring compliance with this policy requirement.
5. Paragraph 8.6 has been amended to make reference to the other socio-economic factors which might be relevant to drafting a local risk assessment.
6. The Council accepts that harm in this context is specific to harm from gambling. However, the understanding of child protection responsibilities is important and the relevant paragraph has been moved from 15.1 to 13.3 and 24.3. This reflects the need to consider child protection as a crime and disorder issue.
7. The Statement of Principles will be amended to clarify that applications can be made for premises licences even where the premises is incomplete or unfinished. Paragraphs 16.6 and 16.7 will be deleted.
8. The Statement of Principles will be amended to make clear that the matters mentioned in paragraph 16.9 are not the only matters which can be taken into account when properly considering an application. The amended wording is at paragraph 16.7.
9. The Statement of Principles will be amended to remove the inconsistency and to include equivalent provisions for Bingo and Betting premises in sections 19 and 20.
10. Paragraph 24.3 of the Statement of Principles has been amended to reflect the need for a wider understanding of child protection responsibilities. It has been made clear that protecting children from harm is not only related to gambling but is also relevant to the crime protection objective.

Signed:

Agreed:

Date:

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Sean OMeara

From: Catherine Sweet [REDACTED]
Sent: 21 August 2018 16:34
To: LicensingUnit CCDC
Cc: Sean OMeara
Subject: RE: Consultation-Draft Statement of Principles 2019 to 2021
Attachments: GamCare Local Authorities Brochure 2018 (web-version).pdf; GamCare Training Brochure 2017.pdf

Hello,

Thank you for your email, we appreciate your interest in our work.

While we do not have the resources available to allow us to personally respond to each Local Authority which contacts us regarding their refreshed Statement of Principles, we have compiled a list of the issues or factors which we think it would be helpful to consider below, more information is available via the [Gambling Commission](#).

The function of the Statement is to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. The active use of the Statement is one means by which you can make clear your expectations of gambling operators who have premises in your area. This allows operators to respond to locally specific requirements and adjust their own policies and procedures as required.

- A helpful first step is to develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm. For more information please see www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/
- Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities.
- A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place.
- Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?
- Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.
- Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.

We would suggest that the Local Licensing Authority primarily consider applications from [GamCare Certified operators](#). GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice. If you would like more information on how our audit can support Local Licensing Authorities, please contact [REDACTED]

For more information on GamCare training and other services available to local authorities, as well as recommended training for gambling operators, please see the attached brochures.

If there is anything else we can assist with please do let us know.

Kind regards,
Catherine

Catherine Sweet
Head of Marketing and Communications



Click here to sign up to our free, monthly e-newsletter

From: Sean OMeara <SeanOMeara@cannockchasedc.gov.uk>
Sent: 20 August 2018 14:21
To: Info <Info@gamcare.org.uk>; 'info@gambleaware.org' <info@gambleaware.org>; 'info@iGamingBusiness.com' <info@iGamingBusiness.com>
Subject: Consultation-Draft Statement of Principles 2019 to 2021

This Message originated outside your organization.

20 August 2018

Dear Consultee,
Gambling Act 2005
Draft Statement of Principles 2019 to 2021

I write with reference to the above and to advise you that Cannock Chase District Council has published a draft copy of its revised Gambling Act Statement of Principles for the period 2019 to 2021.

The Council would be grateful if you could take the time to read the draft Statements of Principles and make comment upon it during the consultation period which runs between **20 August 2018 and 23 September 2018**.

If appropriate, I would also ask you to forward the draft Statement of Principles to another colleague or organisation who you think might have an interest in commenting upon it.

The draft Statement of Principles is available for online in the 'Business' section of the Council's website at:
www.cannockchasedc.gov.uk/draftGA05policy2018

I have attached a copy for your convenience.

Email comments should be made by no later than 23 September 2018 to: licensingunit@cannockchasedc.gov.uk

Your comments can also be sent by letter to:

Licensing Unit
Cannock Chase District Council
PO Box 28
Beecroft Road
Cannock

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
GAMBLING ACT 2005

REVISED STATEMENT OF PRINCIPLES 2018

Reference number:

GA05/Principles2018/02

Date received:

21 August 2018

Name and address of respondent

Catherine Sweet
Head of Marketing and Communications
GamCare.org.uk

Comments/observations made by respondent:

GamCare state that they do not have the resources to respond to individual draft consultations. They do however provide a generic response which confirms that the function of the statement of principles is to reflect local gambling concerns and make clear the local authority's expectation of gambling operators

GamCare do specifically ask that local authorities primarily consider applications from GamCare certified operators.

