

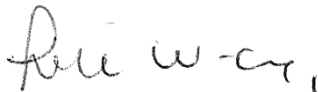
Date of despatch: Monday 19th November, 2018

To the Members of Slough Borough Council

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the The Venue - The Curve, William Street, Slough, SL1 1XY on **Tuesday 27th November, 2018 at 7.00pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



JOSIE WRAGG
Chief Executive

PRAYERS

AGENDA

Apologies for Absence

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1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.

2. To approve as a correct record the Minutes of the Council held on 27 September 2018 1 - 6

3. To receive the Mayor's Communications.

Public Questions

4. Questions from Electors under Procedure Rule 9.

Recommendations of Cabinet and Committees

[Notification of Amendments required by 10 a.m. on Monday 26th November]

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| 5. | Recommendation of the Licensing Committee from its meeting held on 18th October 2018 | 7 - 56 |
| | <ul style="list-style-type: none">• Gambling Act 2005 – Review of Statement of Principles | |

Officer Reports

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| 6. | Community Governance Review of Parish Council Arrangements within the Borough of Slough | 57 - 112 |
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Motions

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| 7. | To consider Motions submitted under procedure Rule 14. | 113 - 114 |
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Member Questions

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| 8. | To note Questions from Members under Procedure Rule 10 (as tabled). | |
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Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at The Curve on Thursday, 27th September, 2018 at 7.00 pm.

Present:- The Worshipful the Mayor (Councillor Sohal), in the chair; Councillors Ali, Anderson, B Bains, R Bains, Bedi, Brooker, Carter, Chaudhry, Cheema, Dar, Davis, Amarpreet Dhaliwal, Arvind Dhaliwal, M Holledge, N Holledge, Hussain, Kelly, Mann, Matloob (from 7.11pm), Minhas, Munawar (from 7.34pm), Nazir, Pantelic, D Parmar, S Parmar, Plenty, Qaseem, Rana, Rasib, Sabah, Sadiq, A Sandhu, R Sandhu, Shah, Sharif, Smith, Strutton, Swindlehurst, Usmani and Wright.

Apologies for Absence:- Councillors Sarfraz.

28. Declarations of Interest

Agenda Item 3: Community Governance Review:

Councillors Anderson and Carter declared that they were Members of Britwell Parish Council.

Councillor Smith declared that he was a Member of Colnbrook with Poyle Parish Council.

Councillor Sohal declared that he was a Member of Wexham Court Parish Council.

29. To approve as a correct record the Minutes of the Council held on 24th July 2018

Resolved – That the minutes of the Council meeting held on 24th July 2018 be approved as a correct record.

30. To receive the Mayor's Communications.

Members were reminded that the Annual Civic Service would be held at St Mary's Church, Church Street, Slough on Sunday, 7th October commencing at 11.00am. Harvest contributions would be distributed to SHOC and Slough Foodbank.

Details of Remembrance Sunday events taking place on 11th November were outlined, with the traditional morning parades and services taking place in the Town Centre, Cippenham and Langley along with a special evening event in Salt Hill Park to mark the centenary of the end of World War One. Further details would be sent in due course.

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The Mayor informed the meeting that the Slough Half Marathon and 5K Fun Run were scheduled to take place on Sunday 14 October 2018. The half marathon was set to showcase the town and all it had to offer and was set to be a community event.

Following the Mayor's completion of a charity walk on 12th August 2018, it was noted that Khalsa Aid were presented with a cheque for £580.

Eighty years ago this month, Slough received its Charter of Corporation as a Borough which was granted by His Majesty King George the Sixth on 14th September 1938. In acknowledging the 80th anniversary Councillor Hussain was invited to deliver a short presentation about Slough at 80 to the meeting.

31. Questions from Electors under Procedure Rule 9.

The Mayor advised three elector questions had been received, copies of which had been tabled. All three electors were present at the meeting. A written copy of the replies to the questions would be forwarded to the questioners.

32. Recommendation of the Cabinet from its meeting held on 17th September 2018

It was moved by Councillor Anderson,
Seconded by Councillor Mann,

“That the Low Emission Strategy be approved.”

The recommendation was put to the vote and carried unanimously.

Resolved – That the Low Emission Strategy be approved.

33. Recommendation of the Licensing Committee from its meeting held 10th September 2018

It was moved by Councillor Davis,
Seconded by Councillor Mann,

“ (a) That the provisions of Sections 50 to 61 of Part III of the Food Act 1984 and Section 37 of part XII of the Local Government (Miscellaneous Provisions) Act 1982 be adopted.

(b) That the draft Market Licensing Standard Terms and Conditions be approved.

(c) That the draft Markets Policy be approved.”

The recommendations were put to the vote and agreed unanimously.

Resolved –

- (a) That the provisions of Sections 50 to 61 of Part III of the Food Act 1984 and Section 37 of part XII of the Local Government (Miscellaneous Provisions) Act 1982 be adopted.
- (b) That the draft Market Licensing Standard Terms and Conditions be approved.
- (c) That the draft Markets Policy be approved.

34. Community Governance Review

It was moved by Councillor Hussain,
Seconded by Councillor Swindlehurst,

- (a) “That in the light of the response to the first stage of the consultation a further consultation be undertaken, in accordance with the guidance on Community Governance Reviews, with the electors and other interested parties to gauge views on the future of Britwell, Colnbrook with Poyle and Wexham Court Parishes and their Councils as set out in the report.
- (b) That electors and other interested parties be consulted on proposed changes to the area and name of Wexham Court Parish Council and its electoral arrangements as set out in paragraph 7.23 and map attached at Appendix 2.
- (c) That a case for a new parish council in Slough has not been made.
- (d) That the 2nd stage of the consultation process comprise the measures set out in section 4 (a) - Financial Implications, of the report, with the formal advisory poll taking the form of all postal poll; and that the costs be met from within existing budgets.
- (e) That the Returning Officer be authorised to determine all matters in relation to undertaking the consultation following consultation with the Chair of the Review Group and other members of the Review Group if time permits including amending the timetable for the review if required.”

The recommendations were put to the vote and agreed unanimously.

