

## ***POLICY OVERVIEW AND SCRUTINY COMMITTEE*** ***Agenda***

Date Tuesday 9 November 2021

Time 6.00 pm

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services at least 24 hours in advance of the meeting.
  2. CONTACT OFFICER for this agenda is Constitutional Services Tel. 0161 770 5151 or email [constitutional.services@oldham.gov.uk](mailto:constitutional.services@oldham.gov.uk)
  3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Thursday, 4 November 2021.
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### MEMBERSHIP OF THE POLICY OVERVIEW AND SCRUTINY COMMITTEE

Councillors Alyas, Brownridge, Curley, Hobin, McLaren (Chair), K Phythian, Surjan and Williamson

#### Item No

- 1 Apologies For Absence
- 2 Declarations of Interest



To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

3 Urgent Business

Urgent business, if any, introduced by the Chair

4 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

5 Minutes of Previous Meeting (Pages 1 - 6)

The Minutes of the meeting held on 21<sup>st</sup> September 2021 are attached for approval.

6 Creating a Better Place (Pages 7 - 8)

7 Gambling Policy Review (Pages 9 - 54)

8 GM Minimum Licensing Standards (Vehicles) (Pages 55 - 58)

9 Youth Justice Plan (Pages 59 - 104)

10 Policy Overview and Scrutiny Committee Work Programme 2021/22 (Pages 105 - 112)



**Present:** Councillor McLaren (Chair)  
Councillors Alyas, Hobin, K Phythian and Surjan

Also in Attendance:

Fiona Carr	Principal Homelessness Strategy Officer
Andrew Hunt	Strategy Partnerships and Policy Manager
Kaidy McCann	Constitutional Services
Donna McLaughlin	Alliance Director, Oldham Cares

## 1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

## 2 **DECLARATIONS OF INTEREST**

Councillor Hobin declared a personal interest at item 10 by virtue of being a Licensed Private Hire Driver.

## 3 **URGENT BUSINESS**

There were no items of urgent business received.

## 4 **PUBLIC QUESTION TIME**

There were no public questions received.

## 5 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting held on 1<sup>st</sup> September 2021 be approved as a correct record.

## 6 **DELIVERY OF LOW CARBON INFRASTRUCTURE IN THE BOROUGH**

Consideration was given to a report which provided an update on funding arrangements for activities in the Oldham Green New Deal (OGND) delivery programme which were unfunded at the time of the OGND report to the Committee in June 2021. The report set out the potential opportunities for a strategic collaboration with the private sector to help Oldham meet the carbon neutrality targets set out in the OGND Strategy.

The OGND Strategy set a number of objectives and pledges for delivery on environmental issues which broadly fit into three over-arching pillars, which were as followed:

- Growing the green economy
- Low carbon infrastructure and a Local Energy Market
- Northern Roots

The OGND Strategy also set two carbon neutrality targets:

- For Council Buildings and Street Lighting by 2025
- For the borough by 2030



**Oldham**  
Council

Oldham's Green New Deal programme included a number of community energy initiatives which supported residents to build their knowledge and skills base with a view to gaining training and employment in this key growth sector. However, this support needed to be matched by large-scale inward investment into the borough to create those jobs, training and business opportunities. Members were provided with a breakdown of the estimated 2173 number of jobs that could be created as part of the OGND.

Members were informed that private sector energy infrastructure companies were recognising the potential and need to diversify their business models and portfolios by investing in low carbon infrastructure schemes. Examples of such low carbon infrastructure schemes were:

- Solar farms and industrial rooftop arrays
- Wind farms
- Hydroelectric plants
- Energy storage facilities
- District Heat Networks
- Air and Ground Source Heat Pumps
- Electric Vehicle charging facilities

Members were provided with a summary of the resources, benefits and risks of potential Council and Private Sector partnerships. A partnership arrangement could include the setting up of a Joint Venture / Special Purpose Vehicle to deliver and operate the low carbon infrastructure schemes. This could serve to mitigate some of the risks associated with relying on a single external provider and could give the Council more long-term control over some of the infrastructure in the borough. Other anchor organisations in the Oldham Partnership could also be interested in such a co-produced and co-owned approach to infrastructure.

It was noted that the structure of a contract for a strategic partnership could be split into three phases which were as followed:

- Phase 1 – Pilot Scheme / scoping phase - 12-month contract with two objectives:
  - A renewable energy scheme on privately owned land / property with a PPA to the Council.
  - Production of outline programme for Phases 2 and 3.
- Phase 2 – 2-year programme (2025 target) - 2-year contract to follow on from Phase 1:
  - Identification and / or development of renewable energy generation in the borough to contribute to the 2025 Council carbon neutrality target via PPAs with generators and renewable heat infrastructure.
  - Delivery of low carbon schemes which support the Creating A Better Place programme, e.g. Town

- Centre District Heat Network, rooftop solar PV and Electric Vehicle charging points.
- Set up a Joint Venture / Special Purpose Vehicle between the Council and the provider to set up and operate low carbon infrastructure schemes e.g. those mentioned above.
- Support for community energy initiatives in the borough e.g. Oldham Community Power, Oldham Energy Futures.
- Development of a Green Business Park / Centre, potentially either aligned with the Mills Strategy or GM Mayoral Enterprise Zone commitment at Stakehill.
- Production of detailed programme for Phase 3.
- Phase 3 – 5-year programme (2030 target) - 5-year contract to follow on from Phase 2:
  - Net zero decarbonisation strategy for all ‘anchor’ strategic partners, as demonstrated by the Council by 2025 (Phase 2).
  - A net zero offer for homes and businesses, as part of the Warm Homes Oldham / Oldham Enterprise Trust / Oldham in Place offers.
  - Borough-wide net zero transport decarbonisation strategy (EV charging network), working with TfGM, GMCA etc.

Any low carbon infrastructure partnership contract should maximise the social value to Oldham. Oldham’s social value portal used the Themes, Outcomes and Measures (TOMs) approach which covered the following areas:

- Carbon emissions
- Air quality
- Natural environment
- Resource efficiency / circular economy
- Sustainable procurement
- Social innovation

Additionally, there were 20 TOMs under the “Inclusive Economy” theme which could also be used for these contracts.

**RESOLVED** that:

1. the progress in securing funding for some of the Council’s previously unfunded projects and programmes, and the forward planning to progress others be noted.
2. the contribution from GMCA-level decarbonisation initiatives and programmes to Oldham’s Green New Deal programme.
3. the proposed approach to engaging the private sector in Oldham’s Green New Deal programme for more detailed consideration by senior officers and Cabinet members be endorsed.

## **NORTHERN CARE ALLIANCE (NCA) NHS GROUP - EMPLOYMENT SUPPORT, LOCAL RECRUITMENT, AND ONGOING ITEMS.**

The Committee gave consideration to a report by the Director of Social Value Creation at the Northern Care Alliance (NCA) NHS Group which provided an update on Employment Support and Local Recruitment.

The report provided Members with the progress made since January 2021 with a particular focus on the support to young people. There was a strong link between decent work and good health, the NCA would need to use their significant social, economic and human capital to tackle the inequalities within Oldham which had been summarised into their social value ambitions through the 5 pillars of social value; environment, place, people, purchasing and to anchor or influence.

By 2025 the NCA had agreed the ambitions as followed:

- Create 1000 pre-employment opportunities across the NCA for those furthest away from employment from a baseline of 320. Approximately 210 would be created in Oldham from a baseline of 17 (2019-20).
- 85% of pre-employment learners supported into paid work from a NCA baseline of 55% and 31% in Oldham.
- 60% of those employed by the NCA to be local residents of Oldham from 45% (based on NCA configuration of Oct 2019) which would approximately be 80 jobs each year in Oldham.
- Support 1000 staff to become NHS Career Ambassadors by 2023 of which 155 would be in Oldham.

Members were informed on the work ongoing within Oldham schools, Oldham college, and the support to young people to gain skills and experience by volunteering. Members were also informed of the Kickstart Government initiative and the range of apprenticeships on offer for numerous career paths, 105 of which were within Oldham.

The Committee was informed of the GMCA Removing Barriers to Apprenticeships project held jointly with Positive Steps and Oldham Council. Members were provided with three case studies of young people who had accessed the project. The feedback received was positive and those accessing the schemes felt more confident. The funding for the programme was due to run out in December 2021. However, the NCA had managed to secure funding from the Prince Trust to continue and expand the programme for an additional 66 young people for 2022.

Going forward, the NCA had planned to launch a microsite that would list all of their pre-employment programmes, apprenticeships, work experience and career advice in a dedicated website. The site would be kept regularly update on

opportunities as the programmes are expanded to ensure that the NCA objective of 1000 pre-employment learners by 2025 be achieved.

**RESOVLED** that:

1. A four-way conversation between the Northern Care Alliance, Oldham Council, Oldham College and Department for Work and Pensions be held to discuss employment support and local recruitment within Oldham.
2. An update on the report be provided in 6 months' time.

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## **OLDHAM HOMELESSNESS PREVENTION AND REDUCTION STRATEGY 2021-26**

Consideration was given to a report on the Oldham Homelessness Prevention and Reduction Strategy 2021-26.

The Committee was informed that under the Homelessness Act 2002, there was a statutory requirement on local Authorities to publish a Homelessness Strategy at a minimum of every five years based on a review of homelessness in the Borough. Oldham's most recent strategy ran from 2016 to 2021. The strategy for 2021-26 had been developed in consultation with residents, stakeholders and Elected Members along with a comprehensive Review of homelessness between 2016-2020. The Review had particular focus on the period since the introduction of the Homelessness Reduction Act between 2018-20 and included an in-depth analysis of customer groups that presented to the Housing Options service, the support they needed and the reasonings why they had become homeless.

The Committee was advised that applications for assistance from people who stated to be homeless or threatened or homelessness increased by 38% between April 2018 and April 2020. By April 2020, more households had approached the Housing Options service at the point they had already become homeless (52%) than when it could still be prevented (48%).

It was noted that one fifth of homeless households in Oldham stated to have mental health issues, and almost 15% had physical health issues. 24% of homeless households stated to have no support needs at all in the data analysed in the Review, but in contrast 27% had three or more that suggested large numbers of increasingly complex households. It was felt that this explained why those households were presenting at crisis point, rather than at an earlier stage where homelessness might have been prevented.

The Strategy Delivery Plan took a pragmatic approach to tackling homelessness in Oldham, it acknowledged that resources were finite, and the effects of austerity and the Covid-19 pandemic would have a lasting impact on communities. Its focus was on making best use of what we had, making an effective business case for further investment and working in partnership to deliver the following priorities:

- Advice and information
- Early identification
- Pre-crisis intervention
- Prevent recurring homelessness
- Partnership arrangements

**RESOLVED** that:

1. The report be endorsed to Cabinet to approve the contents of the Oldham Homelessness Prevention and Reduction Strategy 2021-26 and its associated delivery plan.
2. An update be provided to the Committee in 12 months' time.

10            **GM TAXI STANDARDS - VEHICLE RECOMMENDATIONS**

**RESOLVED** that consideration of the item be deferred to the next meeting of the Policy Overview and Scrutiny Committee.

11            **POLICY OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2021/22**

**RESOLVED** that the Policy Overview and Scrutiny Committee Work Programme 2021/22 be noted.

The meeting started at 6.00 pm and ended at 7.56 pm





## Report to POLICY OVERVIEW AND SCRUTINY COMMITTEE

# Creating a Better Place

### **Portfolio Holder:**

Councillor A Shah, Leader of the Council and Portfolio Holder for Economy and Enterprise

**Officer Contact:** Emma Barton, Director of Economy

**9<sup>th</sup> November 2021**

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## **Presentation format for discussion with Members**

### **Summary:**

Cabinet approval was obtained in August 2020 for the revised Council's 'Creating a Better Place' strategic framework and capital regeneration programme, following discussions with Scrutiny Committee members. The new programme reflected on the priority areas to support the borough's economic and social recovery in support of the financial implications associated with responding to the Coronavirus (CV19).

The very best towns and cities around the world have one thing in common – they are both people and quality focused. Quality of place is paramount to thriving communities and we want Oldham to be a place where people feel they belong, an exciting place where people can live, work and spend time. With a refreshed focus on economic and social recovery, alignment with ensuring Oldham meets its housing need continues to be of paramount importance.

Committee members have requested an overview on the progress of the programme to date and the future ambitions as projects progress through the various stages of development to deliver the intended outcomes for Oldham's residents. The update will reference the challenges of delivery as a result of Brexit and the pandemic, but also includes updates on external funding secured and new funding opportunities to bring forward development on brownfield sites in the town centre and across the borough. Finally, the update will also highlight the ongoing consultation and engagement with local communities, members and businesses which continue to help shape, steer and influence the projects within the Creating a Better Place Programme.

### **Recommendations**

Members are asked to note the progress and updates provided for the Creating a Better Place strategic programme.

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## Report to POLICY OVERVIEW & SCRUTINY COMMITTEE

# Gambling Policy Review

### **Portfolio Holder:**

Councillor A. Chadderton - Cabinet Member for Neighbourhoods

**Officer Contact:** Director of Environment

**Report Author:** John Garforth – Trading Standards & Licensing Manager

**Ext.** 5026

**9 November 2021**

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### **Reason for the Report**

The reason for this report is to update members of the recent review of the Council's Gambling Policy and seek views on the suggested amendments required prior to Council approval.

### **Recommendations**

That Members consider the proposed attached Gambling Policy draft and make any suggestions for further alterations to it prior to it being placed before December Council.

## Gambling Policy Review

### 1 Background

1.1 The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in this Country. Amongst other changes it gave local authorities new and extended responsibilities for licensing premises for gambling and associated permissions.

1.2 In setting its local policy the Council must show how we will seek to promote the licensing objectives under the Act which are:

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

1.3 The role of the licensing authority covers:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for the consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued
- Maintain registers of the permits and licences

### 2 Current Position

2.1 The current policy was adopted in January 2019 and has to be reviewed every 3 years by law. In the attached proposed policy at appendix 1 the ten Greater Manchester Authorities have worked collaboratively to develop of common policy framework and content. Local issues and profiling have been added in addition to the common policy text.

2.2 The content of the policy centres around the regulatory responsibilities of both operators and the Council in how it administers the gambling system. This includes:

- General principles of the Gambling Act 2005
- Determining licences
- Relevant factors to consider

- 
- Specific considerations for business types
  - Permits and permissions

2.3 The Gambling Act defines which statutory bodies are to be consulted on a new premises application and these are:

- Gambling Commission
- Greater Manchester Police
- GM Fire & Rescue
- Planning Authority
- Environmental Health
- Safeguarding Partnership
- HMRC
- The Licensing Authority

2.4 Significant attention has been paid to the public health concerns surrounding gambling additions in the revised policy. Data suggest that in Oldham there are around three thousand problem gamblers and nine thousand at risk gamblers. A Greater Manchester Gambling Harm Reduction Strategy has been compiled with funding allocated to support pathways and research.

2.5 The proposed policy also asks operators to submit a return to the Licensing Authority in order to measure the number of interventions they are taking to assist customers and self exclude those who require that option.

2.6 The attached proposed policy is going to be considered by the Licensing Committee on the 30<sup>th</sup> of November 2021 prior to moving forward for approval to Council on 15 December 2021.

### 3 **Recommendations**

3.1 Members are asked to note the report and feedback any comments on its content.

### 4 **Preferred Option**

4.1 Not applicable

### 5 **Consultation**

5.1 The proposed Gambling Policy Statement was drafted for the purposes of consulting in July 2021.

The Consultation lasted for an eight week period and copies of the consultation were circulated widely amongst licence holders, trade organisations and interested parties within the trade. A total of three responses were received including Betting & Gaming Council, Director of Public Health for Oldham and the National Association of Bookmakers.