Appraisal of comments by the Authority:

GamCare is the leading provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. GamCare aim to support those affected by problem gambling through advice and treatment, and to minimise gambling-related harm through education, prevention and communication.

GamCare refer to a voluntary process where gambling premises operators can apply to be GamCare certified operators being assessed on their player protection measures and social responsibility standards. It appears that this process is still being developed and so far the list of certified operators include some, but not all, of the bingo operators and bookmakers.

Proposed response by the Authority:

No changes to the draft policy are required as a result of this consultation response. The licensing authority would encourage operators to obtain GamCare certification but cannot give priority to specific operators. We are obliged to consider every application on its own merits.

Signed:

Agreed:

Date:

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Sean OMeara

Subject: FW: Consultation-Draft Statement of Principles 2019 to 2021

From: Darren Shenton [<mailto:DShenton@gamblingcommission.gov.uk>]
Sent: 22 August 2018 11:07
To: LicensingUnit CCDC
Cc: Sean OMeara
Subject: Consultation-Draft Statement of Principles 2019 to 2021

Hi Sean,

I have to say I am Impressed.

As far as I am concerned, all the right stuff is in there including LAP materials etc.

Just one thing, at 31.9 you mention PA scheme and what you say there is fine (don't need to change it) but can I just remind you that there is no longer any NIS in place, now only assured advice.

Great job!

Regards.

Darren

Darren Shenton

Compliance Manager

GAMBLING COMMISSION

Tel (0121) 230 6903


dshenton@gamblingcommission.gov.uk

www.gamblingcommission.gov.uk

Confidential Call line 0121 230 6655

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CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
GAMBLING ACT 2005

REVISED STATEMENT OF PRINCIPLES 2018

Reference number:

GA05/Principles2018/03

Date received:

22 August 2018

Name and address of respondent

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Comments/observations made by respondent:

The Gambling Commission (GC) is satisfied that all the necessary policy elements are contained within the draft statement of principles but wish to remind the local authority that the Primary Authority (PA), National Inspection Strategy (NIS), no longer exists. In its place, local authorities provide nationally accepted assured advice on which gambling operators are able to rely.

Appraisal of comments by the Authority:

The Gambling Commission are the industry regulators and their response to the Council's draft consultation is most welcome. They are satisfied that all the necessary information is contained within draft statement of principles. This includes important information provided by the Council on its own Local Area Profile (LAP).

Proposed response by the Authority:

No changes to the draft policy are required as a result of this consultation response.

Signed:

Agreed:

Date:

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GOSSCHALKS
SOLICITORS

BY EMAIL ONLY
Licensing Department
Cannock Chase DC

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 097505.00005
#GS2169026
Your ref:
Date: 14th September 2018

Dear Sir/Madam,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the Council's current consultation on the draft gambling policy statement.

This response starts by setting out the ABB's approach in areas relevant to the local authority's regulation of betting shop premises, and its commitment to working with local authorities in partnership. The response finishes by highlighting matters within the policy statement which the ABB feels may need to be addressed.

Betting shops have been part of the British high street for over 50 years and ensuring a dialogue with the communities they serve is vital.

The ABB recognises the importance of the gambling policy statement in focusing on the local environment and welcomes the informed approach this will enable operators to take for example, with regard, to the new requirements for local area risk assessments and ensuring the right structures are in place in shops that are appropriate for that area.