Resolved –

- (a) That in the light of the response to the first stage of the consultation a further consultation be undertaken, in accordance with the guidance on Community Governance Reviews, with the electors and other interested parties to gauge views on the future of Britwell, Colnbrook with Poyle and Wexham Court Parishes and their Councils as set out in the report.
- (b) That electors and other interested parties be consulted on proposed changes to the area and name of Wexham Court Parish Council and its

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electoral arrangements as set out in paragraph 7.23 and map attached at Appendix 2.

- (c) That a case for a new parish council in Slough has not been made.
- (d) That the 2nd stage of the consultation process comprise the measures set out in section 4 (a) - Financial Implications, of the report, with the formal advisory poll taking the form of all postal poll; and that the costs be met from within existing budgets.
- (e) That the Returning Officer be authorised to determine all matters in relation to undertaking the consultation following consultation with the Chair of the Review Group and other members of the Review Group if time permits including amending the timetable for the review if required.

35. To consider Motions submitted under procedure Rule 14.

A) People’s Vote

It was moved by Councillor Swindlehurst,
Seconded by Councillor Mann,

“While respecting the decision of the electorate to leave the EU, this Council is concerned that the Government has subsequently failed to properly advance the interests of the UK in its discussions about Britain’s departure. This Council calls upon the Government to offer the British people a vote on the terms of the final arrangements it arrives at for exiting the EU, and resolves that the Leader of the Council write to the Prime Minister and the Minister for Exiting the European Union asking that the Government authorise a People’s Vote that will ensure Slough residents have the opportunity to;

- Take back control of how we exit the EU
- Vote against a deal that will harm them economically
- Vote against a deal that will make Slough poorer and encourage international business to leave the town
- Vote against a deal that harms Slough resident’s future job prospects
- Vote against arrangements that harms Slough’s economy, prosperity, regeneration and the availability of a skilled workforce.”

A prior request having been made for the record of the voting:

There voted for the motion:

Councillors Ali, Anderson, B Bains, Bedi, Brooker, Carter, Chaudhry, Cheema, Dar, Davis, Arvind Dhaliwal, M Holledge, N Holledge, Hussain, Mann, Matloob, Minhas, Munawar, Nazir, Pantelic, D Parmar, S Parmar, Qaseem, Rana, Rasib, Sabah, Sadiq, A Sandhu, Shah, Sharif, Swindlehurst, and Usmani..... 32

There voted against the motion:

Councillors R.Bains, Amarpreet Dhaliwal, Kelly, R,Sandhu, Smith, Strutton and Wright..... 7

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There abstained from voting:

The Worshipful The Mayor, Councillor Sohal 1

(Councillor Plenty was absent during the vote)

The motion was therefore carried.

Resolved –

While respecting the decision of the electorate to leave the EU, this Council is concerned that the Government has subsequently failed to properly advance the interests of the UK in its discussions about Britain's departure. This Council calls upon the Government to offer the British people a vote on the terms of the final arrangements it arrives at for exiting the EU, and resolves that the Leader of the Council write to the Prime Minister and the Minister for Exiting the European Union asking that the Government authorise a People's Vote that will ensure Slough residents have the opportunity to;

- Take back control of how we exit the EU
- Vote against a deal that will harm them economically
- Vote against a deal that will make Slough poorer and encourage international business to leave the town
- Vote against a deal that harms Slough resident's future job prospects
- Vote against arrangements that harms Slough's economy, prosperity, regeneration and the availability of a skilled workforce.

B) Local Planning Policies

It was moved by Councillor Strutton,
Seconded by Councillor Wright,

"This Council resolves to urgently update Slough Borough Council's local planning policies to reflect local needs and deliver quality family homes within the Borough."

It was moved by Councillor Nazir, as an amendment,
Seconded by Councillor Carter,

"This Council resolves to ~~urgently update~~ **continue updating** Slough Borough Council's local planning policies to reflect local needs **and deliver a full mix of housing**, including quality family homes, within the Borough."

The amendment to the motion was put to the vote and carried unanimously.

The amended motion was put to the vote and carried unanimously.

Resolved - This Council resolves to continue updating Slough Borough Council's local planning policies to reflect local needs and deliver a full mix of housing, including quality family homes, within the Borough.

36. To note Questions from Members under Procedure Rule 10 (as tabled).

Five Member questions had been received, copies of which and replies had been tabled at the meeting.

37. Part II Minutes - 24th July 2018

Resolved – That the Part II minutes of the Council meeting held on 24th July 2018 be approved as a correct record.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 8.59 pm)

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 27th November 2018
CONTACT OFFICER: Shabana Kauser, Senior Democratic Services Officer
WARD(S): All

PART I
FOR DECISION

RECOMMENDATION OF THE LICENSING COMMITTEE FROM ITS MEETING HELD ON 18TH OCTOBER 2018

GAMBLING ACT 2005: REVIEW OF 'STATEMENT OF PRINCIPLES'

1. Purpose of Report

To consider a recommendation from the Licensing Committee from its meeting held on 18th October 2018 for the Council to formally adopt the Statement of Principles policy (as amended 2018).

2. Recommendation

The Council is requested to resolve that the Gambling Act 2005 Statement of Principles policy (as amended 2018) is adopted as the Council's Gambling Policy.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

The review and consultation on the Statement of Principles for the Gambling Act 2005 is a statutory requirement that ensures that the Licensing Authority can carry out its functions under the 2005 Act.

3a. Slough Joint Wellbeing Strategy Priorities –

The Licensing Authority is responsible for administering all functions under the 2005 Act. In developing a Statement of Principles, the Licensing Authority must ensure that the 'Licensing Objectives' as set out in section 1 of the 2005 Act are promoted at all times.

A Local Area Profile, (which is optional for local authorities to have in place), has been developed to inform the new generation of gambling policies, against which all applications will have to be judged and completion by gambling operators of the review of local risks under the Social Responsibility Requirement "Assessing Local Risk" in Code 10.1.1 contained within the License Conditions and Codes of Practice (published January 2018) ("LCCP") to produce and have in place a 'Local Risk Assessment.'

The principle document used in developing the 'Local Area Profile' has been the Slough Joint Wellbeing Strategy and the Joint Strategic Needs Assessment (JSNA).