### 6 **Financial Implications**

6.1 None

### 7 **Legal Services Comments**

7.1 The Gambling Policy Statement sets out the principles the Council proposes to apply in exercising its functions under the Gambling Act during the three year period covered by the Statement. Under section 153 of the Gambling Act, the Council should aim to permit the

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use of premises for gambling in so far as the Council think it in accordance with the Gambling Policy Statement, any relevant code of practice or guidance issued by the Gambling Commission and it is reasonably consistent with the licensing objectives. (A Evans)

8. **Co-operative Agenda**

8.1 Not applicable

9 **Human Resources Comments**

9.1 Not applicable

10 **Risk Assessments**

10.1 Not applicable

11 **IT Implications**

11.1 None

12 **Property Implications**

12.1 None

13 **Procurement Implications**

13.1 None

14 **Environmental and Health & Safety Implications**

14.1 None

15 **Equality, community cohesion and crime implications**

15.1 None

16 **Equality Impact Assessment Completed?**

16.1 Yes

17 **Key Decision**

17.1 No

18 **Key Decision Reference**

18.1 N/A

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 Appendix 1 – Gambling Policy Statement (draft) November 2021

# Licensing Policy

## Statement of Principles under the Gambling Act 2005



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## Foreword

- 1.1 In Greater Manchester we are thinking differently about gambling with a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities. As part of our innovative public service reform and population health agenda we are working with partners across Greater Manchester to ensure that gambling is a safe and enjoyable activity for all who choose to take part. Our priorities are:
  - Developing our understanding of gambling related harms
  - Improving access to high quality treatment and support
  - Supporting interventions to prevent gambling from becoming a harmful activity
  - Engaging with people and communities to co-design our work
- 1.2 This policy reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level.
- 1.3 This statement of Policy in relation to the Gambling functions that this Authority regulates sets out the approach that will be taken when dealing with permissions it grants and enforces thereafter.
- 1.4 It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely: -
  - Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime.
  - Ensuring gambling is conducted in a fair and open way.
  - Protecting children and other vulnerable people from being harmed or exploited by gambling.
- 1.5 The Greater Manchester Gambling Harm Reduction Programme aims to prevent harm from arising and to ensure that the individuals, families and communities experiencing harm as a result of gambling have access to the right treatment and support.
- 1.6 The Greater Manchester model “doing things differently” means integrating policies around people, places and their needs, focusing on prevention, developing new models of support and sharing information to design and deliver better services. Working across disciplines will provide the skills to understand gambling harm, recognise it and signpost specialists where required.

## 2. Introduction

- 2.1 As the licensing authority, we are required to perform the following functions under the Gambling Act:
- 1) Be responsible for licensing premises where gambling activities are to take place by issuing premises licences
  - 2) Issue provisional statements where it is proposed that gambling activities will take place but a premises is not yet ready for use
  - 3) Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
  - 4) Issue club machine permits to commercial clubs
  - 5) Issue permits for unlicensed Family Entertainment Centres where Category D machines may be used
  - 6) Receive notifications from premises licensed for on-sales of alcohol for use of two or fewer Category C or D gaming machines
  - 7) Issue licensed premises gaming machine permits for premises licensed for on-sales of alcohol for use of two or more Category C or D machines
  - 8) Register small society lotteries
  - 9) Issue prize gaming permits
  - 10) Receive and endorse Temporary Use Notices for temporary use of premises for gambling
  - 11) Receive Occasional Use Notices for betting at tracks
- 2.1. Gambling is defined in the Act as either gaming, betting or taking part in a lottery
- 2.2. Gaming' means playing a game for the chance to win a prize.
- 2.3. 'Betting' means making or accepting a bet on:
- the outcome of a race, competition or other event
  - the likelihood of anything occurring or not occurring
  - whether anything is true or not.
- 2.4. A 'Lottery' is where participants are involved in an arrangement where prizes are allocated wholly by a process of chance.
- 2.5. The responsibility for regulating gambling is shared between the Gambling Commission and local authorities. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the internet, television or radio.

2.6. We are also required to:

- Provide information to the Gambling Commission regarding details of licences issued
- Maintain a register of the permits and licences that are issued under the functions above.

2.7. The Council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant. All decisions made by the licensing authority in relation to premises licences (and some other authorisations – see specific sections for details) are based on the Act, relevant guidance, Codes of Practice, our Gambling Policy and the three licensing objectives. These objectives are:

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

2.8. In the case of premises licences (and some other authorisations – see specific sections for details), the licensing committee will permit gambling only so far as it is reasonably consistent with these three objectives.

### **Publication of this Policy**

2.9. Licensing authorities have a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles they propose to apply in exercising functions under the Gambling Act 2005.

2.10. The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.

2.11. The authority is one of the 10 Metropolitan Districts of Greater Manchester. In Greater Manchester we have a shared aim reducing gambling related harms, our approach focuses on preventing gambling harms from occurring, as well as improving how we support our residents who are already experiencing harms, either directly or as a result of someone else's gambling. The renewal of licensing policies presents an opportunity for local authorities to embed these principles. Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies.

- 2.12. In drafting this policy we consulted widely with licence holders, trade organisations and responsible authorities
- 2.13. Three responses were received from Betting & Gaming Council (via their solicitors) Director of Public Health- Oldham Council and National association of Bookmakers. Due consideration has been given to comments made via the consultation and, where felt appropriate to do so, amendments have been made.
- 2.14. The Authority consulted upon this Policy before finalising at a full Council meeting held on the [enter date].

### **Description of the Area**

- 2.15. The authority is one of the ten Metropolitan Districts of Greater Manchester. The Borough of Oldham occupies an area of 56 square miles to the north east of Manchester. About one third of the Borough consists of the area occupied by the majority of towns 224,900 residents (2011 census). Another third of the Borough consists of moorland, which is largely uninhabited. The final third consists of small rural towns and villages.
- 2.16 Oldham currently has a range of premises that offer gambling facilities, which include one bingo hall, twenty three betting offices and five adult gaming centres. In addition to this there are various permits and permissions granted to alcohol licensed premises and private members clubs.

### **3. General principles**

- 3.1 In making decisions on premises licences, the licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it:
- In accordance with any relevant code of practice issued by the Gambling Commission;
  - In accordance with any relevant guidance issued by the Gambling Commission;
  - Reasonably consistent with the licensing objectives; and
  - In accordance with the authority's statement of licensing policy
- 3.2 As the licensing authority, we will regulate gambling in the public interest, which will be reflected in this policy statement.
- 3.3 This policy statement does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
- 3.4 This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence.
- 3.5 Each application will be considered on its merits in accordance with the requirements of the Gambling Act and without regard to demand.

#### **Other regulatory regimes**

- 3.6 The licensing authority will avoid duplication with other regulatory regimes, so far as possible. A range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

#### **Responsible Authorities**

- 3.7 Responsible Authorities are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to one or more of the licensing objectives.
- 3.8 Section 157 of the Act defines those authorities. For this area they are: -
- The Gambling Commission
  - Greater Manchester Police
  - Greater Manchester Fire and Rescue
  - The Planning Authority
  - The authority which has functions in relation to pollution to the environment or harm to human health
  - Oldham Safeguarding Partnership
  - HM Revenue and Customs
  - The Licensing Authority.

- 3.9 The contact details of all the Responsible Authorities are available are set out in Appendix 1.
- 3.10 The licensing authority has designated the Oldham Safeguarding Partnership as the body that is competent to advise it about the protection of children from harm. The principles that have been used in making this designation is that the board is:
- responsible for the whole of the licensing authority's area
  - answerable to democratically elected persons

### Public Health & Gambling Related Harm

- 3.11 While gambling can be an enjoyable activity, it is a source of harm for many.[1] [2]
- 3.12 Research suggests that in a city-region like Greater Manchester there are approximately 39,000 people living with a gambling disorder, with a further 118,000 at risk, however we know that self-reported surveys underestimate true prevalence of harm given the unfortunately shame and stigma associated with gambling disorder. For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues[3]

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Greater Manchester	2,148,660	38,676	118,176
Bolton	216,920	3,905	11,931
Bury	145,880	2,626	8,023
Manchester	416,480	7,497	22,906
Oldham	173,900	3,130	9,565
Rochdale	164,820	2,967	9,065
Salford	192,840	3,471	10,606
Stockport	227,920	4,103	12,536
Tameside	173,960	3,131	9,568
Trafford	179,920	3,239	9,896
Wigan	256,020	4,608	14,081

<sup>1</sup> Citizens Advice (2018) Out of Luck. An exploration of the causes and impacts of problem gambling.

<sup>2</sup> IPPR (2016) Cards on the table. The cost to government associate with people who are problem gamblers in Britain. IPPR

<sup>3</sup> Kenyon (2017) Problem Gambling in Leeds. Report to Leeds City council. Leeds Beckett

- 3.13 Anyone who gambles is vulnerable to harm. Men, younger adults (aged 18-34) and adults from a lower socioeconomic or black and minority ethnic backgrounds are more likely to be classified as gamblers experiencing some level of harm. Gambling related harms are often described at an individual level, however these harms have a wider impact on communities and society with costs to the UK as a whole estimated at being between £260m and £1.16bn. [4]
- 3.14 People living with, or at risk of developing, a gambling disorder may experience stress, anxiety and depression, financial losses, debts and exhibit compulsive behaviours, such as chasing losses. Gambling related harms may accrue over a long period of time or very quickly at a time of crisis, many harms have a lasting legacy beyond initial recovery from gambling disorder. Harms associated with gambling include poor mental health and wellbeing, relationship breakdown, neglect of other priorities in life, poor performance at work or school and criminal activity. It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.
- 3.15 Awareness of gambling harms as an emerging public health problem has increased in recent years, however Public Health are not a responsible authority under the Gambling Act 2005. Nonetheless, the licensing authority will consult the Director of Public Health on all premises licence applications and will advise the Director of Public Health to consider the use of the Gambling Commission's toolkit for public health and safeguarding: <https://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensingauthority-toolkit/Public-health-and-Safeguarding-toolkit.aspx>
- 3.16 Greater Manchester has a gambling harms reduction programme (which aims to reduce the harms caused by gambling to the population. Licence applicants and holders will be expected to show how they are actively protecting the local population from gambling harms with their processes and operations, and consider how the location, opening hours and promotion of their activities can minimize opportunities for harm to the vulnerable groups listed above.
- 3.17 The licensing authority recognises that local authority public health teams can offer insights from those impacted by gambling harms and offer contextual information about treatment and support in the local area and can add value to the licensing application process where there are concerns raised about risk of harm to vulnerable groups locally.
- 3.18 Greater Manchester's gambling harms reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations.
- 3.19 Between 61 and 73 percent of British adults gamble to some extent each year. For the majority of these people, gambling is a harmless and sociable activity. However, between 0.4 and 1.1 percent of British adults are estimated to be 'problem gamblers'

<sup>4</sup> Dinos, S, et al (2020) 'Treatment Needs and Gap Analysis in Great Britain' Gamble Aware p.45



who experience harm as a consequence of their gambling. A further 4 percent are estimated to be 'at-risk gamblers' who may go on to become problem gamblers.[1]

- 3.20 Problem gambling has been defined as “gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits”[2]. Males are 5 times more likely than females to be problem gamblers. Problem gambling also varies by age with young people aged 16-24 the most likely to be affected. Problem gambling disproportionately affects people on low incomes and those from ethnic minorities. Individuals of Asian/Asian British heritage and Black/Black British heritage are more likely to be problem gamblers than people who identify as White/White British[3].
- 3.21 For problem gamblers, harms can include higher levels of physical and mental illness, debt problems, relationship breakdown and criminality. Problem gambling is also associated with domestic violence and substance misuse. Harms from gambling affect far more people than just the problem gambler: it is estimated that for every harmful gambler, between 6 and 10 additional people are directly affected (such as friends, family or colleagues)[4]. Problem gambling also has a significant impact on public finances due to increased costs to the welfare, housing, health and criminal justice sectors. For these reasons, gambling-related harm is increasingly recognised as a public health issue.

[1] Institute for Public Policy and Research (2016). Cards on the table. The cost to government associated with people who are problem gamblers in Britain.

[2] Lesieur, H. R. & Rosenthal, M. D. (1991). Pathological gambling: A review of the literature (prepared for the American Psychiatric Association Task Force on DSM-IV Committee on disorders of impulse control not elsewhere classified). Journal of Gambling Studies, 7 (1), 5-40.

[3] See 1 above.

[4] Local Government Association and Public Health England (2018). Tackling gambling related harm A whole council approach.

### **Determining whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence**

- 3.22 For the purposes of the Gambling Act, an 'interested party' is:
- a) Someone who lives sufficiently close to the premises to be likely to be affected by the gambling premises
  - b) Has business interests that might be affected by the authorised activities
  - c) Represents persons who satisfy paragraph (a) or (b)
- 3.23 Whether or not a person is an 'interested party' is ultimately the decision of the Licensing Authority which issues the licence or to which the application is made.
- 3.24 To determine who lives 'sufficiently close to the premises to be likely to be affected by the gambling premises', we will consider the following on a case-by-case basis:
- The size of the gambling premises
  - The nature of the gambling premises
  - The distance of the premises from the address of the person making the representation

- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)
  - the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises e.g. 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
  - The 'catchment' area of the premises (i.e. how far people travel to visit it).
- 3.25 Having a 'business interest' will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The licensing authority will consider the following factors relevant when determining whether a person's business interests may be affected:
- The size of the premises
  - The 'catchment' area of the premises (i.e. how far people travel to visit it)
  - whether the person making the representation has business interests in the affected catchment area
- 3.26 In so far as who represents persons who satisfy paragraphs (a) or (b), this would include for example:
- i. Residents' associations and tenants' associations
  - ii. Trade associations and trade unions
  - iii. Any other person with written permission from somebody who satisfies paragraph (i) or (ii)
  - iv. Local councillors and MPs

**Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act (s350 of GA2005)**

- 3.27 The licensing authority may share application information received in the course of processing applications with the Gambling Commission, a constable or police force, an enforcement officer, another Licensing Authority, her Majesty's Commissioners of Customs & Excise, The First Tier Tribunal, The Secretary of State or Scottish Ministers.
- 3.28 We will abide by the Freedom of Information Act and the General Data Protection Regulation (GDPR) in its safeguarding/release of information or data.
- 3.29 In the context of the Gambling Act, we will retain only that information which relates to the processing of applications for licences, permits, permissions and representations. Applications and representations in respect of applications are both in the public domain and are therefore available on request and may be published as part of our web register. Personal addresses/contact numbers attached with representations may also be released. Information may also be shared with other Gambling Act regulators or other parties prescribed by the Secretary of State.

- 3.30 Licensing authorities have statutory duties to notify the Commission as well as the applicant and other responsible authorities of the grant/rejection of applications (new, variations, transfers etc) as well as the revocation, surrender or lapse of a premises licence using the correct statutory forms.
- 3.31 We will inform the Gambling Commission without delay if:
- The Licensing Authority receives information that causes it to question the suitability of the person holding/applying to hold an operating licence
  - There are persistent or serious disorder problems that an operator could or should do more to prevent, so that the Commission may consider the continuing suitability of the operator to hold an operating licence
  - If it comes to our attention that: alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded.
- 3.32 The licensing authority will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation.

**Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section**

- 3.33 Our principal enforcement role under the Gambling Act is to ensure compliance with the conditions of the premises licence and legal requirements in respect of other permissions the licensing authority regulates. However, we will also ensure that any unlicensed premises which are operating illegally are dealt with appropriately to ensure compliance. Where appropriate, we will work with the Gambling Commission in our enforcement activity. The Council will adopt a risk-based inspection and enforcement programme, which will mean giving greater attention to high-risk premises and a lighter touch for low-risk premises. In all cases we will ensure our inspection and enforcement programme is operated in accordance with any codes of practice issued by the Gambling Commission, in accordance with the Government's Enforcement Concordat and the Compliance Code.
- 3.34 The Council will take account of the Gambling Commission's guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.

- 3.35 This licensing authority will be guided by the Gambling Commission’s Guidance for local authorities and will endeavour 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

- 3.36 Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

Operator	Primary Authority local authority
BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

- 3.37 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par>

### **Commenting on a licence application**

- 3.38 If ‘interested parties’ (see below for definition) or ‘responsible authorities’ wish to comment on an application for a premises licence relating to the licensing objectives, they can make a ‘representation’. The Licensing Authority can only consider representations if made by either an ‘interested party’ or ‘responsible authority’.