Whilst it is important that the gambling policy statement fully reflects the local area, the ABB is also keen to ensure that the statutory requirements placed on operators and local authorities under the Gambling Act 2005 remain clear; this includes mandatory conditions (for instance, relating to Think 21 policies) and the aim to permit structure. Any duplication or obscuring of these within new processes would be detrimental to the gambling licensing regime. The ABB also

believes it is important that the key protections already offered for communities, and clear process (including putting the public on notice) for objections to premises licence applications, continue to be recognised under the new regime.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that numbers as of March 2017 were 8,788 - a decline of 349 since March 2014, when there were 9,137 recorded.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

LGA – ABB Betting Partnership Framework

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA), developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms, which established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the *"desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be."*

The framework builds on earlier examples of joint working between councils and the industry, for example the Medway Responsible Gambling Partnership which was launched by Medway Council and the ABB in December 2014. The first of its kind in Britain, the voluntary agreement led the way in trialing multi-operator self-exclusion. Lessons learned from this trial paved the way for the national multi-operator self-exclusion scheme now in place across the country. By phoning a free phone number (0800 294 2060) a customer who is concerned they are developing a problem with their gambling can exclude themselves from betting shops close to where they live, work and

socialise. The ABB is working with local authorities to help raise awareness of the scheme, which is widely promoted within betting shops.

The national scheme was first trialed in Glasgow in partnership with Glasgow City Council. Cllr Paul Rooney, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, described the project as "*breaking new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator.*"

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities. These partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015. By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

Since April 2016, under new Gambling Commission LCCP provisions, operators have been required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated. Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy, and any local area profile, in their risk assessment. These must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or for a new premises licence.

The ABB fully supports the implementation of risk assessments which will take into account risks presented in the local area, such as exposure to vulnerable groups and crime. The new requirements build on measures the industry has already introduced through the ABB Responsible Gambling Code to better identify problem gamblers and to encourage all customers to gamble responsibly.

This includes training for shop staff on how to intervene and direct problem gamblers to support services, as well as new rules on advertising including banning gaming machine advertising in shop windows, and the introduction of Player Awareness Systems which use technology to track account

based gaming machine customers' player history data to allow earlier intervention with any customers whose data displays known 'markers of harm'.

Best practice

The ABB is committed to working pro-actively with local authorities to help drive the development of best practice with regard to local area risk assessments, both through responses to consultations such as this and directly with local authorities. Both the ABB and its members are open and willing to engage with any local authority with questions or concerns relating to the risk assessment process, and would encourage them to make contact.

Westminster Council is one local authority which entered into early dialogue with the industry, leading to the development of and consultation on draft guidance on the risk assessment process, which the ABB and our members contributed to. Most recently one operator, Coral, has been working closely with the Council ahead of it issuing its final version of the guidance, which we welcome.

The final guidance includes a recommended template for the local area risk assessment which we would point to as a good example of what should be expected to be covered in an operator's risk assessment. It is not feasible for national operators to submit bespoke risk assessments to each of the c.350 local authorities they each deal with, and all operators have been working to ensure that their templates can meet the requirements set out by all individual local authorities.

The ABB would be concerned should any local authority seek to prescribe the form of an operator's risk assessment. This would not be in line with better regulation principles. Operators must remain free to shape their risk assessment in whichever way best meets their operational processes.

The ABB has also shared recommendations of best practice with its smaller independent members, who although they deal with fewer different local authorities, have less resource to devote to developing their approach to the new assessments. In this way we hope to encourage a consistent application of the new rules by operators which will benefit both them and local authorities.

Concerns around increases in the regulatory burden on operators

The ABB is concerned to ensure that any changes in the licensing regime at a local level are implemented in a proportionate manner. This would include if any local authority were to set out overly onerous requirements on operators to review their local risk assessments with unnecessary frequency, as this could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this should be where evidence can be provided to demonstrate that the change could impact the premises' ability to operate consistently with the three licensing objectives.

Any increase in the regulatory burden would severely impact ABB members at a time when overall shop numbers are in decline, and operators are continuing to absorb the impacts of significant recent regulatory change. This includes the increase to 25% of Machine Games Duty, limits to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Employing additional licence conditions

It should continue to be the case that additional conditions are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called "Think 21". This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and the ABB, and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%. The ABB has seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

Other concerns

Where a local area profile is produced by the licensing authority, this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

Considerations specific to the Draft Gambling Act 2005 Statement of Principles.

On behalf of the ABB we welcome the light touch approach taken by the Statement of Principles, especially, the recognition within paragraph 16.13 that the mandatory and default conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives and that additional conditions would only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented.