Both the revised Statement of Principles and the Local Area Profile contribute to the following wellbeing priorities:

Priorities:

1. Protecting vulnerable children
2. Increasing life expectancy by focusing on inequalities
3. Improving mental health and wellbeing

3b. Five Year Plan Outcomes

The report outlines the requirement to conduct the review of the policy under the 2005 Act and the optional requirement for development of a Local Area Profile. In doing so this contributes toward the Five Year Plan with the specific outcomes of:

- Our children and young people will have the best start in life and opportunities to give them positive lives.
- Slough will be an attractive place where people choose to live, work and visit.
- Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents.

4. Other Implications

(a) Financial

There are no financial implications of the proposed action.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
<p>a. The Committee is requested to recommend to Full Council that the Gambling Act 2005 Statement of Principles policy (as amended 2018) is adopted as the Council's Gambling Policy.</p> <p>b. To note the development of a Local Area Profile in assisting Operators in preparing Local Risk Assessments.</p>	<p>The Council will not be able to properly control gambling premises without the policies being fully reviewed.</p>	<p>The review and consultation are a statutory 3 yearly requirement.</p> <p>The development of a Local Area Profile will assist Operators on preparing their Local Risk Assessments.</p>

(c) Human Rights Act and Other Legal Implications

There are no direct Human Rights Act or other implications.

(d) Equalities Impact Assessment

The Equality Impact Assessment has been reviewed following the formal consultation and the conclusions are that there are no adverse or negative impacts on equality for one group or any other group.

Supporting Information

5. Statement of Gambling Principles

5.1 The Gambling Act 2005 placed the responsibility for the regulation of gambling on the Gambling Commission, and local authorities. In brief, the function of the Gambling Commission is to regulate the operators of gambling premises and to issue codes of practice and guidance. The functions of the Council are to: license premises for gambling activities; consider notices for temporary use of premises for gambling; grant permits for gaming and gaming machines in clubs and miners welfare institutes; regulate gaming and gaming machines in alcohol licensed premises; grant permits to family entertainment centres for the use of certain lower stake gaming machines; grant permits for prize gaming; consider occasional use notices for betting at tracks; and register small societies lotteries.

5.2 The Council is required under the Gambling Act to put in place a policy, which is called a Statement of Principles, which they propose to apply when exercising their functions under the Act. The Act requires that the policy is reviewed every three years. The policy has been fully reviewed this year and subject to the statutory consultation, and therefore must be adopted by 31st January 2019. The revised Statement of Principles has been based on and in accordance with the Gambling Commissions "Guidance to Licensing Authorities Guidance to Licensing Authorities" 5th edition (published September 2015) and Parts 17, 18 & 19 updated in September 2016.

This Statement is first and foremost subject to the three licensing objectives under the Gambling Act 2005, 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 that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

5.3 The Gambling Act requires that there is a consultation on the draft Statement of Principles and a consultation was conducted between 3rd August 2018 and 14th September 2018. The consultation has included press releases, placing the draft 'Statement' with information about the consultation on the Council's website and writing to the persons or organisations listed in *Appendix "D"* of the new draft policy and all elected member of this Council.

5.4 There has been two formal responses to the consultation and in light of that the draft document has been amended to incorporate the comments and suggestions in the responses. All the original amendments prior to consultation and the amendments from the responses are highlighted in grey. The final draft document is attached at **Appendix A**.

6. Comments of Other Committees

This report was considered by the Licensing Committee on 18th October 2018 and it was agreed to recommend adoption of the Gambling Act 2005 Statement of Principles Policy (as amended 2018) as the Council's Gambling Policy.

7. Conclusion

That the Council approve the Gambling Act 2005 Statement of Principles Policy (as amended 2018) as the Council's Gambling Policy.

8. Appendices

Appendix A – Statement of Principles – final draft

9. Background Papers

The current Gambling Act 2005 Slough Statement of Principles (2015).

Gambling Commission Guidance to Local Authorities (September 2015 as revised)

Formal response to consultation from Elizabeth Speed, Group General Counsel – Novomatic UK.

Formal response to consultation from Gosschalks Solicitors.

SLOUGH BOROUGH COUNCIL

Gambling Act 2005

Statement of Principles



Draft Statement of Principles – Gambling Act 2005

Document Number	04
Version Number	07
Date approved	18 th October 2018
Effective	January 2019
Contact Officer	Mick Sims - Licensing Manager

Change History		
Version No	Date	Change Details
1.00	06/09/2015	Amendments made following consultation
2.00	15/09/2015	Approval by Legal services
3.00	30/09/2015	Amendments following approval by Licensing Committee
4.00	24/11/2015	Final – Approved by Full Council
5.00	27/07/2018	Amendments prior to consultation
6.00	20/09/2018	Amendments following consultation
7.00	18/10/2019	Final Approved version

Related Documents	
Document Title	Location
Gambling Act 2005	
Guidance to licensing authorities (GLA) (2015)	
Local Area Profile	

If you have any further questions about this Policy or for further information, including applications forms please contact:

Licensing Manager
 Slough Borough Council
 Landmark Place
 High Street
 Slough
 SL1 1JL

Tel: 01753 875664
 Email: licensing@slough.gov.uk

STATEMENT OF PRINCIPLES - Gambling Act 2005

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5.	Local Area Profile and Local Risk Assessments
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	'D' Consultees
	'E' Gambling Act Glossary
	'F' Responsible Authorities

PART A – Licensing Authority Functions, Relevant Parties, Local Area Profile & Local Risk Assessment

1. Introduction

1.1 Under section 349 of the Gambling Act 2005 (the Act) the licensing authority is required to publish a statement of the principles which they propose to apply when exercising their functions. The form of the statement of principles is set out in The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement of principles must then be re-published.

1.2 The Gambling Act 2005 requires that the following parties are consulted by Licensing Authorities:

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

Authorities may also consult with:

- Organisations including faith groups, voluntary and community organisations working with children and young people, organisations working with people who are problem gamblers, such as public and mental health teams, and advocacy organisations (such as the Citizens Advice Bureau and trade unions)
- Local businesses
- Other tiers of local government (where they exist)
- Responsible Authorities

1.3 The Council consulted widely regarding the revised statement of principles from 3rd August 2018 to 14th September 2018. A list of those consulted on the revision of the statement of principles is attached at Appendix **D**.