- 3.39 A representation is a statement that outlines any comments that the party making the representation wants to be taken into consideration by the Licensing Authority when determining the application. In all cases representations will need to be ‘relevant’. The only representations likely to be relevant are those that meet one or more of the following criteria:

- Relate to the licensing objectives
- Relate to relevant matters in our gambling policy
- Relate to relevant matters in the Gambling Commission’s Guidance to Local Authorities
- Relate to relevant matters in the Gambling Commission’s Codes of Practice
- Relate to the premises that are the subject of the application

- Are neither frivolous nor vexatious nor will certainly not influence the authority's determination of the application.

### **Factors that will not be relevant**

- 3.40 Any objections to new premises or requests for a review should be based on the licensing objectives of the Act. Unlike the Licensing Act 2003, the Act does not include the prevention of public nuisance as a specific licensing objective.
- 3.41 The licensing authority will not take into account representations that are:
- repetitive, vexatious or frivolous
  - from a rival gambling business where the basis of the representation is unwanted competition
  - moral objections to gambling
  - concerned with expected demand for gambling
  - anonymous
- 3.42 Details of applications and representations referred to a licensing sub- Committee for determination will be published in reports that are made publicly available and placed on the Council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports.
- 3.43 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is specifically asked to do so.

### **Split Premises**

- 3.44 The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement. The Authority will not automatically grant a licence for sub- divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premise. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

### **Premises "ready for gambling"**

- 3.45 A licence to use premises for gambling will only be issued in relation to premises:
- that the Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use
  - where they are expected to be used for the gambling activity named on the licence.

- 3.46 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 3.47 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two-stage consideration process: -
- 1) Whether the premises ought to be permitted to be used for gambling
  - 2) Whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 3.48 Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 3.49 When dealing with a premises licence application for finished buildings, the licensing authority will not take into account:
- whether those buildings have to comply with the necessary planning or building consents;
  - fire or health and safety risks.
- 3.50 Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence.
- 3.51 It is noted that s.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

### **Applications and plans**

- 3.52 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Authority to plan future premises inspection activity.
- 3.53 It is the local authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the premises including, but not limited to:
- Machines, specified by category
  - Staff counters
- 3.54 We consider that this information is appropriate, in conjunction with the premises' risk assessment, to effectively assess the provision of gambling facilities at the premises. Where this information is not provided, it is more likely that a representation will be made in order to enable the licensing authority to accurately assess the likely effect of granting the application relative to the Licence conditions and code of practice and licensing objectives.

- 3.55 The premises plan in itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns and the layout of a particular premises may well determine what is most appropriate for an individual application.

## **Tracks**

- 3.56 Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises. In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundaries of the premises do not need to be defined.
- 3.57 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.
- 3.58 Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

## 4. Determining Premises Licences

### How the Licensing Authority decides whether to grant or refuse an application

- 4.1 Where we receive an application for a gambling premises licence, we will aim to permit the use of premises for gambling where it is considered:
- a) In accordance with any relevant code of practice issued by the Gambling Commission
  - b) In accordance with any relevant guidance issued by the Gambling Commission
  - c) Reasonably consistent with the licensing objectives (subject to a and b) and
  - d) In accordance with this policy (subject to a – c).
- 4.2 The Licensing Authority has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the committee cannot reject applications on moral grounds.
- 4.3 Each case will be decided on its merits.
- 4.4 The Licensing Authority will not have regard to any demand issues for the premises.
- 4.5 Where an area has known high levels of organised crime the licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors.
- 4.6 Rather than reject applications outright, wherever possible the Licensing Authority will look to work with gambling premises and tackle concerns with licence conditions that uphold the licensing objectives. However, where there are reasons why granting a licence would not be consistent with (a) - (d) above, the application will normally be refused.
- 4.7 In accordance with the Guidance from the Gambling Commission, we will circulate 'clear and comprehensive' reasons for any decision to all parties. We will also cite the extent to which decisions have been made in accordance with the Council's gambling policy and the Guidance from the Gambling Commission.

### How the licensing committee decides what conditions to apply to premises licences

- 4.8 Premises Licences may be subject to any or all of the following:
- Conditions specified in the Gambling Act 2005
  - Conditions specified in the regulations issued by the Secretary of State
  - Conditions attached by Oldham Council's Licensing Committee following a hearing (where necessary).
- 4.9 With respect to conditions, licensing authorities are able to:
- Issue licences without modifying conditions set out in the Act and by the Secretary of State



- Exclude default conditions
- Attach conditions where it is believed to be appropriate
- Conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.

4.10 We will ensure that any conditions we impose are:

- Proportionate to the circumstances which they are seeking to address
- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

4.11 There are also conditions, which the licensing authority cannot attach to premises licences:

- Conditions on a premises licence which make it impossible to comply with an operating licence condition
- Conditions relating to gaming machine categories, numbers, or method of operation
- Conditions that require membership of a club or body. (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- Conditions relating to stakes, fees, winnings or prizes
- Conditions relating to demand for the premises.

4.12 Decisions about conditions will be taken on a case-by-case basis considering Gambling Commission guidance, Gambling Commission Codes of Practice, the Licensing Objectives and our policy.

### **Determining whether to review a licence**

4.13 After a licence is granted, where the day to day operation of a gambling premises is not felt to be 'reasonably consistent with the licensing objectives', a review of the premises licence can be requested at any time.

4.14 A review may be initiated by the Licensing Authority or as a result of an application for review from an interested party or responsible authority. Where it is the Licensing Authority that initiate the review, they may do this for a whole class of premises e.g. all Adult Gaming Centres or in relation to particular premises. The Licensing Authority can review a licence for any reason it thinks appropriate.

4.15 Where an application for review is received from an interested party or responsible authority, as a licensing authority we must decide whether to go ahead with the review. The application for review will be considered based on the following:

- Does the request raise issues other than those found under the Gambling Commission's Guidance, Codes of Practice, the Licensing Objectives or our gambling policy?
- Is it irrelevant, frivolous or vexatious?
- Is it so minor that the authority will certainly not wish to revoke or suspend the licence or remove, amend or attach conditions?

- Is it substantially the same as a previous application for review relating to the same premises?
  - Is the application for review substantially the same as a representation made at the time the application for a premises licence was considered?
- 4.16 If the answer to ANY of the above questions is 'yes', the request for review may be rejected. The purpose of the review is to determine if the licensing committee should take any action in relation to the licence. If action is needed, the options are to either:
- Revoke the premises licence
  - Suspend the premises licence for a period not exceeding three months
  - Exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such an exclusion
  - Add, remove or amend a licence condition previously imposed by the Licensing Authority
- 4.17 To decide what action, if any, needs to be taken following an application for review, the licensing committee will make its determination:
- In accordance with any relevant code of practice issued by the Gambling Commission
  - In accordance with relevant guidance issued by the Gambling Commission
  - In so far as it is reasonably consistent with the licensing objectives
  - In accordance with the authority's statement of licensing policy
- 4.18 The committee will also consider any relevant representations and information given at the hearing. Codes or practice and the guidance referred to above may be obtained from the Gambling Commission.

## **5. Relevant factors when considering applications and reviews**

5.1 In considering applications for new gambling licences, variations to existing licences and licence reviews the licensing authority will consider the following matters:

- the location of the premises
- the Local Area Profile
- the Local Risk Assessment (LRA)
- the views of responsible authorities
- the views of interested parties
- compliance history of current management
- the hours of operation
- the type of premises
- the operation of the premises in accordance with the expectations of the licensing authority, as set out in this policy
- the physical suitability of the premises
- the levels of crime and disorder in the area
- the level of deprivation and ill health in the area

5.2 The Licensing Authority believes that this list is not exhaustive and there may be other factors which may arise that could be considered relevant. The Licensing Authority will consider the relevance of any additional factors raised on a case-by-case basis.

### **Location of the premises**

5.3 The location of the premises will be an important factor as it can impact on all three of the licensing objectives. The Licensing Authority will consider very carefully applications for premises licences that are located in close proximity to sensitive premises such as:

- Schools, including universities
- Parks, stations, other transport hubs and places where large numbers of school children might be expected
- other premises licensed for gambling
- premises licensed for alcohol
- children's and vulnerable persons' centres and accommodation
- youth and community centres
- health and treatment centres
- leisure centres used for sporting and similar activities by young persons and/or vulnerable persons
- religious centres and public places of worship

5.4 The Licensing Authority expects each premises to produce and keep on the premises a local risk assessment, covering the areas set out in this policy.

## Local risk assessments

- 5.5 Licensees are required to undertake a local risk assessment when applying for a new premises licence. 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 those identified in a licensing authority's policy statement
  - when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 5.6 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.
- 5.7 In conducting their risk assessment, the Licensing Authority will expect operators to follow the general principles of risk assessment:
- 1) Identify hazards (think about what may cause harm using the information provided below as a guide and any other matters you consider relevant)
  - 2) Assess the risks (decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk). Decide:
    - i) Who might be harmed and how
    - ii) What you are already doing to control the risks
    - iii) What further action you need to take to control the risks
    - iv) Who needs to carry out the action
    - v) When the action is needed by
  - 3) Control the risks (Look at what you are already doing, and the controls you already have in place.) Ask yourself:
    - i) Can I get rid of the hazard altogether?
    - ii) If not, how can I control the risks so that harm is unlikely?
  - 4) Record your findings (record your significant findings), including:
    - i) the hazards (things that may cause harm)
    - ii) who might be harmed and how
    - iii) what you are doing to control the risks
  - 5) Review the controls. (You must review the controls you have put in place to make sure they are working.) You should also review them if:
    - i) they may no longer be effective
    - ii) Also consider a review if your workers have spotted any problems or there have been any accidents or near misses.
    - iii) to take account of significant changes in local circumstances, including those identified in this policy statement
    - iv) when there are significant changes at the premises that may affect your mitigation of local risks
    - v) Update your risk assessment record with any changes you make.
- 5.8 The Licensing Authority considers the following as significant changes at the premises that may affect your mitigation of local risks:
- Staffing changes

- Layout of the premises
- Changes to gaming facilities provided

5.9 The Authority will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools
- The commercial environment
- Factors affecting the footfall
- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship

5.10 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the staffing of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
  - dedicated and trained personnel
  - leaflets and posters
  - self-exclusion schemes
  - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, Council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate

5.11 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas, etc.

- The proximity of places where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

5.12 Other matters that the assessment will include as appropriate: -

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

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

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

### **Local Area Profile**

5.15 The Greater Manchester Gambling Harms Reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations. This research and evidence will be available online at: <https://www.greatermanchester-ca.gov.uk/what-we-do/health/gambling/understanding-gambling-related-harms/> and should be referred to in Local Risk Assessments.

### **How the premises will operate consistent with the licensing objectives**

5.16 We expect high standards from all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and have appropriate measures in place to uphold them.

5.17 The following paragraphs indicate the physical and management factors that the licensing authority may take into account when considering applications for new or varied licence applications and reviews. These are not mandatory requirements but should be used as a guide to applicants and licensees as to the sort of arrangements that it should have in place and demonstrate these are in place through their bespoke risk assessment. Where an applicant or licensee can demonstrate that these factors are

not relevant, or alternative arrangements are more appropriate, the licensing authority will take these into account.

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

- 5.18 The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licence procedure.
- 5.19 However, as a Licensing Authority, we will take into account any local considerations that may impact with regard to this licensing objective, particularly in respect to the location of the premises, to ensure the suitability of the gambling premises. When considering whether a disturbance was serious enough to constitute disorder, we will have regard to the individual merits of the situation including, but not limited to, whether police assistance was required and how threatening the behaviour was to those who could see or hear it. We acknowledge that the Gambling Commission highlights in its guidance to local authorities that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.
- 5.20 Whilst regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences, if there are persistent or serious disorder problems that we consider an operator could or should do more to prevent, we will bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.
- 5.21 Licensees and applicants will be expected to demonstrate that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- 5.22 In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.
- 5.23 We encourage premises to liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.
- 5.24 The measures to be considered should include:
- The arrangements in place to control access (preventing unauthorised access shall not be limited to the provision of supervisory personnel; other options may include, but are not limited to, time-lock or maglock entrances)
  - The opening hours
  - The provision of registered door supervisors\*
  - The provision of CCTV

- The number of staff on duty and effective staff training, especially in relation to lone working
- The provision of toilet facilities
- Prevention of antisocial behaviour associated with the premises, such as street drinking, litter, activity outside the premises including the management of clients leaving the premises
- Adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.

\* Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

### **Ensuring that gambling is conducted in a fair and open way**

5.25 Generally, this objective will be addressed by:

- The management of the gambling business (in conjunction with the Gambling Commission, who are responsible for issuing and enforcement of the operating licence).
- The personal licence holders proving their suitability and actions (which again is the responsibility of the Gambling Commission)

5.26 Where we suspect that gambling is not being conducted in a fair and open way, we will bring this to the attention of the Gambling Commission, for their further consideration, and work in partnership with their officers. In the case of those premises that do not hold an operating licence such as tracks, additional conditions may be required dependent on the risks outlined in the application.

### **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

5.27 The Gambling Act defines 'children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age. The term 'vulnerable persons' is not defined and what constitutes harm or exploitation will have to be considered on a case-by-case basis.

5.28 Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling can have longer- term and enduring consequences that can exacerbate existing inequalities.

5.29 Regard will be had to current evidence in relation to vulnerability to gambling-related harm. In 2015, Manchester City Council in partnership with Westminster City Council commissioned research into this issue and published a report: Exploring area-based



vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review by Heather Wardle, Gambling and Place Research Hub, Geofutures 13th July 2015. Similarly, In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling (Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016) looking specifically at identifying groups of the society that could be considered (more) vulnerable to problem gambling:

- Younger people, including students
- Those who are unemployed and/or with constrained financial circumstances
- Those from minority ethnic groups
- Those under the influence of alcohol or drugs
- Problem gamblers seeking treatment
- Homeless people
- Those living in areas of greater deprivation
- Those with other mental health issues and substance abuse/misuse disorders
- Those with poorer intellectual functioning
- Custodial and non-custodial offenders

5.30 Licensees and applicants will be expected to demonstrate they have carefully considered how to protect children and vulnerable persons from harm and have adequate arrangements for preventing underage gambling on their premises. The measures that should be considered where appropriate are:

- The provision of CCTV
- Location of entrances
- Restricted opening and closing times to protect residents vulnerable to harm
- Supervision of entrances
- Controlled access to the premises by children under the age of 18
- Dealing with pupils who are truanting, and policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays
- Design layout/lighting/fit out to not attract children or vulnerable persons
- Having a nationally-recognised proof of age scheme – Think 21/25
- The provision of registered door supervisors
- Clear segregation between gaming and non-gaming areas in premises frequented by children
- The provision of adequate signage and notices
- Supervision of machine areas in premises, particularly areas to which children are admitted
- Controlled opening hours
- Effective self-barring schemes
- The provision of materials for GamCare, Betknowmore UK or similar, Citizens Advice Bureau information, local public and mental health and housing/homeless associations, printed in languages appropriate to the customer base.
- Advertising local support services in the area such as Beacon Counselling Trust or the NHS Gambling Clinic.
- The number of staff on duty and effective staff training, especially in relation to the ability to effectively identify and engage with vulnerable persons, including primary intervention and escalation
- A requirement that children must be accompanied by an adult (in premises where children are allowed)

- Enhanced DBS checks of staff
  - Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises
  - Self-exclusion schemes
- 5.31 With reference to those persons with a mental impairment or mental health difficulties, operators would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling.
- 5.32 For multi-occupied premises consideration should be given to the arrangements for controlling access by children and the compatibility of the different uses. Separate and identifiable entrances may be required to ensure that people do not drift inadvertently into a gambling area.
- 5.33 Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises the licensing authority will require:
- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
  - adults only admitted to the area where these machines are located
  - adequate supervised access to the area where the machines are located
  - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
  - prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

### **Expectations of operators: Staffing provision**

- 5.34 Staff in licensed gambling premises are recognised as being subject to risk in the workplace from violence and verbal abuse, especially if working alone. In addition, lone workers may not be able to sufficiently serve and supervise the customers, identify and prevent young people from gambling, protect vulnerable persons, deal with customers who may be consuming alcohol and prevent the premises being used as a source of crime or supporting crime.
- 5.35 We expect premises management to recognise and address this as part of their management arrangements, especially at times where it has been identified that there is a spike in crimes around the premises.
- 5.36 We expect there to be an adequate number of staff and managers on the premises to cover key points throughout the day, especially where premises are close to schools/colleges/universities, pubs, bars, shopping centres and stadia.