We would respectfully submit, however that paragraph 8.19 should be re-drafted. This appears to require operators to provide test purchasing compliance results to the Licensing Authority. The requirement to test purchase is an SR Code provision and therefore performs part of the operating licence. It is a requirement that this information relating to compliance is provided to the Gambling Commission and it appears unduly onerous to duplicate this requirement. Accordingly, this paragraph should be re-drafted to remove this reference. .

Paragraph 20 would be assisted by a clear explanation of the distinction between betting machines, where there is the ability to restrict numbers, and gaming machines where there is no such ability. The holder of a Betting Premises Licence may make available for use up to four gaming machines of categories B, C or D.


Conclusion

The ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, the ABB and its members already do this successfully in partnership with local authorities now. This includes through the ABB Responsible Gambling Code, which is mandatory for all members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff.

We would encourage local authorities to engage with us as we continue to develop both these codes of practice, which are in direct support of the licensing objectives, as well as our processes around local area risk assessments.

Yours faithfully,



GOSSCHALKS

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
GAMBLING ACT 2005

REVISED STATEMENT OF PRINCIPLES 2018

Reference number:

GA05/Principles2018/04

Date received:

14 September 2018

Name and address of respondent

Gosschalks Solicitors
Queens Gardens
Hull
HU1 3DZ

Comments/observations made by respondent:

The response to the consultation is made on behalf of the Association of British Bookmakers (ABB). Their response is very general in its approach.

The respondent makes 3 specific comments in respect to the Council draft statement of principles:

1. The respondent is content that paragraph 16.13 is an appropriate light touch approach to the imposition of conditions on licences.
2. The respondent submits that the reference in paragraph 8.19, asking operators to provide results of their test purchase operations to the Council, is an unnecessary duplication of effort because these results are already provided to the Gambling Commission.
3. Paragraph 20 makes mention of both gaming machines and betting machines. The respondent requests that the distinction between the two types of machines and the ability of the Council to restrict their numbers of betting machines but not gaming machines, is made clear.

Appraisal of comments by the Authority:

The licensing authority is grateful for the response on behalf of the ABB. The work they undertake is important in helping to ensure a high standard of compliance within the gambling industry

With respect to the 3 specific comments made, the local authority's appraisal of the draft document are made in the same order as they mentioned above:

1. The comments about paragraph 16.13 are noted.

2. Paragraph 8.19 of the draft statement of principles requires that information about test purchases is provided to the licensing authority upon appropriate application. This important because the information will help the Council assess whether the premises is able to comply with the requirements of legislation, guidance, codes of practice and licence conditions.
3. The local authority notes the comments and agrees that the distinction between the two types of machines is important.

Proposed response by the Authority:

1. No changes to the draft policy are required as a result of this aspect of the consultation response.
2. The statement of principles will be amended to make it clear that the test purchase information is premises specific and is only required upon application to vary the premises licence. This information is readily available to the applicant and therefore the requirement is not considered to be onerous nor unreasonable.
3. Paragraph 20.2, makes mention of both gaming machines and betting machines and also makes clear the differing ability of the council to restrict their numbers. No changes to the draft policy are required as a result of this aspect of the consultation response.

Signed:

Agreed:

Date:

Report of:	Head of Economic Prosperity
Contact Officer:	David Prosser-Davies
Telephone No:	01543 464202
Portfolio Leader:	Health and Wellbeing
Key Decision:	No
Report Track:	Council: 28/11/18

COUNCIL
28 NOVEMBER 2018
LICENSING OF ACTIVITIES INVOLVING ANIMALS

1 Purpose of Report

- 1.1 To update members on major reforms to the legislation governing animal licensing with the coming into effect of the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 (the Regulations).

2 Recommendation

- 2.1 That the Cannock Chase District Council notes the implementation of the Regulations.
- 2.2 That the Head of Economic Prosperity be authorised and instructed to introduce the necessary arrangements to administer and enforce all aspects of the Regulations (including the determination of fees for variations and re-inspections).
- 2.3 That the Council approves the proposed initial fees as set out in Appendix 1.
- 2.4 That the Constitution Working Group be instructed to update the scheme of delegations to reflect the legislative changes in England.

3 Key Issues and Reasons for Recommendation

- 3.1 Members are asked to note that the legislation relating to the licensing of activities involving animals is changing. On 1 October 2018 the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 (the Regulations) came into effect. The Regulations will have an impact on how the Council administers its functions in relation to animal licensing compliance and enforcement.