1.4 This statement of licensing principles was prepared in 2018 and following consultation was approved by Full Council on the 27th November 2018. This new three year statement of principles was published on 28th November 2018 and has effect from 31st January 2019. It will be published in the Council’s website.

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

2. Declaration

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

3. The Licensing Objectives

- 3.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing 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**

- 3.2 It should be noted that the Gambling Commission has stated: *“The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”*.

The Act provides for three categories of licence:

- Operating Licence
- Personal Licence
- Premises Licence

- 3.3 The Gambling Commission will be responsible for issuing personal licenses and operating licenses. The licensing authority will be responsible for issuing premises licenses.

The Gambling Commission can be contacted at:

Victoria Square House

Victoria Square

Birmingham

B2 4BP

Tel: 0121 230 6666

Fax: 0121 230 6720

Website: www.gamblingcommission.gov.uk

APPENDIX A

3.4 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it is satisfied that the application is:

- 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

4. Slough's geographical area

4.1 The Borough of Slough is located in the Thames Valley, 20 miles to the west of the centre of London and close to Windsor, Maidenhead and Reading. The Borough covers an area of 32.5 square kilometres. These areas are shown in the map at Appendix A.

Located along the M4 corridor, Slough is close to Heathrow Airport and is within easy access of the M40 which runs to the Midlands, the M1 which runs to the north and the M3 which runs to the south. Slough Town Centre is served by a Great Western mainline railway station from which the fastest journey time to London Paddington is 15 minutes.

The population of Slough is 149,400. It is a culturally diverse Borough with a range of communities. Slough is often described as a "fusion of different cultures." There are strong Indian and Pakistani communities and more than a third of the population are from minority ethnic communities.

The Borough is heavily urbanised with residential and commercial areas. To the west of the Borough is the Slough Trading Estate, a large commercial area comprising approximately 672,274 square metres. There are entertainment venues comprising of public houses and nightclubs in Slough Town Centre and in suburban locations, where there are also members' clubs. There are betting shops in Slough Town Centre and in suburban locations. There are 2 amusement arcades in Slough Town Centre.

A map of the Slough and its wards is appended as Appendix 'A'.

5. Local Area Profile and Local Risk Assessments

5.1 All applicants for grants and variations of gambling premises licences must include full details of their Local Risk Assessments (LRA) as part of their applications. This is set out in the Social Responsibility Code 10.1.1 and Ordinary

Code Provision 10.1.2 which both took effect from 6th April 2016.

- 5.2 Applicants are expected to demonstrate how their operation will not cause harm or exacerbate issues of risk in light of the protection of children from harm and other vulnerable people should the proposed site be located near schools, any addiction treatment/help centres or medical facilities such as GP practices.
- 5.3 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities and have policies, procedures and controls in place to mitigate those risks.
- 5.4 Licensees must have regard to and take account of the Council's Statement of Principles policy and of the 'Local Area Profile' which details the statistics and data relating to demography, deprivation and poverty for all 15 of Slough's wards. This can be found in the JSNA document - <http://www.slough.gov.uk/council/joint-strategic-needs-assessment/>
- 5.5 Slough Borough Council's **Local Area Profile** ("LAP") and maps can be found at ***INSERT WEB LINK*** with information regarding crime statistics, and the demographics of the populace and other statistical information.
- 5.6 Applicants are expected to review all the information detailed in the LAP, as well as the data and statistics detailed in the JSNA when forming the local risk assessment. The LRA should be specific to each individual premise. The LRA should consider, as a minimum, the following;
 - The location of children's services such as schools, playgrounds, leisure/community centres and other areas where children will gather.
 - The demographics of the area in relation to vulnerable groups.
 - Whether the premise is in an area subject to high levels of crime and/or disorder.
 - Local risk assessments should show how vulnerable people including those with gambling dependencies are protected.
- 5.7 Licensees are required to review their LRA to take into account significant changes of local circumstances and significant changes of the premises when applying for any variation.

6. Responsible Authorities

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

The principles are:

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

6.2.1 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The Responsible Authorities are;

- The Licensing Authority
- The Gambling Commission
- Thames Valley Police
- Royal Berkshire Fire and Rescue Service
- Planning and Development Control Services
- Environmental Health – (Neighbourhood Enforcement Services)
- Local Safeguarding Children's Board
- HM Revenue and Customs

6.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are listed on Slough Borough Council's website – ***INSERT WEBLINK***

7. Interested parties

7.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in s158 of the Act 2005 as follows:

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

-

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

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

The principles are:

7.3 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.9 to 8.17. It will also consider the Gambling Commission's Guidance that "has business

interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- 7.4 Interested parties can be persons who are democratically elected such as Councillors and Members of Parliament. No specific evidence of being asked to represent an interested person will be required as long as the Councillor / MP represent the Ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 7.5 In principle, the Council will allow any person to represent an interested party but it may ask for confirmation that the person genuinely represents the interested party. The Council will generally require evidence that a person/body (e.g. an advocate or relative) 'represents' someone. If persons representing interested parties are Councillors, Members of Parliament or Members of the European Parliament, then no specific evidence of being asked to represent an interested person will be required as long as they represent the area likely to be affected.
- 7.6 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Councils Committee and Member Service for advice.

8. Exchange of Information

- 8.1 The licensing authority will act in accordance with the provisions of section 350 of the Act in its exchange of information with the Gambling Commission and the other persons listed in Schedule 6 of the Act; this includes a provision that the General Data Protection Regulation (GDPR) will not be contravened.
- 8.2 The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 8.3 Details of applications and representations which are referred to the Licensing Sub-Committee for determination will be detailed in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.
- 8.4 Should any protocols be established as regards information exchange with other bodies then they will be made available.

9. Enforcement

- 9.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 9.2 This licensing authority's principles are that we 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; and
 - **Targeted**: regulation should be focused on the problem, and minimise side effects.
- 9.3 This licensing authority has adopted a risk-based inspection programme, based on;
- The licensing objectives
 - Any relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular at Part 36
 - The principles set out in this statement of licensing policy
- 9.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises.
- 9.5 The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not be dealt with by the licensing authority but should be notified to the Gambling Commission.
- 9.6 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive which is part of the Business, Energy and Industrial Strategy, in its consideration of the regulatory functions of local authorities.
- 9.7 Our general principles with regards to enforcement are informed by The Regulators' Code, the Enforcement Concordat and the Guidance of Regulatory Delivery as to how to apply these documents.
- 9.8 The six principles of the Regulators Code are:

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
3. Regulators should base regulatory activities on risk.
4. Regulators should share information about compliance and risk.
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
6. Regulators should ensure that their approach to their regulatory activities is transparent.