### **Expectations of operators: Data gathering and sharing**

- 5.37 Keeping track of the incidence and handling of problem gambling in Greater Manchester is a key part of promoting the licensing objectives. We expect all gambling premises to maintain a log and share this and other information with the Licensing Team upon request.

5.38 Data that we consider should be recorded and shared includes (but is not exclusive to):

- 1) Customer interventions
- 2) Cases where persons who have decided to voluntarily exclude themselves from the premises have tried to gain entry
- 3) Mandatory exclusions needing enforcement
- 4) Attempts to enter by those underage in a calendar month
- 5) Attempts to enter by those underage in the company of adults
- 6) Attempts to enter by those underage with complicit adults
- 7) Incidents of 'at risk behaviour'
- 8) Incidents of 'behaviour requiring immediate intervention'

5.39 We would expect that all records include time and date along with a short description of the incident and action taken.

5.40 We expect that this application will be provided to the licensing authority annually.

5.41 A template for this information to be provided is at Appendix 2.

### **Expectation of applicants: Staff Training and Knowledge**

5.42 We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling. Amongst other elements, staff knowledge should include (where appropriate):

- 1) The importance of social responsibility (Premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility)
- 2) Causes and consequences of problem gambling
- 3) Identifying and communicating with vulnerable persons: primary intervention and escalation, supported by high quality training given the challenging nature of these conversations.
- 4) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment including local treatment providers
- 5) Refusal of entry (alcohol and drugs)
- 6) Age verification procedures and need to return stakes/withdraw winnings if under age persons found gambling
- 7) Importance and enforcement of time/spend limits
- 8) The conditions of the licence
- 9) Maintaining an incident log
- 10) Offences under the Gambling Act
- 11) Categories of gaming machines and the stakes and odds associated with each machine
- 12) Types of gaming and the stakes and odds associated with each
- 13) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
- 14) Safe cash-handling/payment of winnings
- 15) Identify forged ID and bar those using forged ID from the premises
- 16) Knowledge of a problem gambling helpline number (for their own use as well as that of customers)
- 17) The importance of not encouraging customers to:

- (a) Increase the amount of money they have decided to gamble
- (b) Enter into continuous gambling for a prolonged period
- (c) Continue gambling when they have expressed a wish to stop
- (d) Re-gamble winnings
- (e) Chase losses.

5.43 Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling. In relation to training, we do not intend to duplicate any existing training requirement, such as may be required by the Gambling Commission's Code of Practice.

### **Expectation of applicants: Gaming machines / layouts**

- 5.44 It is an operator's responsibility to ensure staff are able to effectively monitor gaming machine play for a number of reasons that are part of the operator's licence conditions. Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their gambling premises.
- 5.45 The Licence conditions and code of practice (LCCP) state: 'Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times'.
- 5.46 A screen or pod around a gaming machine, designed to increase the privacy of the player, could prevent staff in a gambling premises from effectively monitoring gaming machine play
- 5.47 Operators will be expected to be able to evidence to the licensing authority how they have considered the risk to the licensing objectives and implemented effective controls, prior to the introduction of any new machine arrangements.
- 5.48 It will be important to consider the means by which gaming machines are supervised (e.g. line of sight to counter, effective CCTV, mirrors or floor staff) and consider whether that is appropriate for that premises.
- 5.49 Whether amendments to a premises amount to a 'material change' warranting an application to vary the premises licence under s.187 of the Gambling Act is a matter for local determination and the licensing authority will adopt a common-sense approach.

## **6. Premises-specific considerations**

### **Adult Gaming Centres**

- 6.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.
- 6.2 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 6.3 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

### **Casinos**

- 6.4 Oldham has no licensed casinos.
- 6.5 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines.

### **'No Casinos' resolution**

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

### **Bingo premises**

- 6.7 The Gambling Act 2005 does not contain a definition of bingo. It is to have its ordinary and natural meaning and the Act does stipulate that "bingo" means any version of that game, irrespective of how it is described. Two types of bingo may be offered:
  - Cash bingo, where the stakes panel made up the cash prize that is won; or
  - Prize bingo, where various forms of prizes are won, not directly relating to the stakes panel

- 6.8 Subject to the rules of individual operators, children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 6.9 Where category C or above machines are available in premises to which children are admitted then the Council will 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. For this purpose a rope, floor markings or similar provision will not suffice and the Council may insist on a permanent barrier of at least one metre high
  - only adults are admitted to the area where the machines are located
  - access to the area where the machines are located is supervised at all times
  - the area where the machines are located is arranged so that it can be observed by staff
  - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
  - children will not be admitted to bingo premises unless accompanied by an adult.
- 6.10 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The Council will take this into consideration when determining licence applications for bingo premises.
- 6.11 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the Council may consider licence conditions to address such issues.

### **Electronic bingo gaming machines**

- 6.12 Where a premises intends on providing electronic terminals to play bingo, we will expect operators (as part of their application) to provide a breakdown of the number of electronic bingo terminals that will be provided at the premises

### **Gaming machines at bingo premises**

- 6.13 In addition to bingo, the premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act. Bingo premises licences authorise a maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4.
- 6.14 Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.
- 6.15 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question.

- 6.16 As the licensing authority, we will need to satisfy ourselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo. Equally, we must ensure that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.
- 6.17 Therefore, we will expect operators (as part of their application) to provide information on:
- any times they intend to provide gaming machines at any times that bingo facilities are not provided
  - how the premises will be recognised as a premises licensed for providing facilities for bingo
  - A breakdown of gaming machine numbers (by category)
- 6.18 The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect that applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.19 The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
  - the number of counter positions and staff on the premises
  - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.20 The licensing authority will not seek to limit the number of gambling machines by category as this entitled provision is defined in the Gambling Act. However, we will seek to ensure that the number and provision of gaming machines are only provided in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.
- 6.21 To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.
- 6.22 The licensing authority will require information from an applicant for a new premises or for a variation to an existing premises licence in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and the Gambling Commission's guidance to licensing authorities.

### **'Entertainment' Bingo**

- 6.23 A phenomenon over recent years has been the evolution of businesses, such as Bongo's Bingo, providing facilities for high turnover bingo (the aggregate stakes or prizes for bingo in any seven day period may exceed £2,000); typically providing equal chance gaming at pubs and nightclubs, in reliance on the alcohol licence held by the premises, and therefore doing so under the rules for exempt gaming.

- 6.24 We note that it is a condition of some such companies' operator's licence that they must notify both the Commission and the relevant local authority at least 28 days before any event takes place in new premises, by providing a description of the event taking place, a copy of the premises contract and any amendment to the rules of the bingo.
- 6.25 We would encourage venues hosting such events to promote responsible gambling messaging at them.

### **Betting Premises**

- 6.26 We encourage operators to participate in the Safebet Alliance in order to help ensure the highest standards for the safety and security of staff working at betting premises. Where an operator does not participate in the scheme, it is expected that they can satisfactorily demonstrate the security measures they incorporate are adequate.
- 6.27 Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the licensing authority has granted a variation application to extend these hours. The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.
- 6.28 As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.29 The licensing authority will use their power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
  - the number of counter positions and staff on the premises
  - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.30 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

### **(Licensed) Family Entertainment Centres**

- 6.31 The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.



- 6.32 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Operators should ensure that a proof of age scheme is in force.
- 6.33 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

### **Occasional use notices**

- 6.34 Occasional Use Notices (OUN) are designed to allow licensed betting operators to provide betting facilities at genuine sporting events, such as point-to point racecourses and golf courses for major competitions, within the boundaries of the identified venue on a specific date.
- 6.35 An OUN must be submitted for EACH day that the betting activity will be conducted on the premises. For example, four notices for four consecutive days of betting and not one notice covering the four days.
- 6.36 We will liaise with the Gambling Commission should we receive an OUN that does not relate to a genuine recognised sporting event to ensure that OUN's are not misused, for example, venues seeking to become tracks through a contrived sporting event, utilising OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue.

## **7. Permits and other permissions**

### **Alcohol Licensed Premises Gaming Machine Permits**

- 7.1 Premises licensed to sell alcohol that have a bar and the alcohol is not ancillary to food for consumption on the premises, having more than two gaming machines, will need to apply for a permit and must also notify the Licensing Authority if they have one or two machines. In considering whether to grant a permit, the licensing authority will have regard to the licensing objectives, guidance issued by the Gambling Commission and any other relevant matters. Permits will not be granted to licensees who have failed to demonstrate compliance with the Gambling Commission's Code of Practice.
- 7.2 In addition to the requirements of the Gambling Commission's Code of Practice, the Licensing Authority expects applicants to:
- display adequate notices and signs, advertising the relevant age restrictions
  - position machines within view of the bar in order for staff to be able to monitor the machines for use by under age or misuse of the machines
  - challenge anyone suspected of being under age and refuse access
  - provide information leaflets and / or help-line numbers for organisations such as GamCare and Betknowmore UK.

### **Prize Gaming Machine Permits**

- 7.3 Prize gaming premises will appeal to children and young persons and weight will be given to child protection issues. Therefore, the licensing authority will expect the applicant to demonstrate that they are suitable to hold a permit (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises.
- 7.4 The licensing authority expects applicants to set out the types of gaming machines that they intend 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
- 7.5 The Gambling Commission website gives advice on types of permits, conditions, stakes and prizes. See <https://www.gamblingcommission.gov.uk>

### **Unlicensed FECs (uFEC)**

- 7.6 Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.
- 7.7 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making

gaming machines available for use (Section 238). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

7.8 Given that the premises is likely to appeal particularly to children and young persons, when considering applications for permits we will give weight to matters relating to protection of children from being harmed or exploited by gambling and are keen to ensure that staff supervision adequately reflects the level of risk to this group. Therefore, we will generally expect such risks to be addressed through effective:

- Staff supervision and training
- Detailed plan
- Social responsibility policies
- Staff being easily identifiable
- Clear signage

7.9 As part of an application for a uFEC, it is our policy that a plan for the uFEC must be submitted.

### **Small Society Lotteries**

7.10 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

7.11 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.

7.12 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries
- The eligibility of the society as 'non-commercial'

## 8. Appendix 1 –Responsible Authorities

<p>The Fire Safety Team Greater Manchester Fire &amp; Rescue Oldham Command Headquarters, Broadway Chadderton Oldham, OL9 0JX</p>	<p>HM Revenue &amp; Customs Excise Processing Teams BX9 1GL United Kingdom</p>
<p>Safeguarding Children Board Oldham Council Rock Street Centre Rock Street Oldham, OL1 3UJ</p>	<p>Planning Section Oldham Council Level 3 Civic Centre West Street, Oldham, OL1 1UQ</p>
<p>Greater Manchester Police Police Licensing Officer Sir Robert Peacock House Vulcan Street Oldham, OL1 4LA</p>	<p>Environmental Health Oldham Council Chadderton Town Hall Middleton Road, Chadderton Oldham, OL9 6PP</p>
<p>Gambling Commission Victoria Square House Victoria Square Birmingham, B2 4BP</p>	

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### Applications must be sent to:

Oldham Council

Sir Robert Peacock House

Vulcan Street,

Oldham, OL1 4LA

E: [licensing@oldham.gov.uk](mailto:licensing@oldham.gov.uk)



## 10. Appendix 3 - Glossary

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games include Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are: <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>• Ensuring that gambling is conducted in a fair and open way.</li> <li>• Protecting children and other vulnerable people from being harmed or exploited by gambling.</li> </ul>
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.

<b>Term</b>	<b>Description</b>
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: (i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place

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## **Policy Overview & Scrutiny Committee**

# **GM Minimum Licensing Standards (Vehicles)**

## **Report of Executive Member for Neighbourhoods**

Officer contact: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

**9<sup>th</sup> November 2021**

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### **Executive Summary**

This report covers the recommendations on private hire and hackney vehicle taxi licensing policy for Greater Manchester following a consultation in 2020.

### **Recommendations**

That the Policy Overview and Scrutiny Committee:

1. Note the recommendations being submitted to the Greater Manchester Combined Authority; and
2. Make any comments on their content.

**GM Minimum Licensing Standards (Vehicles)**

**1. Purpose of the report**

1.1 The purpose of this report is to inform Members of the recommendations of the consultation on Greater Manchester’s Minimum Licensing Standards in relation to licensed vehicles which closed in December 2020.

**2. Introduction**

2.1 Hackney and Private Hire services are a hugely important part of the transport sector. Collectively, they provide more journeys for residents and visitors than Metrolink or local rail, and they represent a significant part of the economy, employing over 20,000 people across the city region.

2.2 Minimum Licensing Standards (MLS) for all GM local authorities represent a means of achieving a range of shared goals, including:

- improving public safety;
- helping deliver clean air and reducing carbon emissions;
- supporting the locally licensed hackney and private hire trades; and
- complying with the Governments statutory guidance on safeguarding.

2.3 Overall, the GM approach looks to provide:

- the public with safe, visible and high-quality hackney and private hire services
- the hackney and private hire trades with clarity over what the required standards will be over the long term, and through the GM Clean Air Plan, with unprecedented investment to help renew the fleet
- local authorities with the continued regulatory role in relation to driver, vehicle and operator licensing whilst retaining scope to exceed the MLS as agreed locally by elected members.

2.4 Stage one of the process relating to drivers, operators and local authority standards was approved by Oldham’s Licensing Committee on 21 September 2021. It has also been successfully adopted by the other nine GM Authorities.

2.5 The proposed minimum licensing standards for vehicles are outlined below in a table which also indicates the recommendations:

No.	Policy Standard	Recommendation
1.	Vehicle emissions	That vehicles should be at least Euro 6 compliant for diesel vehicles and Euro 4 complaint for petrol vehicles subject to upper age policies.  For non-compliant vehicles they will have until 1 <sup>st</sup> April 2024 to become complaint.
2.	Vehicle age	Private Hire Vehicles may be first licensed up until 5 years old and can be licensed up until 10 with the exception of wheelchair accessible vehicles which can stay on until 15.

		<p>Hackney Carriages may be first licensed as wheelchair accessible vehicles up until 7 years of age and can stay in until 15.</p> <p>Final transitional arrangements are being developed by Officers.</p>
3.	Vehicle colour	<p>That all hackney carriages in Greater Manchester shall be black in colour.</p> <p>A single colour for private hire vehicles remains an aspiration of the MLS programme.</p>
4.	Wheelchair accessible vehicles (WAV)	<p>That all hackney carriages in Greater Manchester shall be wheelchair accessible.</p> <p>That for existing saloon emission compliant hackney carriages they be allowed to stay on the fleet until 10 years of age and then change to WAV.</p>
5.	Vehicle livery	That there be a standard livery across Greater Manchester with the addition of local council logos.
6.	Vehicle testing	That vehicles under three have one test a year and those over three have two. Oldham already goes further than that and specifies that vehicles over eight have three tests a year.
7.	Vehicle CCTV	That members approved, in principle, a policy of licensed vehicles having in car CCTV. That further work on a draft policy be commissioned and consulted on for bringing back before members.
8.	Executive Hire	To adopt a common set of standards in relation to executive vehicles not having to display signage and licence plates.
9.	Vehicle licence conditions	That members approve a common set of GM conditions for vehicle licences.
10.	Vehicle design	<p>That members approve a range of vehicle standards covering:</p> <ul style="list-style-type: none"> <li>• Vehicle conformity</li> <li>• No retrofitting of engines</li> <li>• Emissions technology to be CVRAS accredited</li> <li>• Minimum standard of window tints</li> <li>• No written off vehicles to be licensed</li> <li>• No roof signs permitted on PHVs</li> <li>• No advertising other than Council issued signage on PHVs</li> </ul>

### 3 **Next Steps**

- 3.1 Officers are going to be presenting proposals to the Licensing Committee on the 30<sup>th</sup> November and will develop of a final policy for publication following the decisions made at that meeting.
- 3.2 The commencement of Stage 3 of the programme will commence in early 2022 and the GM Licensing Network will be publishing plans for its content when finalised.