- 3.2 The Regulations, and accompanying guidance, introduce a risk-based approach whereby establishments will be inspected by Councils and given a “star rating” (out of five). The breadth of activities requiring licences has increased, as have the costs to the Council in administering the regime. These costs will be recovered from applicants in line with the proposed schedule of fees at Appx. 1.
- 3.3 The Regulations also introduce the facility for licence holders who are dissatisfied with the Council’s rating to appeal and to request revisits. A transparent procedure will therefore be required to facilitate this.

4 Relationship to Corporate Priorities

- 4.1 Implementing these Regulations contributes to the Council’s “Promoting Prosperity” and “Community Wellbeing” Priorities by:
- Implementing risk-based, proportionate controls, ensuring all businesses are treated equitably;
 - Allowing “earned recognition”, so better businesses, with higher animal welfare standards, receive fewer inspections and have longer licences;
 - Promoting high standards of both regulatory compliance animal welfare;
 - Ensuring all businesses involved in these activities are identified and appropriately licensed;
 - Ensuring non compliant businesses do not gain unfair competitive advantage;

5 Report Detail

- 5.1 The introduction of the Regulations follows an extensive Government consultation exercise, commenced in December 2015, the aim of which was to minimise burdens on both businesses and local authorities, through the introduction of a single ‘Animal Establishment Licence’ for animal boarding establishments, pet shops, riding establishments, and dog breeding.
- 5.2 The Regulations also reflect high levels of public interest in animal welfare, introducing stricter control of puppy sales and a crack down on so-called “puppy farms” and backstreet breeders. There will be a ban on the sale of puppies below the age of 8 weeks and a requirement for a puppy to be shown with its mother by breeders prior to sale.
- 5.3 Another key part of the Regulations will be a new “star rating” (out of five) for dog breeders, pet shops and other licensed activities involving animals. This rates these businesses, on welfare and other grounds, and helps buyers use the best breeders as well as assisting local authorities to more heavily regulate the poorer rated (such as through more welfare inspections, increased costs and shorter licences).
- 5.4 The Regulations replace a number of old Acts of Parliament. For example, the Pet Animals Act 1951, under which pet shops are licensed, is nearly seventy years old, and the riding/animal boarding legislation is over fifty years old. Many

animal-related businesses don't fit into the current system: animal groomers, dog trainers, pet sitters and the sale of animals on the internet are relatively recent innovations.

5.5 The Regulations replace the following outdated licensing and registration regimes in England:

- Performing Animals (Regulation) Act 1925;
- Pet Animals Act 1951;
- Animal Boarding Establishments Act 1963;
- Riding Establishments Acts 1964 & 1970;
- Breeding of Dogs Act 1973 and Breeding and Sale of Dogs (Welfare) Act 1999.

5.6 The Regulations provide for the licensing of persons involved in England in:

- selling animals as pets;
- providing boarding for cats;
- providing boarding for dogs in kennels;
- providing home boarding for dogs;
- providing day care for dogs;
- breeding dogs;
- hiring out horses;
- keeping or training animals for exhibition.

5.7 Key features of the Regulations:

- Establishments will now be given a “star rating” to assist customers in deciding which facility to use;
- Licences are issued using a risk-based inspection, which determines the “star rating” of the business;
- Licences can now be issued for up to three years in certain circumstances, whereas formerly only up to 12 months;
- Licences can now be suspended, varied or revoked, whereas previously licences could only be revoked by the Courts if the holder had been prosecuted;
- One Licence can cover several licensable activities, whereas previously each activity required a separate licence and fee;
- Vets inspections are no longer always required;
- District Councils are now responsible for licensing performing animals;
- Breeders must show puppies alongside their mother before a sale is made.
- Puppy sales must be completed in the presence of the new owner – preventing online sales where prospective buyers have not seen the animal first.
- Ban on dealing in puppies and kittens under the age of eight weeks.
- Regulate adverts, including on the internet, by ensuring licensed sellers of all pets include the seller’s licence number, country of origin and country of residence of the pet in any advert for sale.