9.9 Bearing in mind the principle of transparency, the Regulatory and Enforcement Services Enforcement Policy can be accessed at:
<http://www.slough.gov.uk/council/strategies-plans-and-policies/regulatory-and-enforcement-services-enforcement-policy.aspx>

9.10 Or, upon request to the Licensing Team, Regulatory Services, Slough Borough Council, My Council, Landmark Place, High Street, Slough SL1 1JL or by email at licensing@slough.gov.uk

10. Safeguarding – Protecting children and other vulnerable persons from being harmed or exploited.

10.1 As per the Gambling Commission's Guidance for Licensing Authorities, this Licensing Authority expects operators of gambling premises to have in place policies and measures in protecting children and other vulnerable people from being harmed or exploited by gambling.

10.2 The efficiency of such policies and procedures will be considered on their own merits, however, they may include appropriate measures/training for staff as regards suspected truanting school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems.

10.3 This Authority will pay particular attention to measures proposed by operators to protect children from harm in premises licensed under the Gambling Act 2005. Such measures may include, but would not be limited to, the following:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas

- Specific opening hours
- Self-barring schemes
- Notices/signage
- Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation
- clear policies that outline the steps to be taken to protect children from harm;
- Provision of information leaflets/helpline numbers for organisations such as GamCare and GambleAware.

Some of the above are mandatory conditions under The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007.

- 10.4 This Authority will expect operators to fully comply with the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Social Responsibility Codes in relation to access for children into Gambling premises and their policies and procedures designed to prevent underage gambling, and how they monitor the effectiveness of these. The Social Responsibility Codes, part of the Gambling Commission's LCCP, can be found on the Gambling Commission's website.
- 10.5 The Gambling Commission advises in its Guidance for Licensing Authorities that Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling. In appropriate circumstances this Authority will consider the imposition of conditions requiring door supervisors at particular premises.
- 10.6 Larger operators are responsible for conducting/taking part in underage testing, results of which are shared with the Gambling Commission. Operators are encouraged to also make the results available to licensing authorities, as far as is practicable.

11. Licensing Authority functions

- 11.1 Licensing Authorities are required under the Act to be responsible for:
- The licensing of premises where gambling activities are to take place by issuing **Premises Licences**
 - Issue **Provisional Statements**
 - Regulate **members' clubs and miners' welfare institutes** who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - Issue **Club Machine Permits to Commercial Clubs**
 - Grant permits for the use of certain lower stake gaming machines at **unlicensed Family Entertainment Centres**
 - Receive **notifications from alcohol licensed premises** (under the Licensing Act 2003) for the use of two or fewer gaming machines

- Issue **Licensed Premises Gaming Machine Permits** for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register **small society lotteries** below prescribed thresholds
- Issue **Prize Gaming Permits**
- Receive and Endorse **Temporary Use Notices**
- Receive **Occasional Use Notices**
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions
- The exercise of its powers of compliance and enforcement under the 2005 Act in partnership with the Gambling Commission and other relevant responsible authorities.

11.2 It should be noted that the National Lottery is regulated by the National Lottery Commission, Remote Gambling is dealt with by the Gambling Commission and Spread Betting by the Financial Services Authority.

PART B - Premises Licences; Consideration of Applications

12. General Principles

- 12.1 Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State.
- 12.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:**
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission ;
 - reasonably consistent with the licensing objectives; and
 - in accordance with this authority's Statement of Licensing Policy
- 12.3 It is appreciated that as per the Gambling Commission's Guidance to Local Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – Section 12) and also that unmet demand is not a criterion for a licensing authority.
- 12.4 When making a decision about a new application the licensing authority will expect the applicant to have taken into consideration the impact of the application being granted, and to have put in place measures with regards, but not limited to:
- Schools, sixth form colleges, youth centres etc, with reference to the potential risk of underage gambling
 - The surrounding night time economy, and possible interaction with gambling premises
- 12.5 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises.
- 12.6 This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.
- 12.7 The Gambling Commission states in its Guidance to Licensing Authorities (updated September 2016) that: *"In most cases the expectation is that a single*

building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably.

- 12.8 Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”
- 12.9 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- It is perfectly legal for children to take part in some limited gambling activities i.e. Category ‘D’ Machines.
 - The third licensing objective seeks to protect children from being harmed by gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activity names on the premises licence.
- 12.10 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:
- Do the premises have a separate registration for business rates
 - Is the premises’ neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises
- 12.11 This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.
- 13. The Gambling Commission’s relevant access provisions for each premises type are reproduced below:**

Adult Gaming Centre

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

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Bingo Premises

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

Family Entertainment Centre

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

- 13.1 Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.
- 13.2 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 13.3 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.
- 13.4 Deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-
- First, whether the premises ought to be permitted to be used for gambling

- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 13.5 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.
- 13.6 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.56 -7.65 of the Guidance.
- 13.7 This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making.
- 13.8 As per the Gambling Commission’s Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 13.9 This authority will have regard to the “Guidance”:- 7.65 - When dealing with a premises licence application, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence.
- 13.10 Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.
- 13.11 This licensing authority seeks to **avoid any duplication** with other statutory /regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 13.12 When dealing with a premises licence application, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

13.13 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

14. Premises plans (new applications and variations)

14.1 New applications and variation applications must be accompanied by a plan of the premises. The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (as amended) states that a plan must show:

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

14.2 The Licensing Authority must establish if an application is 'in accordance with the relevant code of practice' and this will include social responsibility codes. It also needs to be determined whether the application is 'reasonably consistent with the licensing objectives'. Should the application and accompanying plan be insufficient to satisfy these requirements the applicant will be required to submit more information.