### 4 **Legal Services Comments**

- 4.1 Under section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach such conditions to the grant of a hackney carriage vehicle licence as the Council considers to be reasonably necessary. Under section 48(2) of the Act, the Council may attach such conditions to the grant of a private hire vehicle licence as they may consider reasonably necessary. Case law has confirmed that it is not unlawful to have a vehicle age policy, provided that the Council continues to consider each application on its individual merits and does not fetter its discretion. Any person aggrieved by any conditions attached to a hackney carriage or private hire vehicle licence may appeal to the magistrates' court. (A. Evans)

### 5 **Co-operative Agenda**

- 5.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

### 6 **Environmental and Health & Safety Implications**

- 6.1 None

### 7 **Equality, community cohesion and crime implications**

- 7.1 None

### 8 **Equality Impact Assessment Completed?**

- 8.1 Yes. Available upon request.

### 9 **Key Decision**

- 9.1 No

### 10 **Key Decision Reference**

- 10.1 N/A

- 11 **Background Papers** – Consultation responses available in a report published at [www.gmtaxistandards.com](http://www.gmtaxistandards.com)

- 12 **Appendices** - None



**Report to POLICY OVERVIEW AND SCRUTINY**

## **Youth Justice Management Board Report 2020/21**

**Portfolio Holder:**

Cabinet Member for Education

**Officer Contact:** Gerard Jones – Managing Director of Children & Young People

**Report Author:** Paul Axon – Positive Steps

**9<sup>th</sup> November 2021**

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### **Purpose of the Report**

The plan outlines the responsibilities of the Youth Justice Service and its priorities for 20/21 as well as financial arrangements and performance within the previous year.

### **Executive Summary**

Attached in appendix is a single page document outlining main 20/21 priorities for the strategic plan. The plan includes:

- Purpose of Plan
- Introduction
- Positive Steps
- Structure & Governance
- Overall Structure
- Youth Justice Management Board
- Strategic Priorities and Plans
- Performance Report
- Headline Performance areas - Local and National
- Rate of Re-offending
- Custody
- Accommodation Suitability
- ETE Rates
- Looked After Children convicted of an offence
- Diversity

- 
- Youth Justice Service Budget
  - Resources and Value for Money
  - Service Priorities for 2020/21

### **Recommendations**

That the report be approved by the O & S Board.

**Youth Justice Plan**

**1 Background**

1.1 The YJMB Annual plan is a requirement of grant allocation for Oldham’s Youth Justice Service and overseen by the Youth Justice Board nationally.

**2 Key Issues for Overview and Scrutiny to Discuss**

2.1 Oversight of plan to meet statutory requirements and consideration of any suggested improvements for 21/22

Recognising the successful outcomes for the service: within the reporting period Oldham has the lowest rates of reoffending in England, despite the challenges faced.

**3 Key Questions for Overview and Scrutiny to Consider**

3.1 To satisfy the Panel that the service is operating successfully to support young people in Oldham

To have oversight of the service and its governance arrangements.

**4. Links to Corporate Outcomes**

4.1 The report outlines the successful delivery of the service, with nationally leading performance in reoffending.

**5 Consultation**

5.1 The plan has been through consultation with the Youth Justice Management Board, chaired by Gerard Jones, Managing Director. Membership of the board is comprehensive and involves a broad partnership membership as below:

Name	Job title	Organisation
Gerard Jones (Chair)	Director of Children’s Services	Council
Steph Bolshaw	Chief Executive	Positive Steps
Paul Axon	Director of Young People’s Services (Head of YJS)	Positive Steps
Elaine Devaney	Director of Children’s Social Care	Council
Richard Lynch	Director Education Skills and Early Years	Council
Moira Fields	Senior Housing Needs Officer	Council

Janice France	Head of Cluster National Probation Service Greater Manchester - Bury, Rochdale, Oldham	National Probation Service
Jennie Davies	Head Teacher for the Virtual School	Oldham Council
Trevor Harrison	Chief Inspector	Greater Manchester Police
John Cotton	Head Legal Advisor	South Cluster Magistrates Court
Siobhan Ebden	Head of Children's Services	Community Health Services
Angela Welsh	Senior Commissioning Business Partner	NHS Clinical Commissioning Group
Kay Thomas	District Manager	Bridgewater Community Healthcare
Meghan Ward [Andrea Weir]	Senior Commissioning Officer for Children	Clinical Commissioning Group
Lorraine Kenny	Community Safety Manager	Oldham Council
Laura Windsor-Welsh	Partnerships Service Manager	Action Together

## 6 Appendices

### 6.1 YJMB strategic Plan 2020/21 YJMB 'plan on a page' 2020/21

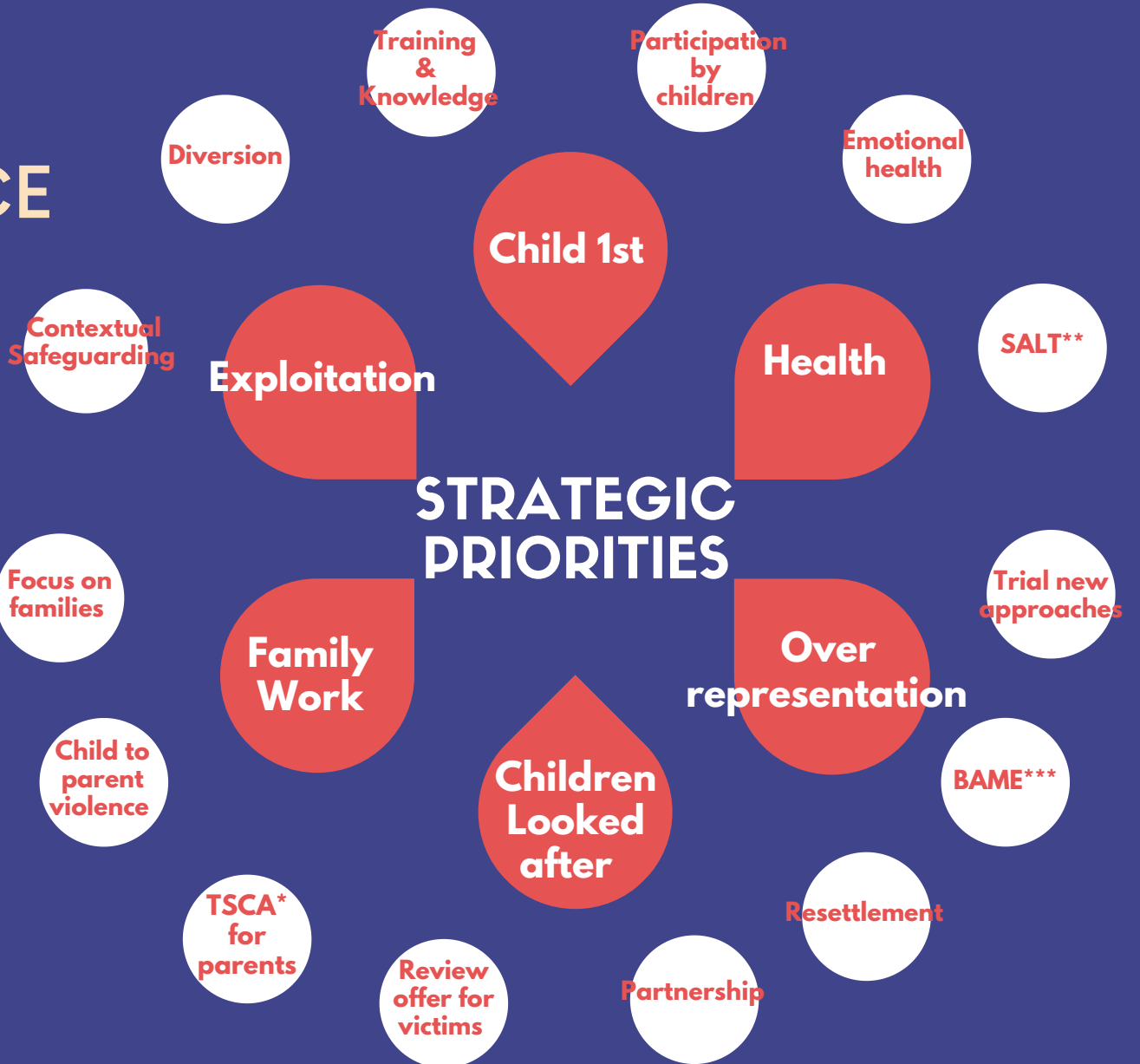


# OLDHAM YOUTH JUSTICE SERVICE 2021-22

National indicators:

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Reduce Reoffending  
Reduce Custody  
Reduce First Time  
Entrants



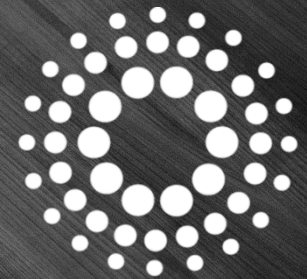
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# YOUTH JUSTICE STRATEGIC PLAN

2021/2022



**POSITIVE STEPS**

SUPPORT | CHALLENGE | CHANGE

## CONTENTS

3	Purpose of Plan
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## PURPOSE OF THE PLAN

**This plan seeks to inform the strategic direction of Oldham Youth Justice Service (YJS) in 2021/2022 and outline how it will achieve its primary functions and the identified key objectives and developments.**

The primary functions of the services are:

- The reduction in First Time Entrants (FTE) to the criminal justice system
- The reduction in Re-Offending following both pre and post court disposals.
- The reduction in the use of Custody for offenders
- To effectively protect the public
- To effectively safeguard children and young people

## INTRODUCTION (INCLUDING PARTNERSHIP ARRANGEMENTS)

Oldham is a complex, challenging place to deliver Youth Justice. With a population of 232,724 the borough is considered an area with 'pockets of prosperity' characterised by a burgeoning youth population with 22.5% of residents under 16. There is a high representation of Asian British heritage amongst its diversity, with 10.1% Pakistani and 7.3% Bangladeshi. Levels of deprivation are ranked amongst the highest in the country and average household numbers also higher than national averages. Oldham is in the top 1% of deprivation in England and has seen particularly stark increases in crime levels, according to 2019's Indices of Deprivation.

2020/2021 was one of considerable challenge for the service; COVID-19 dominated the planning of the service and delivery was affected by the 'lockdown' arrangements. Despite this the service has been resilient and continued to deliver face to face services to young people and families throughout. Special praise should be reserved for the staff, management and support teams who have maintained high quality services throughout. It has also been a period of accelerated learning; we have developed a virtual offer that young people have engaged well with, alongside critical direct contact for those in need. This learning underpins all our plans for 2021/22.

Performance has been outstanding throughout this period. Oldham is now consistently performing at an improved level to all comparators, including that of England and Wales. Given the town's level of deprivation and overall context that is a fantastic achievement and one that reflects on the skills of the team but also the commitment of the wider partnership to the service; youth justice is by nature dependant on a wide variety of expertise and support and the leadership of the Management Board has been critical to these outcomes.

Oldham is one of nine youth justice services in Greater Manchester within the Northwest region. To the best of our knowledge, Oldham YJS is the only statutory YJS in England & Wales which is sub-contracted by the Local Authority and directly delivered by an independent charitable trust - Positive Steps (PS). PS also provides an integrated range of young people's services, including: information, advice & guidance services; a prevention and diversion offer aimed at preventing young people from entering the youth justice system, missing from home return interviews and the young carers' support service. We also deliver a range of family-based services. The Centre, through which all these services are delivered, also hosts a range of partner services including: Healthy Young Minds; a generalist nurse and assistant practitioner team; counselling services; housing advocacy and mediation services and the after-care duty team from the Council's Children's Social Care. Oldham is a medium-sized YJS, **employing 29 staff and currently has 15 volunteers**. The staff team is a diverse reflection of the community we service **with six staff from BAMER backgrounds**.

In addition to our directly employed staff the YJS benefits from two seconded police officers. Health services provide a nurse who assess all YJS clients and provides direct medical support or referral where needed. The Probation service second a Probation Officer and Service Officer. We employ a Volunteer Coordinator within Positive Steps and within the YJS have a strong volunteer workforce which contributes, in the main, to the work the service undertakes with young people subject to Reparation and Referral Orders. Additionally, we are supported by an education team based within Positive Steps; this ensures full compliance with the Crime and disorder Act provisions.

The YJS has a strong tradition of working effectively with partners at a range of forums including:

- Children and Young People’s Alliance
- Health and Wellbeing Board
- Greater Manchester Senior Leadership Group (GMSL)
- Community Safety and Cohesion Partnership (CSCP)
  - Reducing reoffending board (as joint chair)
  - Delivery group
- Oldham Children’s Safeguarding Partnership including the following subgroups:
  - Complex and Contextual Safeguarding
  - MASH Governance Board
  - Serious Case Review & Scrutiny
- Greater Manchester Youth Justice University Partnership (GMYJUP)
- Children and Young People’s Emotional Wellbeing and Mental Health Partnership
- Corporate Parenting Panel
- Northwest Resettlement Consortium (as lead organisation)
- Violence Reduction Unit (As Greater Manchester Lead)

## POSITIVE STEPS (PS)

As an independent charitable trust, Positive Steps Oldham (PS) is unique in England in the way it provides an integrated range of support services for young people.

The objects for which the Company is established (“**Objects**”) are:

1. to advance the education and training of young people in order to prepare them for working and adult life;
2. the relief of unemployment for the public benefit in such ways as may be thought fits, including providing assistance to find employment;
3. the provision of recreational facilities for young people in the interests of social welfare;
4. the promotion of public safety;
5. the prevention of crime and the rehabilitation of young offenders;
6. advancing in life and helping young people by developing their skills, capacities and capabilities to enable them to participate in society as independent, mature and responsible individuals;
7. the relief of sickness and the preservation of health among people residing permanently or temporarily in such locations as the Company is commissioned to deliver services;
8. the provision of support and activities which develop their skills, capacities and capabilities to enable them to participate in society as mature and responsible individuals;
9. to assist in the treatment and care of persons suffering mental or physical illness arising from substance abuse or in need of rehabilitation because of such illness.



## STRUCTURE AND GOVERNANCE

Positive Steps is governed through a Board of Trustees comprised of elected members and community representatives. The YJS is overseen by a Youth Justice Management Board which reports to both the Children’s Trust and the Community Safety and Cohesion Partnership. Quarterly meetings are held to hold the service to account and performance monitoring is well embedded within these meetings. Performance monitoring includes ensuring that terms and conditions set out in the YJB grant are maintained. The board is active and represents statutory partners but also the wider partnership essential to overcome barriers to multi agency working. Youth justice governance principally comes from the statutory functions of the Youth Justice Management Board. Strategic influence and governance are strong; the Director of Children’s Services is a vocal advocate of the service both within Oldham and across the region. The Service also leads the resettlement consortium across GM and the Head of Service is currently working as the GM lead within the Violence Reduction Unit, developing public health responses to increasing levels of violence.