- 5.8 Extensive guidance notes and both general and specific conditions of licence have been issued by the Department for Environment & Rural Affairs (DEFRA) on all of the above activities as well as individual codes of practice for the welfare of cats and dogs. Local Authorities must have regard to this guidance when carrying out its functions under the Regulations.

6 Implications

6.1 Financial

It is estimated that the initial costs of implementing, administering and monitoring compliance with the Regulations will be in the region of £8,500. These costs will be recovered from applicants through an appropriate fee structure as proposed at Appendix 1. The fee structure going forward will be subject to approval by the Head of Service as part of the annual review of fees and charges.

6.2 Legal

This is the introduction of primary legislation and therefore there is no requirement to consult on the matter. The Council will however, take the opportunity to advise existing licence holders of the changes and publicise the new Regulations.

Implementation of appropriate arrangements as detailed in 2.2 above ensures the Council discharges its statutory licensing functions effectively and that decisions made by Officers and Members are transparent, proportionate and comply with Human Rights and Equalities legislation.

Consequential changes to the current Scheme of Delegation may be required.

Other legal matters are dealt with elsewhere in the report.

6.3 Human Resources

Resources required for implementation of this Policy will be drawn from within the existing Environmental Health & Licensing teams.

6.4 Section 17 (Crime Prevention)

None.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

None.

6.8 Equality & Diversity

None.

6.9 Best Value

Full recovery of costs for all areas of licensing work is in line with best practice and ensures efficient use of resources.

7 Appendices to the Report

Appendix 1: Proposed fee structure

Previous Consideration

None

Background Papers

None.

ITEM NO. 11.

Appendix 1

Animal Licences Fee Setting for initial year of 2018-19 (Pet Sales, Boarding, Breeding, DWA, Dog Day Care, Riding etc.)			
Item	Hours per year	Licensing Unit Hourly Rate	Cost (Total) (per annum)
Staff costs, training / update costs, authorisation and competence assessment (This includes the estimated £1,000 per officer cost for relevant level 3 training by October 2021 (as required in the Regulations).	5 hrs per officer x 2	£40	£400 £2,000
Member costs – LPPC, briefing notes / reports, training for elected members etc.	n/a	n/a	£240
Work on fee setting, conditions, updating website, issuing guidance, reviewing forms etc.	4	40	£160
APP Civica software licence costs (£735 per licence/person) £735 x 4(LU) users = £2,940 / 11 regimes (alcohol, taxis, gambling, animals, street trading, sex shops, SMDA, LGMPA, Obstructions, Café, A Boards) = £270	n/a	n/a	£270
Application processing (pre-application advice (excludes those who do not progress with application), administration, site visits / inspections, completion of inspection forms and risk assessments, consultation and liaison with agencies, decision process, production and posting of licence etc.). Based on 20 applications, 4 hours each	80	£40	£3,200
Reactive response work (estimate 20 requests per annum, one per premises)	20	£40	£800
Proactive checks (1 check per licence period)	20	£40	£800
Costs of enforcement in checking for illegal activity (newspapers, surveys of district, internet / social media checks etc.) and investigation of complaints.	10	40	£400
Sub total			£8,270
Divided by 20 Licences, £8270 / 20 = £415* (final figure is rounded up to £415 from £413.50) Part 1 = £315.00; Part 2 = £100.00			

Notes (see also Section 3, paragraphs 3.1, 3.2 and 3.3 of the draft fees guidance (2018))

1. Items in **PURPLE** show underpinning activities and costs, without which the licensing functions cannot operate effectively.
2. Items in **BLUE** represent the application costs. As there are an estimated 20 licences the total costs are then apportioned equally.
3. Items in **GREEN** represent compliance and enforcement costs;
4. Fee is payable in two parts. Part 1 includes purple and blue elements which are payable by all applicants and are non refundable. Part 2 includes the Green elements which are only payable by successful applicants. The Licence will contain a condition that, in order to be operable, both fees must be paid.
5. Licensing Unit Hourly rate of £40.00 includes salaries, on costs, transport, support services (corporate services, accounts, HR, legal, ICT) printing, consumables, office lighting, heating, accommodation costs etc.
6. Figures have been rounded as necessary.
7. Vets inspection fees will be added to part 1 as they are incurred and several such inspections may be grouped to reduce costs.