14.3 Applicants are advised for the following to be included on the premises plan:

- Location of service counter
- Location of all self-service betting terminals

15. Privacy screens around gaming machines

15.1 A screen or pod around a gaming machine, designed for player privacy, should not stop premises staff from effectively monitoring gaming machine play. It is an operator's responsibility to ensure staff are able to effectively supervise gaming, as per the conditions of the operator licence. The licence conditions and code of practice (LCCP) state: '**Facilities for gambling must be offered in a manner which provides for appropriate supervision of those facilities by staff at all times**'.

15.2 Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their premises.

Operators must be able to evidence how they have considered the risk to the licensing objectives and implemented effective controls.

15.3 Where operators are unable to demonstrate effective controls, the licensing authority will use regulatory powers to instruct the removal of any impediments to staff carrying out their responsibilities.

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

16.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime.

16.2 If an application is received regarding a premises located in an area noted for particular problems with organised crime, the licensing authority will work in partnership with the Police and other relevant bodies to consider whether specific controls need to be applied to the licence to help prevent premises becoming a source of crime. Such measures could include a condition requiring suitable numbers of door supervisors at the premises.

16.3 The licensing authority recognises the distinction between disorder and nuisance. Disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Fact the licensing authority will consider in determining whether a disturbance was serious enough to constitute disorder would include whether any Police assistance was required and how threatening the behaviour was to those who could see and hear it. Issues concerning nuisance cannot be dealt with by the Gambling Act, as there is other primary legislation in place to deal with such issues.

17. Ensuring that gambling is conducted in a fair and open way.

17.1 This licensing authority will not be directly concerned with ensuring gambling being conducted in a fair and open way, as this will be addressed by the Gambling Commission through the operating and personal licensing regime.

17.2 Track operators will not be required to hold an operator's licence. The premises licence will contain requirements on the licence holder regarding his or her responsibilities to ensure gambling is conducted in a fair and open way within betting areas.

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

18.1 With very little exceptions the intention of the Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments. This means preventing them from taking part in gambling where such gambling would be illegal and placing restrictions on advertising so that gambling products are not aimed

at, or are attractive to children.

- 18.2 In some limited cases children are legally permitted to gamble and the licensing authority will consider whether specific measures are required on certain premises to protect children. This may include:
- Segregation of gambling from areas used by children
 - Supervision of gambling machines in licensed family entertainment centres
- 18.3 The list is not exhaustive. Particular care will be taken on tracks where children are permitted on race days.
- 18.4 Any Codes of practice issued by the Gambling Commission will be considered by the licensing authority in relation to casinos and this licensing objective.
- 18.5 No specific definition of 'vulnerable persons' has been identified within the Act. The licensing authority may include, but not limited to;
- Those people who gamble more than they want; or
 - People who gamble beyond their means; or
 - People who cannot make informed or balanced decisions about gambling due to mental impairment, alcohol or drugs as vulnerable people.
- 18.6 The licensing authority will consider licensing objectives on a case by case basis.

19. CONDITIONS

- 19.1 All premises licensed under the Gambling Act 2005 are subject to mandatory and default conditions which are usually sufficient to ensure operation which is reasonably consistent with the licensing objectives.
- 19.2 Additional conditions may only be imposed where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that the mandatory and default conditions be supplemented.
- 19.3 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- 19.4 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met

effectively.

- 19.5 We will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.
- 19.6 This authority will also ensure that where category A to C or above machines are on offer in premises to which children are admitted, other than premises licensed for the supply of alcohol under the Licensing Act 2003;
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 19.7 These considerations will apply to premises including buildings where multiple premises licences are applicable.
- 19.8 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
 - conditions in relation to stakes, fees, winning or prizes.

20. Door Supervisors

- 20.1 The Gambling Commission advises in its Guidance for Local Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young person's then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.
- 20.2 Where it is decided that supervision of entrances / machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be

licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

21. Adult Gaming Centres

- 21.1 When granting premises licenses for adult gaming centres the licensing authority will have regard to the licensing objectives. It expects applicants to offer their own measures to meet the objectives, in particular, the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant must satisfy the licensing authority there will be sufficient measures to ensure that under 18 year olds are not permitted to enter premises.
- 21.2 As a guide, section 26 of this policy details a number of what is considered appropriate measures and licence conditions that Operators may wish to consider having place.
- 21.3 The list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 21.4 The question of sub division of such premises has become an issue and been the subject of Gambling Commission Guidance. There must be no direct entry from one adult gaming centre into another. This Authority will take note of the Guidance issued in respect of such applications.

22. (Licensed) Family Entertainment Centres

- 22.1 When granting premises licenses for licensed family entertainment centres, the licensing authority will have regard to the licensing objectives. It expect applicants to offer their own measures to meet the objectives, in particular the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant must satisfy the licensing authority there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 22.2 As a guide, section 26 of this policy details a number of what is considered appropriate measures and licence conditions that Operators may wish to consider having place.
- 22.3 The list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 22.4 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.

23. Casinos

- 23.1 A resolution has been passed by Full Council that the 'No Casino' policy is to lapse. Should this licensing authority decide in future to pass such a further resolution, this Statement of Gambling Principles will be updated accordingly. Any such decision will be made by Full Council.

24. Bingo premises

- 24.1 When granting premises licenses for licence for Bingo premises, the licensing authority will have regard to the licensing objectives. It expect applicants to offer their own measures to meet the objectives, in particular the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant must satisfy the licensing authority there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

- 24.2 As a guide, section 26 of this policy details a number of what is considered appropriate measures and licence conditions that Operators may wish to consider having place.

- 24.3 The list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 24.4 Following the Commissions guidance, if children are permitted to enter bingo premises where there are category C gaming machines or above, the licensing authority 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 to the area where the machines are located
- Only adults are admitted to the area where the machines are located
- Access to the area where the machines are located is supervised
- There are where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

- 24.5 Regard will also be given to the suitability and layout of bingo premises when making their decision.

25. Betting premises

- 25.1 When granting premises licenses for Betting Premises the licensing authority will have regard to the licensing objectives. It expects applicants to offer their own measures to meet the objectives, in particular, the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant must satisfy the licensing authority there will be sufficient measures to ensure that

under 18 year olds are not permitted to enter premises.