### Positive Steps Oldham – Board of Trustees

#### Partner Representatives

**Mrs Julie Edmondson**  
Chair  
(Community Representative)

**Ms J Joanne Taylor**  
Vice Chair  
(Community Representative)

**Ms Hannah Roberts**  
(Community Representative)

**Mr Muzahid Khan**  
(Community Representative)

**Nicola Robinson**  
(Community Representative)

#### Oldham MBC

**Clr Abdul Malik**

**Clr Ros Birch**

**Clr Graham Shuttleworth**

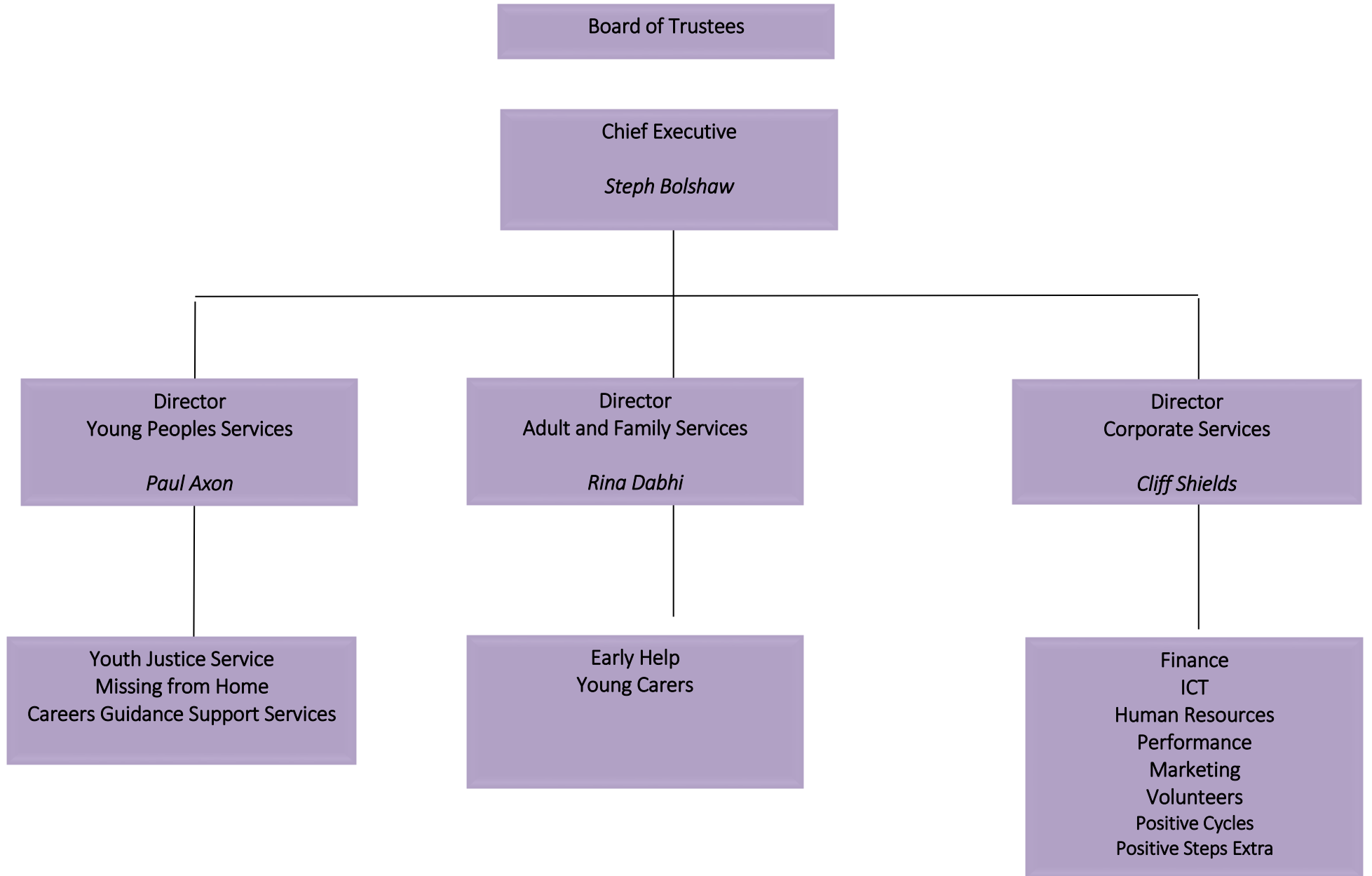
**Clr Dianne Williamson**

#### IN ATTENDANCE

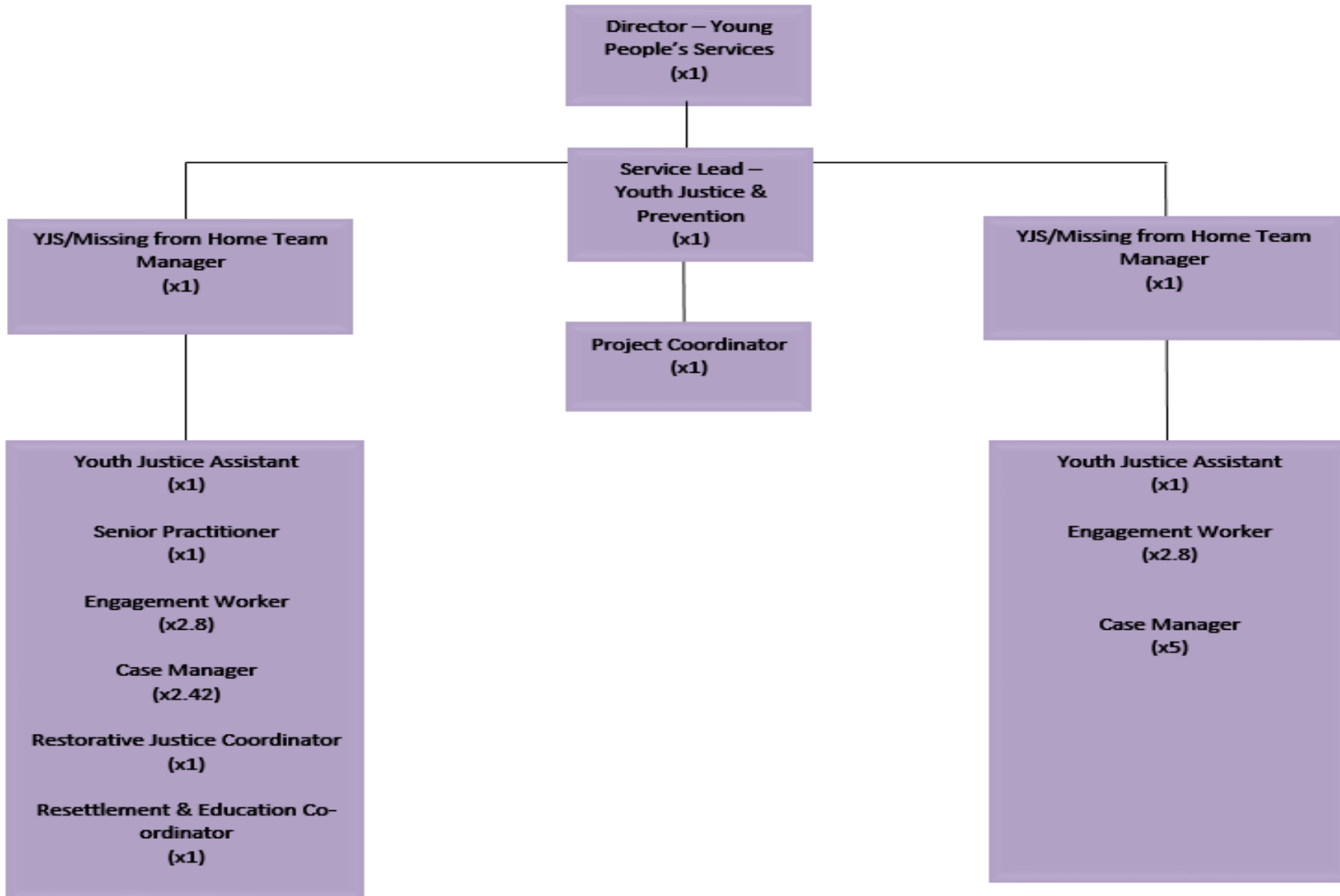
**Ms Steph Bolshaw**  
Chief Executive  
Positive Steps

**Mr Cliff Shields**  
Company Secretary  
Positive Steps

OVERALL STRUCTURE



YOUTH JUSTICE SERVICE



OLDHAM YOUTH JUSTICE SERVICE - MEMBERSHIP OF YOUTH JUSTICE MANAGEMENT BOARD

Name	Job title	Organisation
Gerard Jones (Chair)	Director of Children's Services	Council
Steph Bolshaw	Chief Executive	Positive Steps
Paul Axon	Director of Young People's Services (Head of YJS)	Positive Steps
Elaine Devaney	Director of Children's Social Care	Council
Richard Lynch	Director Education Skills and Early Years	Council
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Janice France	Head of Cluster National Probation Service Greater Manchester - Bury, Rochdale, Oldham	National Probation Service
Jennie Davies	Head Teacher for the Virtual School	Oldham Council
Jonathan Martin [Christopher French]		Greater Manchester Police
John Cotton	Head Legal Advisor	South Cluster Magistrates Court
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Lorraine Kenny	Community Safety Manager	Oldham Council
Laura Windsor-Welsh	Partnerships Service Manager	Action Together

**STRATEGIC PRIORITIES AND PLANS (INCLUDING RISKS TO SERVICE DELIVERY)**



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## Our Ambition for 2021-2022

Oldham is working hard to ensure that young people at risk of or involved in offending are given the best opportunities to engage in positive activities and move away from decisions that put themselves and communities at risk. This was clear within 2018's HMIP inspection which found many areas of outstanding practice and noted '**children and young people are at the heart of everything this service does**'. We want to build on these strong foundations, ensuring that the community is safe, and that victims of youth crime and disorder are given a strong voice within the system that can be a central part of diversion and rehabilitation. Through an increased focus on partnership working and an ambitious agenda for change we believe we can build on good performance and continue to improve to deliver these outcomes.

We have set the agenda for 'child first' approaches to youth justice and recent projects and practice in trauma and contextual safeguarding to support diversion and rehabilitation are strong evidence of this work.

Youth violence has become a key factor in shaping service delivery in Oldham. Across the community and partnership, the impact of serious violence has been felt over recent years with serious and multi-agency case reviews highlighting the damage caused and the need to take new approaches. We recognise that those involved in youth violence are often not those that are familiar to the justice system and therefore need an improved partnership approach to intelligence sharing and identification of need. Oldham's 'diversion and prevention panel is a significant step in attempting to resolve this issue. The development of this approach and associated improvements in directing and targeting resources will be key to an overall strategy for success in incidents of youth violence and general diversion and prevention of offending.

The Service is not only responsible for the management of young people in the justice system; we also hold responsibility for both victims of crime and ensuring that families and communities needs are heard and met through our service offer. We have strengthened our approach to victims in recent years through the development of a specific role meeting these needs and aim to continue to grow that offer in 21/22. It is vital that victim's needs are heard and responded to effectively rehabilitate and prevent further harm.

The following strategic plans, based on our key priorities, outline our ambition our commitment to achieving improved performance and outcomes for children and young people.

*Priority One: Prevention and Diversion from Youth Crime, including Youth Violence*

*Crime & Disorder Act s.37. (1) It shall be the principal aim of the youth justice system to prevent offending by children & young persons.*

Early intervention in behaviours and actions that indicate potential risk of further offending can support young people to improve life chances and contribute positively to the community. Effective diversion and intervention also protect the community from further risk of harm from offending behaviour.

What will we achieve?

1. Reduce levels of first-time entrants to the criminal justice system through a collaborative, partnership approach to prevention
2. Maintain strategic oversight and partnership influence to improve outcomes for young people
3. Increase access to supportive & diversionary services for young people, building on more effective community engagement
4. Improve access and meaningful engagement in education
5. Strengthen links with voluntary sector
6. Maintain and improve quality of practice within prevention and diversion services
7. Reduce the unnecessary criminalisation of Children Looked After



## How will we achieve it?

1. Maintain focus on child first practice, developing pathways away from criminality and exploitation.

Improve our health and therapeutic offer (EMH, Physical, SALT) through funding and partnership. Ensuring all young people have their holistic health needs assessed at the earliest opportunity.

2. Management information systems and reporting will be fully reviewed, and improved reporting will be delivered to the management board for discussion and challenge.

- i. Dissemination of key learning from 'Youth Now' programme of contextual safeguarding across the partnership

3. Continue to embed and improve the 'Prevention and Diversion' panel, in particular focussing on the role it has within a wider Oldham 'Early Help' partnership offer.

4. Training package delivery for education partners on prevention and diversion

5. Embedding of new 'engagement worker'; posts with increased focus on community engagement and place based working

6. Quality assurance maintained, focussed on prevention and diversion and reported to management board

- i. Review progress against the 2018 HMIP inspection relating to Out of Court Disposals and assessment

- ii. Request peer review for Out of Court practice

7. Lead a partnership response to understand and reduce the unnecessary criminalisation of Children Looked After

## How will success be measured?

1. First time entrant rates continue to reduce, and the youth panel is well embedded and supported by the partnership.
2. Improved health offer (SALT and EMH) and all children receiving an holistic health assessment.
3. Review to be approved by Youth Justice Management Board
  - i. Independent training analysis from partnership training in contextual safeguarding (OSCP)
4. Prevention and diversion Partnership review completed, including attendance monitoring.
5. Independent training analysis from partnership training in prevention and diversion (OSCP)
6. Engagement worker posts are fully operational with a manager review of effectiveness in community engagement.
7. YJB self-assessment shows Good/Outstanding outcomes in prevention and diversion.
  - i. Peer Review outcomes demonstrate effective practice.
8. Quarterly reporting will show the reduced the number of CLA being unnecessarily criminalised and the likelihood of a CLA in Oldham being open to the YJS.

## **Reducing Reoffending**

*The Youth Justice Board outline the reduction of reoffending as a key priority and national indicator for success. Young people involved in repeat offending behaviour cause damage to the communities they live in and reduce their own opportunities for success. Effective interventions and partnership work to prevent reoffending with young people and families can improve life chances, community cohesion and public safety.*

What will we achieve?

1. To reduce reoffending by children and young people, particularly those who cause the most harm either through the prolific nature of offending or the gravity of offences committed.
2. Increase and improve engagement and impact/ at locality level, integrating further with the partnership offer.
3. To continue to embed approaches on a 'child first' basis, recognising that systemic and contextual practice has the greatest opportunities for success.
4. To ensure that the quality of court work is of a high standard and that sentencing is guided by a high-quality range of reports and input to the courts to support effective rehabilitation.
5. To ensure that those entering custody are receiving high quality resettlement services from across the partnership from the point of sentence.
6. To deepen our understanding of diversity and how it impacts on disproportionate representation within the criminal justice system for these young people.

### How will we achieve it?

1. Effective assessment, planning and review within practice including effective use of multi-agency intelligence and information sharing.
2. Development of 'engagement worker' posts to improve locality working.
3. Continue to embed partnership complex and contextual safeguarding practice.
  - i. Development of co-located practitioner model within the Complex safeguarding hub.
4. Quality assurance processes will be in place to audit court work and reported into the management board.
5. Development of funded 'transition mentor' offer in partnership with the Greater Manchester Violence Reduction Unit.
6. Continued monitoring of diversity through management board structures. Key practice within youth justice is quality assured to counter any potential discriminatory practice.

### How will success be measured?

1. Reoffending is reduced, particularly for those committing serious youth violence and prolific offences.
2. Engagement worker posts will undergo a review in 2021.
3. Contextual and complex safeguarding hub partnership activity is evaluated. This demonstrates effective engagement and embedding of new ways of working.
4. Audit activity demonstrates effective practice that increases the impact of interventions and gives the best opportunity for rehabilitation

5. Evaluation of transition mentor role with cohort to assess impact.
6. Quality assurance indicates non-discriminatory practice, monitoring of diversity highlights need for action and evidence progress of the service in developing effective strategies to reduce over representation.

## ***Safeguarding***

*The Children's Act 1989/2004 and Working Together 2013 outline the statutory duty for all Youth Justice Services to safeguarding practice. Safeguarding young people and communities from harm also supports the effective rehabilitation, desistance from crime and improved life chances of young people*

### **What will we achieve?**

1. Child first youth justice principles are well understood across the partnership, and within our own teams, with specific focus on Child Looked After cohorts.
2. Integration with partnership exploitation strategies to improve safeguarding for those involved in crime and/or at risk of exploitation.
3. Develop positive activities and approaches that provide effective safeguards and rewards for young people, in place of offending.
4. Young people entering custody are offered effective support to reduce risks inherent within that setting.
5. To continue development of complex & contextual safeguarding models and implement effective strategies and learning.
6. Review our offer to child victim of serious youth violence and improve where gaps are highlighted.

## How will we achieve it?

1. Deliver child first training through the Oldham Safeguarding Children's Partnership. Staff to access enhanced attachment training to improve assessment of need for CLA young people.
2. The youth panel will act to strengthen identification of young people who may be at safeguarding risk in partnership with the Multi Agency Safeguarding Hub
  - i. Test an integrated model of service delivery within the complex safeguarding hub.
  - ii. The youth justice service will work alongside partner colleagues to develop complex safeguarding approaches that work to identify and effectively support young people at risk of exploitation.
3. New engagement worker' posts will be developed within service and funding sourced to strengthen interventions and activities available for young people.
4. Resettlement support is available through a specialist post and supplemented by support from mentoring activity.
5. Complex safeguarding hub will identify opportunities for learning and piloting new, joint approaches of delivery.
6. Trial mentoring and TSCC with victims of SYV.