- 25.2 As a guide, section 26 of this policy details a number of what is considered appropriate measures and licence conditions that Operators may wish to consider having place.
- 25.3 The list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 25.4 When granting premises licenses for adult gaming centres the licensing authority will have regard to the licensing objectives. It expects applicants to offer their own measures to meet the objectives, in particular, the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant must satisfy the licensing authority there will be sufficient measures to ensure that under 18 year olds are not permitted to enter premises.
- 25.5 Betting machines - This licensing authority will, follow the Gambling Commission's Guidance and 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 or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. Please refer to the **Summary of machine provisions by premises:**
<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-A-Summary-of-machine-provisions-by-premises.aspx>

26. Suggested appropriate measures and licence conditions.

- Proof of age schemes – i.e. 'Think 21'
- CCTV
- Supervision of entrances and machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Measures / training for staff on how to deal with suspected truant school children on the premises
- All staff to produce a current Criminal Records Bureau disclosure which is approved by the Police
- Prepared plans of the premises
- Suitable public liability insurance
- Procedures to ensure public safety

27 Travelling Fairs

- 27.1 A Travelling fair is defined as one that 'wholly or principally' provides amusements. Fairs falling within this definition will be permitted unlimited numbers of category D gaming machines provided the facilities for gaming amount to no more than an ancillary amusement.
- 27.2 Sites used for travelling fairs are limited to a maximum of 27 days per calendar year. If sites being used for this purpose straddle local authority areas, the licensing authority will work with the relevant authority to maintain a central log to ensure that statutory 27 day limit is not exceeded.

28. Provisional Statements

- 28.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 28.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 28.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 28.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 28.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 28.6 In addition, the authority may refuse the premises licence (or grant it on terms

different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

29. Reviews

- 29.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 29.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 29.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 29.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 29.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 29.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

29.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

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

29.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C - Permits /Temporary & Occasional Use Notice

30. Unlicensed family Entertainment Centres (UFEC)

- 30.1 Where a premises does not hold a premises licence the operator may apply for a permit. The applicant must show the premises will be wholly or mainly used for the provision of gaming machines for use.
- 30.2 The licensing authority shall have regard to the guidance by the Gambling Commission in respect of permits for unlicensed FECs.
- 30.3 Only category D machines are allowed to be available for use on a permit.
- 30.4 The Chief Officer of Police will be consulted on the receipt of an application for a permit.
- 30.5 Before being granted a permit the applicant will need to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
 - That they have no relevant convictions as detailed in the Act
 - Staff are trained to have a full understanding of the maximum stakes and prizes, and
 - How they will deal with children protection issues.
- 30.6 Given that the premises will particularly appeal to children and young persons, in considering applications, the licensing authority will give weight to child protection issues.
- 30.7 Consideration of the suitability of applicants for this type of permit will follow the guidance issued by the Gambling Commission.
- 30.8 The Council cannot attach conditions to this type of permit.
- 30.9 Once granted the permit last for 10 years, unless it is surrendered or forfeited.
- 30.10 Statement of Principles: This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect all measures as outlined in (18.5 above) to be fully demonstrated.

31. Clubs & Premises with an alcohol licence

- 31.1 It is an offence to provide gambling facilities without the relevant operating licence and premises licence unless the activity is subject to an exception. Part 12 of the Act provides that, in clubs and premises with an alcohol licence, certain gaming (including poker) is exempt, subject to stakes and prize limitations or, if appropriate permissions are held, then there can be unlimited stakes and prizes.
- 31.2 Gaming of this type is usually provided in clubs and premises with an alcohol licence and is subject to specific conditions and codes of practice. S.279-284 of the Act only applies to premises in respect of which an on sales/supply -premises alcohol licence is held. It is important to remember that gambling must remain ancillary to the main purpose of the premises and the exemptions and permits are reliant on the premises holding a valid alcohol licence.
- 31.3 A full summary of gaming entitlements for alcohol licensed premises can be found at; <http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-C-Summary-of-gaming-entitlements-for-clubs-and-alcohol-licensed-premises.aspx>

32. Removal of exemption for alcohol licensed premises

- 32.1 The Licensing Authority can remove the automatic authorisation for exempt gaming in respect of any particular alcohol licensed premises by making an order under s.284 of the Act (see also Part 26). That section provides for the licensing authority to make such an order if:
- provision of the gaming is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises that breaches a condition of s.279 – for example, the gaming does not abide by the prescribed limits for stakes and prizes, a participation fee is charged for the gaming or an amount is deducted or levied from sums staked or won
 - the premises are mainly used for gaming
 - an offence under the Act has been committed on the premises.
- 32.2 Such an order could be used by the Licensing Authority where, for example, poker is being offered in alcohol licensed premises that consistently breaches the prescribed limits on stakes and prizes, participation fees are being charged for the poker, amounts are deducted from stakes or winnings, or poker (and other gaming) is the main activity offered on the premises.

33. Alcohol Licensed Premises Gaming Machine Permits

- 33.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and or D.
- 33.2 These premises merely need to inly notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular if:
- Provision of machine is not reasonably consistent with the pursuit of the licensing objectives.
 - Gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005 (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with).
 - The premises are mainly used for gambling: or
 - An offence under the Gambling Act has been committed, and “*such matters as they think relevant*”.

34. Permit; 3 or More Machines

- 34.1 If a premises wishes to have more than 2 machines, then it needs to apply for permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under section 25 of the Gambling Act 2005, and “*such matters as they think relevant*”.
- 34.2 The licensing authority considers that “*such matters*” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.
- 34.3 Measures that will satisfy the authority that there will be no access may include:
- The adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18.
 - Providing notices and signage.
 - Providing information leaflets or helpline numbers for organisations such as Gamcare or gambler Anonymous.
- 34.4 This list is not mandatory, nor exhaustive. It is an example of possible measures.

- 34.5 An alcohol licensed premises may apply for a licence for their non-alcohol licensed areas. Such an application would need to be for an Adult gaming Centre premises licence.
- 34.6 The licensing authority can grant the application with a smaller number of gaming machines and or different categories than that applied for. The licensing authority however, cannot attach any other types of conditions.
- 34.7 The holder of a permit must comply with any Codes of practice issued by the gambling Commission about the location and operation of the gambling machines.
- 34.8 The licensing authority will cancel a permit if the holder fails to pay the annual fee, unless the failure is a result of an administrative error.