## How will success be measured?

1. Training analysis from Oldham Children's Safeguarding Partnership
2. Deep dive analysis of young people with risks associated to complex safeguarding entering the criminal justice system.
  - i. Measured impact of those entering the complex safeguarding hub through new integrated delivery model
3. Engagement worker support is analysed, and impact reported through Youth Justice Management Board
4. Resettlement practice is improved and young people leaving custody are less likely to reoffend. This is reported through the Youth Justice Management Board
5. Complex safeguarding cohort analysis provided to demonstrate impact and learning of new approach.
6. Young victims engagement in the mentoring offer, victims satisfaction and reduced SYV by the cohort.



### ***Protecting the Public***

*It is the priority of criminal justice agencies to protect communities from harm.*

*Effective risk assessment and practice to reduce harm to communities is essential to effective youth justice practice. Oldham has been subject to significant instances of serious youth violence, with subsequent harm to victims. A partnership approach to support reductions of these incidents is a key and urgent priority area of service development.*

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#### What will we achieve?

1. Young people who are assessed as high risk to communities will receive effective interventions to reduce risks.
2. We will work alongside key partners in a collaborative way to reduce risks for young people, accessing the full range of partner support and interventions to meet these needs.
3. High risk cases will receive robust management oversight to ensure that case managers are acting in accordance with all national standards and MAPPA arrangements.

#### How will we achieve it?

1. We will build on effective strategies to reduce risk through a range of holistic, therapeutic and locality-based working built on child first youth justice principles.
2. Continued embedding of the diversion and prevention panel to respond earlier to risk factors and reduce harm.

- Testing new ways of working with the complex safeguarding hub will focus on young people at risk of potential harm through the context of exploitation.

3. Learning will be embedded from serious and multi-agency case reviews and national thematic inspection analysis.

- MAPPA training and practice will be reviewed to ensure that all staff are competent and confident in using MAPPA processes to support potential harm.
- Risk management processes will support effective partnership arrangement and management oversight, including oversight from Service Lead.

#### How will success be measured?

1. The number of young people subject to serious and multi-agency case review, associated with young people open to youth justice services and relating to youth violence reduces.
2. Analysis of impact and implementation of integrated working through the complex safeguarding hub.
3. Partner engagement at risk management meetings will improve, supporting effective reduction of risks.

## **PERFORMANCE REPORT**

Performance reports based on the key objectives are provided quarterly to the YJMB and then on to the Children's Trust and Community Safety and Cohesion Partnership. Reports are also made to the Local Safeguarding Children Board (LSCB). These reports are used within the YJS Management Team and are shared across staff teams.

The three main indicators are:

- Number of First Time Entrants
- Re-offending rates
- Custody rates

In addition to the National data sets several measures are also collected locally for monitoring purposes, included in this plan are the ETE, suitable accommodation on release from custody, CLA data & diversity which are only monitored locally.

## HEADLINE PERFORMANCE AREAS- LOCAL AND NATIONAL



•There is no data available for 20/21 from the MoJ for first time entrants. Local indications show an increase in pre court cases but **continued reductions in those entering the formal justice system**



•Performance on reoffending has been excellent on all comparator data in 2020/2021. Less young people coming into the system are reoffending and those that do reoffend do so less often. In addition as an overall cohort young people are less likely to offend once working with Oldham YJS than comparator services. **During periods of 2020/21 Oldham has had the lowest national reoffending data**



•Young people are continuing to access Education, Training & Employment opportunities **with 80% of young people going on to 25 hours or more in placements**



Young people are continuing to access appropriate housing once leaving custody on 2020/21. **The board have committed to reviewing this performance measure, with an emphasis on preventative measures**



Custody numbers have significantly decreased last year and we have **only one young person serving a custodial sentence**. This is evidence of a shift in thinking from the whole partnership around young people and how to effectively rehabilitate whilst protecting the public



There has been an **increase of young people from Child Looked After backgrounds coming into the youth justice service**. This has been driven by increases in young people at pre court levels. This is a priority area for 2021/2022

## REOFFENDING RATES - National Data

The data for this indicator comes from the Police National Computer and is published by the Ministry of Justice. **It shows the latest available data.** Each cohort consists of young people receiving a pre-court or court disposal or released from custody during a three-month period who are then tracked over a 12-month period for any further offending. Please note that the YJS families have now been updated. These new families are child focused and will enable benchmarking based on the sociodemographic factors in each area. The benchmarking is based on the DfE's statistical neighbour model which uses the five 'Every Child Matters' criteria.

Following a move by the YJS to tracking a 3-month cohort, numbers are smaller and reoffending rates subject to significant fluctuations.

Reoffending - binary rate	Oldham	North West	Greater Manchester	YJS family	England
Binary Rate Oct 18 to Dec 18 cohort	20.0%	37.2%	34.1%	34.4%	37.1%
Binary rate - Jan 18 to Mar 18 cohort	25.0%	41.7%	36.8%	36.1%	39.2%
Binary rate - Oct 17 to Dec 17 cohort	19.1%	41.7%	37.4%	35.0%	37.9%
Binary rate - Jul 17 to Sep 17 cohort	24.3%	37.1%	32.3%	36.3%	37.7%
Binary rate - Apr 17 to Jun17 cohort	42.3%	40.8%	36.4%	37.8%	38.1%

Reoffences- frequency rate per reoffender	Oldham	North West	Greater Manchester	YJS family	England
Reoffences per reoffender Jan 18 to Dec 18 cohort	3.23	3.91	4.23	3.95	3.93
Reoffences per reoffender Jan 18 to Mar 18 cohort	2.80	3.85	4.04	4.03	4.01
Reoffences per reoffender Oct 17 to Dec 17 cohort	2.70	4.16	4.71	4.58	4.02
Reoffences per reoffender Jul 17 to Sep 17 cohort	2.78	4.21	4.83	5.14	4.06
Reoffences per reoffender Apr 17 to Jun 17 cohort	2.27	4.36	5.03	4.78	4.15

Reoffending - frequency rate	Oldham	North West	Greater Manchester	YJS family	England
Frequency Rate Oct 18 to Dec 18 cohort	0.93	1.42	1.76	1.34	1.45
Frequency Rate Jan 18 to Mar 18 cohort	0.70	1.58	0.93	1.45	1.55
Frequency Rate Oct 17 to Dec 17 cohort	0.32	1.63	1.42	1.53	1.52
Frequency Rate Jul 17 to Sep 17 cohort	0.68	1.56	1.56	1.87	1.53
Frequency rate - Apr 17 to Jun 17 cohort	0.96	1.78	1.83	1.81	1.58

**2020/2021 has seen great progress relating to the reoffending rates, performing at a level exceeding all comparator groups**, including the England average despite levels of deprivation and challenge. Oldham have led practice in Child First approaches, focussing on the context of the child, trauma informed practice and improving partnership working. These results are a great credit to the partnership and its response to young people at risk of or involved in crime, marking a shift in strategic and operational thinking around this cohort of young people. It is particularly pleasing to note that within national data Oldham's binary rate of offending is currently the lowest in England and Wales. This performance level has now been sustained for eighteen months.

## CUSTODY National Data

Custody rates use case level data from the YJ Application Framework measuring the number of custodial sentences in the period given to young people with a local residence and aged under 18 years on the date of the first hearing. Successfully appealed sentences are discounted. If a young person was given more than one custodial sentence on the same day, this will only be counted once. Please note that the YJS families have been updated.

These new YJS families are child focused and will enable benchmarking based on sociodemographic factors in each area. The benchmarking is based on the DfE's statistical neighbour model which uses the five 'Every Child Matters' criteria.

Custody Rate per 1,000 of 10-17 population	Oldham	North West	YJS family	England
Apr 20 - Mar 21	0.04	0.13	0.17	0.13
Jan 20 to Dec 20	0.08	0.16	0.20	0.14
Oct 19 to Sept 20	0.12	0.12	0.22	0.10
July 19 to Jun 20	0.35	0.23	0.28	0.18
Apr 19 to Mar 20	0.39	0.28	0.31	0.23
Jan 19 - Dec 19	0.39	0.33	0.36	0.19
Oct 18 to Sept 19	0.62	0.25	0.42	0.20
July 18 to Jun 19	0.39	0.36	0.46	0.28
Apr 18 to Mar 19	0.40	0.39	0.47	0.31

During 20/21 the **number of young people sent to custody have been significantly reduced**. After each custodial sentence or 'near-miss' we hold a Custody Debrief Panel to ensure the quality of assessment and reports, identify any trends and ensure we have done everything possible to get the right outcome. One of the primary reasons for this panel is to reduce the over representation of BAME young people in custody and ensure we are responding appropriately to diversity. We have found the improved quality of Pre-Sentence Reports corresponds to the increased use of high tariff community orders, as alternatives to custody.

## ACCOMMODATION SUITABILITY Local Data

Leaving custody is a difficult transition for young people, making resettlement vital. This measure is designed to monitor accommodation arrangements for all young people on leaving custody. To provide a meaningful insight into YPs circumstances the report distinguishes between *suitable* and *appropriate* accommodation. ‘Suitable’ relates to the YJS interpretation and requires a stable address (i.e., not a bedsit, hostel, homeless). ‘Appropriate’ relates to the domestic environment (i.e., is it likely to have a positive impact upon the YPs desistance and well-being).

Accommodation upon release from custody	Number released from custody.	Number with <u>appropriate</u> accommodation arrangements	Number with <u>suitable</u> accommodation arrangements	Percentage in suitable accommodation
2018/19	6	5	6	100%
Qtr. 1 2019/20	2	1	2	100%
Qtr. 2 2019/20	0	0	0	n/a
Qtr. 3 2019/20	0	0	0	n/a
Qtr. 4 2019/20	1	1	1	100%
Qtr. 1 2020/21	2	0	2	100%
Qtr. 2 2020/21	1	0	1	100%
Qtr. 3 2020/21	1	1	1	100%
Qtr. 4 2020/21	0	0	0	n/a

The number of young people accessing suitable accommodation is still excellent, however within the last year we have added a more qualitative measure to assess ‘appropriate’ accommodation. This focuses on the likelihood that the accommodation will support effective rehabilitation. Viewed in this way there is **still much to be done to enable the best chance for our young people to succeed in resettlement**. The board have agreed that in 21/22 this measure will be reviewed, and a more preventative focus introduced.



## EDUCATION TRAINING AND EMPLOYMENT Local Data

The ETE measure looks at how many young people are in suitable education or training by the end of their intervention with the YJS. Information is collated from the case management system using a combination of YJS and Careers Guidance information and is calculated on a cumulative 12-month basis.

Percentage of Young People engaged with the Youth Justice Service who are in suitable education, employment or training.	Number of YP with Interventions ending	Number in ETE	Outcome	Improvement on 77% target in percentage points
2019/20	178	149	84%	7%age points
Apr - Jun 2019	42	34	81%	4%age points
Apr - Sept 2019	73	59	81%	4%age points
Apr - Dec 2019	92	72	78%	1%age point
Apr - Mar 2020	99	85	85%	8%age points
Apr - Jun 2020	111	92	82%	5%age points
Apr - Sept 2020	124	97	78%	1%age point
Apr - Dec 2020	152	119	78%	1%age point
Apr - March 2021	172	137	80%	2%age point

## CHILDREN LOOKED AFTER (CLA) Local Data

The following local data is used to monitor CLA and non- CLA offender ratios over the last 12 months. A count of children being worked with from outside the Oldham area is also shown.

The measure has been refined for 2019/20 to measure young people receiving an out of court disposal or substantive outcome in court.

March 20 to March 2021 Offender Cohort	Total cohort	Nos of young people who were CLA	Percentage of cases who were CLA	Rate per 100 of 10-17 general population working with YJS	Rate per 100, 10-17 CLA population working with YJS
YP with a substantive court outcome	76	15	19.74%	0.43	8.46
YP with an out of court disposal	194	19	9.79%	1.09	10.71
Total young people (Oldham CLA only)	270	34	12.59%	1.52	19.17
Young people worked with from out of the area	5	2	40.00%		
Total young people (including out of area cases)	275	36	13.09%		

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Likelihood of Childen Looked After receiving a substantive outcome compared with non CLA 10-17 population	
Jul 18 to Jun 19	16.55%
Oct 18 to Sep 19	12.25%
Jan 19 to Dec 19	9.67%
April 19 to March 20	7.01%
Jul 19 to Jun 20	7.03%
September 19 to Sept 20	10.40%
March 20 to March 21	12.59%

The likelihood of CLA being involved with YJS and receiving a substantive outcome has increased within 20/21. Whilst there is an increase, it is reassuring to know that the increase is in those children getting out of court disposals. We have seen a small decrease in actual children gaining a substantive court outcome. **The unnecessary criminalisation of children looked after is a large focus of our plans for 2021-22** and we will be looking towards the wider partnership to make this work a success.

## DIVERSITY Local Data

Ethnic disproportionality measures the overall ethnicity of the local 10-17 population against the ethnicity of young people in post court, pre-court and total YJS cohort over a 12-month period. Numbers are based upon a distinct count of offenders (i.e.: a repeat offender will only be counted once) cross referenced against the most recent ONS population estimates.

Ethnicity	Post court		Pre court		Custody		Total YJS caseload		*Oldham 10-17 Population
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Percentage
Young people worked with during March 2020 to March 2021									
White/White other	37	54%	131	68%	4	50%	172	64%	58%
Asian or Asian British	12	18%	34	18%	2	25%	48	18%	32%
Mixed Parentage	9	13%	15	8%	0	0%	24	9%	1%
Black or Black British	4	6%	5	3%	1	13%	10	4%	6%
Chinese or other ethnic group	6	9%	9	5%	1	13%	16	6%	3%
Total	68		194		8		270		100%

Red - over represented by more than 2%, Green -less than 2% variation, Amber - under represented by more than 2. \*Oldham population based on ONS population figures 2019.

2020-2021 has seen some notable shifts within the diversity data. Children from white backgrounds are now overrepresented overall, with issues at pre court level. Asian and Asian British are underrepresented across all cohorts but mixed heritage also overrepresented at post and pre court levels. The numbers in custody are extremely low and so slight changes have significant statistical impact, this is clear for black/British young people where one young person has resulted in a 'red' report for representation.

It is welcome that the Asian/Asian British population are now underrepresented across all cohorts. The service has worked hard over recent period to improve the assessment of diversity, developing plans that take identity and cultural factors into account. This has been a particular issue for us in recent years and this is the first quarter showing positive signs across the groups. Our analysis in the last quarter on the risk assessment for young people from BAME backgrounds identified a specific practice issue which is now being more actively monitored.

## YOUTH JUSTICE SERVICE BUDGET 2021/22

Agency	Staffing costs (£)	Payments in kind (staffing allocation)	Other delegated funds (£)	Total (£)
Local authority*			511,479	511,479
Police Service		2.0 FTE		
National Probation Service		1.1 FTE	5,000	5,000
Health Service		0.2 FTE		
Greater Manchester Combined Authority**			45,000	45,000
Welsh Government				
YJB Youth Justice Grant (YRO Unpaid Work Order is included in this grant)			501,052	501,052
Other***			102,875	102,875
Added Value****			101,000	101,000
<b>Total</b>				<b>126, 6406</b>

\* For multi-authority YOTs, the totality of local authority contributions should be described as one figure.

\*\* Any money from GMCA that has been routed through a local crime reduction partnership should be included here.

\*\*\* It should be noted that the 'Other' category is for additional funding that the YOT can use for any general youth justice activities. Accordingly, funding such as the YJB Grant for Junior Attendance Centres should not be included as there is an expectation that these streams must be used for the delivery of services as intended, only when this has been achieved can any surplus be reinvested within wider YOT service delivery.

\*\*\*\*This includes funds brought in through Positive steps status as a charity and used to support improving the youth justice offer. In 2021 that includes funding for leading the resettlement consortium across Greater Manchester and a project to improve the lives of young women at risk of exploitation, Getting Out for Good

## **RESOURCING AND VALUE FOR MONEY (ALSO SEE APPENDIX 1)**

The complexities of YJS funding streams, which identify resources for specific groups of clients, have both enabled us to target resources towards clients with the greatest need, but also allowed us some flexibility with individual specialisms to enable a wider group of young people to benefit from enhanced provision. Oldham YJS, being part of an integrated services delivery model, benefits from increased value for money from many of the co-located service areas. We also benefit from our charitable status and this year have attracted additional funding relating to youth violence, arts therapy, mentoring and support for young women from a variety of funding applications. Young people have also benefitted from our partnership with the private sector through the UPS scheme to gain laptops and other vital resources, particularly essential during COVID 19.

Positive Steps also supports a social enterprise project 'Positive Cycles'. The programme works to recycle bikes for those that are unemployed as well as completing repairs and hiring bikes to the local community. The centre is also a local community hub and hosts many health and wellbeing activities across the generations, making it an ideal place for young people to learn skills and broaden horizons. Young people within our service take part in the programme as part of repairing harm to the community whilst gaining key skills and qualification.

All organisations face the continuing challenge of maximising resources and demonstrating value for money to funders and commissioners – Positive Steps is no different. The complexities of the funding streams have both enabled us to target resources towards clients with the greatest needs whilst still allowing flexibility to ensure wider groups of clients benefit from enhanced provision. Value for money is a significant benefit of the integrated service delivery model with a wide range of co-located services enabling practitioners to provide a high quality multi-faceted service to young people. We benefit from having an internal Business Support Team providing a cost effective, timely and high-quality support service across the organisation.

The successful Positive Steps Volunteer Strategy demonstrates value for money and offers opportunities for increased integration and mutual benefits across services. For example, the Volunteers Team provided development volunteering opportunities for clients on Family Support programme and have had 17 clients referred to the volunteering team from Positive Steps. We have had several young people who have gained employment and noted that the volunteering experience has helped them to achieve this.


The organisation provides a unique service delivery model, based on the integration of statutory and voluntary support services for young people. The delivery model allows young people to seamlessly access a range of services through a one stop shop approach and creates considerable efficiencies as a result.

Service priorities for 2021/22

- a) Further reduction in first time entrants, with a specific focus on diversity
- b) Focus on outcomes for children looked after through continued local monitoring, improving staff expertise, and building partnership with children’s social care teams
- c) Reduction in re-offending
- d) Testing models of integrated working with Complex Safeguarding Hub
- e) Build effective health pathways and interventions for young people in the criminal justice system
- f) Improved family-based offer across the service
- g) Developing effective approaches to support improvements in disproportionality
- h) Resettlement and Positive Progression

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Chair of Management Board and Head of Service signatures

Name	Role	Date	Signature
Gerard Jones	Director of Children’s Services		
Paul Axon	Head of Youth Justice Service		

**Oldham Youth Justice Service –  
Developing Good Practice Grant Costed Plan – 2021/22**

Activity	Outcome Supported	Developing Good Practice	Costs
<b>Strategic Development</b>	Reduction in FTE Reduction in Re-Offending Reduction in Custody Effective Public Protection Effective Safeguarding	Greater Manchester Combined Authority/Justice devolution Greater Manchester Youth Justice Service Managers Manchester Metropolitan University Strategic Partnership Unpaid Work Quality Assurance outcomes from: YJB Self-Assessment 2020 HMIP thematic inspections GM peer review Oldham Children’s Safeguarding Partnership and sub-groups Community Safety and Cohesion Partnership GM Resettlement Lead GM Youth Violence lead Volunteer Coordination Strategy Development of Restorative Justice approach Attendance at relevant conferences Leading and co-ordinating strategic response to COVID 19	£70,707
<b>Management time</b>	As above	Supervision and support Annual Appraisal Representation at relevant GM forums: resettlement, court, operational managers, AIM, Asset plus development Panel development, training, and support Oversight of GMYJUP Volunteer coordination and supervision Development and delivery of internal training programme Service response to GM developments Recruitment and training staff and volunteers Induction development and delivery Management support to students	£62,263

Activity	Outcome Supported	Developing Good Practice	Costs
		Supporting development of complex and contextual safeguarding approach Support for transition support programme	
<b>Practitioner time</b>	As above	Self-Assessment implementation Restorative justice development and delivery Trauma checklist delivery Continued development of wrap-around court services Implementing court changes Continuous development of resettlement support	£351,777
<b>Information Officer</b>	As above	Monitoring system performance and providing reports Working with YJS Managers to understand the MI to improve practice Submission of statutory returns Guidance on data protection issues FOI requests	£14,000
<b>Training</b>	As above	All staff 3 days training per year LGBTQ equality training Trauma informed practice training Mental health training Development of Black Lives Matter staff consultation led response Continued development of Contextual Safeguarding implementation and learning Management training Continued attendance at relevant OSCP training On-going Safeguarding training Resettlement training	£2,000



Activity	Outcome Supported	Developing Good Practice	Costs
Resources	As above	HR Support Subscriptions and publications	£305
<b>Total</b>			£501,052

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## POLICY OVERVIEW AND SCRUTINY COMMITTEE

### WORK PROGRAMME 2021/22

<p>Tues 15<sup>th</sup> June 2021</p> <p>As a result of guidance indicating that the number of people who gather indoors should be restricted and noting current Covid infection rates, the expiry of Regulations which removed the legal requirement for meetings to be held in person, and the nature of the programmed business, the programmed business was considered in an informal setting.</p> <p>The Leader of the Council had given</p>	Green New Deal Strategy and Generation Oldham	To receive an update on the Strategy and Funding.	Portfolio – Finance and Low Carbon. Strategic Director – Communities and Reform. Andy Hunt, Programme Manager – Community Wealth Building	Item requested by Overview and Scrutiny (O&S) Board, December 2020.
	Minimum Licensing Standards for Taxis and Private Hire	To scrutinize final proposals prior to decision making at both GM and local level.	Portfolio - Finance and Low Carbon. Deputy Chief Executive. Carol Brown, Director of Environmental Management; Neil Crabtree, Head of Public Protection; Jon Garforth, Licensing Manager	The intention to bring a further report prior to decisions being taken in the summer was advised to the O&S Board, March 2021.
	Covid-19 Recovery Strategy	To scrutinize the Covid-19 Recovery Strategy prior to consideration by Cabinet and Council.	Leader of the Council. Strategic Director – Communities and Reform. Jonathon Downs, Corporate Policy Lead	The O&S Board was consulted on the proposal in January 2021 and requested further sight of the Strategy prior to approval. Policy Framework item.
	GM 2040 Transport Strategy – Update and draft sub-strategies	To receive an update on the strategy and be briefed/ scutinise a number of draft GM 2040 Sub-Strategies prior to submission to	Leader of the Council. Deputy Chief Executive. Joanne Betts, Principal Officer Transport and Highways Policy.	Update report requested by the O&S Board, November 2020.

assurance that any recommendations made in respect of items to be considered at the Cabinet would be reported to and considered by the Cabinet.		Cabinet (for endorsement) and GMCA (for approval)		
	Equalities Strategy	To scrutinize the proposed Equalities Strategy	Leader of the Council. Strategic Director – Communities and Reform. Jonathon Downs, Corporate Policy Lead.	
Weds 21 <sup>st</sup> July 2021  Special Meeting	Joint Places for Everyone Development Plan Document (DPD) and related Statement of Community Involvement and revised Local Development Scheme	To scrutinize a proposal to develop a DPD for jobs, new homes and sustainable growth, and related matters, prior to their consideration by Council and/or Cabinet.	Portfolio – Housing. Director of Economy. Elizabeth Dryden-Stuart, Team Leader – Strategic Planning.	Scheduling related to Cabinet/Council/GMCA scheduling. Policy Framework item.
	Greater Manchester Clean Air Plan	To scrutinize final proposals in relation to the Greater Manchester Clean Air Plan.	Portfolio - Finance and Low Carbon. Deputy Chief Executive. Carol Brown, Director of Environmental Management; Neil Crabtree, Head of Public Protection.	Provisional scheduling - The intention to bring a further report prior to decisions being taken in the summer was advised to the O&S Board, March 2021.
Tuesday 27 <sup>th</sup> July 2021	Covid-19 Recovery Strategy	Committee to receive an update.	<b>Portfolio Holder:</b> Councillor Shah, Leader of the Council and Cabinet Member for	Item requested by Policy Overview & Scrutiny Committee 15 <sup>th</sup> June 2021

			<p>Economic and Social Reform</p> <p><b>Officer Contact:</b> Rebekah Sutcliffe, Strategic Director of Communities &amp; Reform Shelley Kipling, Assistant Director Communications, Strategy and Performance</p> <p><b>Report Author:</b> Matt Drogan</p>	
	Outturn Work Programmes 2021-22		Lead Officer: Liz Drogan	Annual Report
	Policy Overview and Scrutiny Work Programme 2021-22		Lead Officer: Liz Drogan	Standard Agenda Item
Weds 1 <sup>st</sup> September 2021 Special Meeting	GM 2040 Transport Strategy – Update and draft sub-strategies	To be briefed on/scrutinise draft GM 2040 Sub-Strategies prior to submission to Cabinet and the GMCA.	Leader of the Council. Deputy Chief Executive. Joanne Betts, Principal Officer Transport and Highways Policy.	Provisional scheduling.
Tues 21 <sup>st</sup> September 2021	Delivery of low carbon infrastructure in the borough.	Scrutiny of the potential to secure a strategic commercial partner to deliver required infrastructure	Portfolio – Finance and Low Carbon. Strategic Director – Communities and Reform.	Consideration agreed by Committee, June 2021

			Andy Hunt, Programme Manager – Community Wealth Building.	
	Youth Justice Plan	To scrutinise the Youth Justice Plan for 2021/22	Portfolio - Children and Young People. Managing Director – Children and Young People. Paul Axon, Director – Young People’s Services, Positive Steps.	Policy Framework item.
	Northern Care Alliance (NCA) NHS Group - employment support, local recruitment, and ongoing items.	Update on employment and training issues related to the Royal Oldham Hospital/NCA NHS Group, including T Levels, post-Covid/Covid compliant plan, and apprenticeships.	Donna McLaughlin, Director of Social Value Creation, Northern Care Alliance NHS Group	Part of the Employment, Work and Training – ‘themed’/significant issue consideration.
	Homelessness Strategy	To further consider the Homelessness Strategy	Portfolio – Housing. Deputy Chief Executive. Bryn Cooke, Head of Housing.	O&S Board in January 2021 called for a further update report on the Strategy.
Tues 9 <sup>th</sup> November 2021	Gambling Act 2005 Policy - refresh	To scrutinize proposed revisions to the Policy.	Portfolio - Finance and Low Carbon. Deputy Chief Executive. John Garforth, Licensing Manager.	
	Creating a Better Place and Spindles Shopping Centre	To receive updates one year after adoption of Creating a Better Place and acquisition of the Shopping Centre.	Leader / Portfolio - Finance and Low Carbon and Deputy Leader. Deputy Chief Executive.	

			Emma Barton, Director of Economy.	
	GM Taxi Standards – Vehicle recommendations	To consider the GM tax Standards for Vehicle recommendations	Portfolio - Finance and Low Carbon. Deputy Chief Executive. John Garforth, Licensing Manager	Update from Policy O&S in June 2021
	Youth Justice Plan	To scrutinise the Youth Justice Plan for 2021/22	Portfolio - Children and Young People. Managing Director – Children and Young People. Paul Axon, Director – Young People’s Services, Positive Steps.	Policy Framework item.
Thurs 11 <sup>th</sup> November 2021 (if required)	Admin Budget, tranche 1	To consider any initial budget proposals that may be presented by the Administration	Portfolio - Finance and Low Carbon and Deputy Leader. Anne Ryans, Director of Finance.	
Tues 23 <sup>rd</sup> November 2021 (if required)	Opposition Budget, tranche 1	To consider any initial budget proposals that may be presented by the Lead Opposition Group	Opposition Finance Spokesperson(s). Mark Stenson, Assistant Director of Corporate Governance and Strategic Financial Management.	
Tues 14 <sup>th</sup> December 2021				

Thurs 20 <sup>th</sup> January 2022	Economic Recovery Plan	To be consulted/scrutinize the draft Economic Recovery Plan which will encapsulate the Work and Skills Strategy with the Business Growth and Investment Strategy into one document and which will include a key focus on youth unemployment, with Care Leavers also featuring as part of the action plan.	Portfolio – Leader of the Council. Managing Director – Children and Young People. Jon Bloor, Head of Lifelong Learning, Employment and Skills Service	Part of the Employment, Work and Training – ‘themed’/significant issue consideration.
Thurs 27 <sup>th</sup> January 2022	Administration Budget Proposals and related Matters	Council Tax Reduction Scheme; Revenue Budget 2022/23 and Medium Term Financial Strategy; Housing Revenue Account Estimates and Proposed Outturn for 2021/22; Capital Programme and Capital Strategy; Treasury Management Strategy Statement; Section 151 Officer Report	Portfolio - Finance and Low Carbon and Deputy Leader. Anne Ryans, Director of Finance.	
Tues 8 <sup>th</sup> February	Opposition Budget Proposals	To consider budget proposals presented by the Lead Opposition Group	Opposition Finance Spokesperson(s). Mark Stenson, Assistant Director of Corporate Governance and Strategic Financial Management.	



Tues 22 <sup>nd</sup> March	Place Based Model	To receive an update on the development of the Place Based Model	Portfolio - HR and Corporate Reform. Strategic Director – Communities and Reform.	Item requested by O&S Board, March 2021.
	Young People Not in Education, Employment or Training (NEET)	To receive an update on participation and NEET rates and on activities looking to ensure appropriate opportunities for 16-18 year olds.	Portfolio – Education and Skills. Managing Director – Children and Young People. Donna Lewis, Head of Inclusion and Post 16.	Part of the Employment, Work and Training – ‘themed’/significant issue consideration

#### PENDING ISSUES

	Oldham Plan	Review of the Oldham Plan (formerly the ‘sustainable community strategy’)	Rebekah Sutcliffe, Strategic Director – Communities and Reform	To be refreshed following approval of the Covid-19 Recovery Strategy; timetable to be determined (provisionally January or March 2022)
	Northern Roots	To receive an update on progress on the Northern roots project	Anna DaSilva Project Director	O&S Board requested a further report when charitable status was established.
	Youth/Young People - ‘themed’/significant issue consideration.	Annual report on the British Youth Council ‘Make Your Mark’ ballot	Jodie Barber Head of Service (Youth Service and Outdoor and Environmental Education Service); Chris Lewis	

			Lead Youth Worker working with the Youth Council	
	Poverty	Task and Finish Group		The O&S Board in January 2021 referred a report arising from a task and finish group exercise to the Cabinet for consideration.
	Selective Licensing Scheme	To scrutinise proposals	Portfolio – Housing. Deputy Chief Executive. Neil Crabtree, Head of Public Protection.	Consideration noted as delayed on the O&S Board 2020/21 Work Programme

#### OTHER ACTIVITY

<p>Meeting to be arranged between the three O&amp;S Committee Chairs and the Youth Council to assist in the appreciation of young people's concerns and to assist in looking to ensure that the interests of young people are reflected in matters coming before the O&amp;S Committees.</p> <p>It has also been proposed that this meeting give initial consideration to a proposals for a workshop involving Committee Members, the Youth Council and relevant officers (as agreed by the O&amp;S Board in September 2020, to address issues relating to the development of the digital sector in the town, the review of apprenticeships across Oldham and the offering of digital apprenticeships by the Council, as raised in a Youth Council Motion to Council.</p>	<p>Head of Service (Youth Service and Outdoor and Environmental Education Service). Chris Lewis, Lead Youth Worker working directly with the Youth Council.</p> <p>John Bloor, Head of Lifelong Learning, Employment and Skills Service. Donna Lewis, Head of Inclusion and Post 16. Inputs from HR/OD, Colleges and others as required.</p>	<p>Consideration would relate to both the Employment, Work and Training and the Youth/Young People 'themed'/significant issue considerations. As noted previously in an earlier work programme, the workshop session had not been convened to date due to Covid-19 related issues.</p>
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