35. Prize Gaming Permits

35.1 The following may provide Prize Gaming:

- Bingo premises as a consequence of their Bingo Operating licence.
- Adult gaming Centres and licensed Family Entrainment Centres.
- Unlicensed Family Entertainment Centres may offer equal chance prize gaming under a gaming machine permit.
- Travelling fairs without a permit, as long as none of the gambling facilities at the fair amount to more than an ancillary amusement.

Children and young people may participate in equal chance gaming only.

35.2 Statement of Principles: The Gambling Act 2005 states that a licensing authority may “prepare a Statement of Principles that they propose to apply in exercising their functions under this schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

35.3 The licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

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

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

35.5 There are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

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

36. Club Gaming and Club Machines Permits

36.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide;

- Up to 3 machines of categories B, C or D
- Equal chance gaming
- Games of chance as set-out in forthcoming regulations.

36.2 A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

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

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

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

- (d) A permit held by the applicant has been cancelled in the previous ten years; or
- (e) An objection has been lodged by the Commission or the police.

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

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

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

36.7 Once granted a permit lasts for 10 years, unless it is surrendered or forfeited.

37. Summary of gaming machine provisions by premises -
<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-A-Summary-of-machine-provisions-by-premises.aspx>

38. Temporary Use Notices

38.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.

38.2 The licensing authority will accept applications of Temporary Use Notices for premises subject to the criteria stated in the legislation and guidance.

38.3 Premises are limited to a maximum 21 days of temporary gambling activities per month period, taken as per calendar year, and may be made up of several notices up to the maximum.

38.4 The applicant must give notice to the licensing authority at least 3 months and 1 day notice of the activity taking place.

38.5 Copies of the notice must be sent by the applicant to:

- The Gambling Commission

- The Chief Officer of Police of Thames Valley Police
- HM revenue and Customs, and if applicable
- Any other licensing authority in whose area the premises are situated

38.6 The licensing authority will keep a public register of Temporary Use Notices endorsed to ensure the limits are not being exceeded.

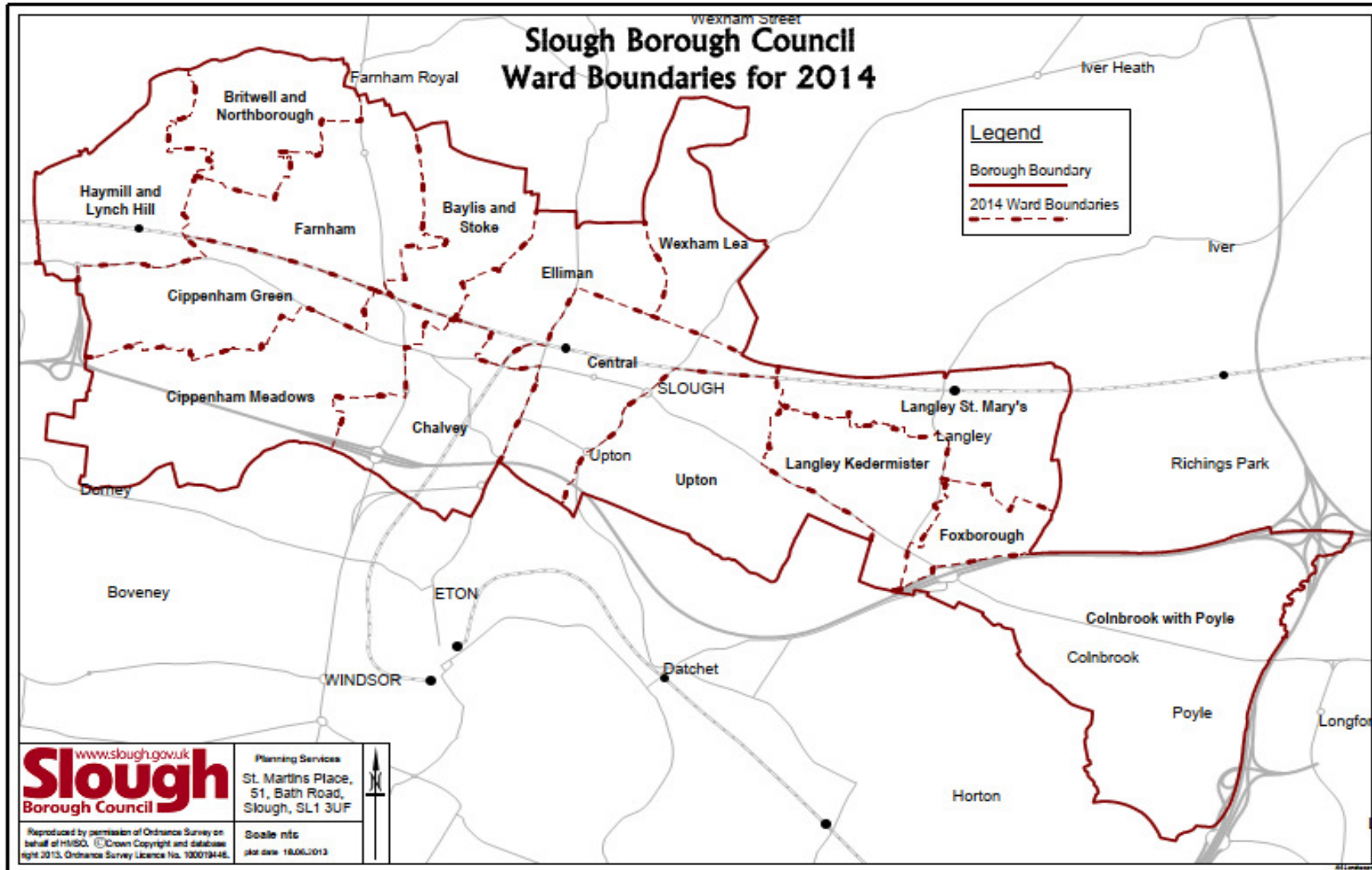
39. Occasional Use Notices

39.1 The licensing authority will accept applications of Occasional Use Notices subject to the criteria stated in the legislation and guidance. These notices are to be used for occasional betting activities on tracks.

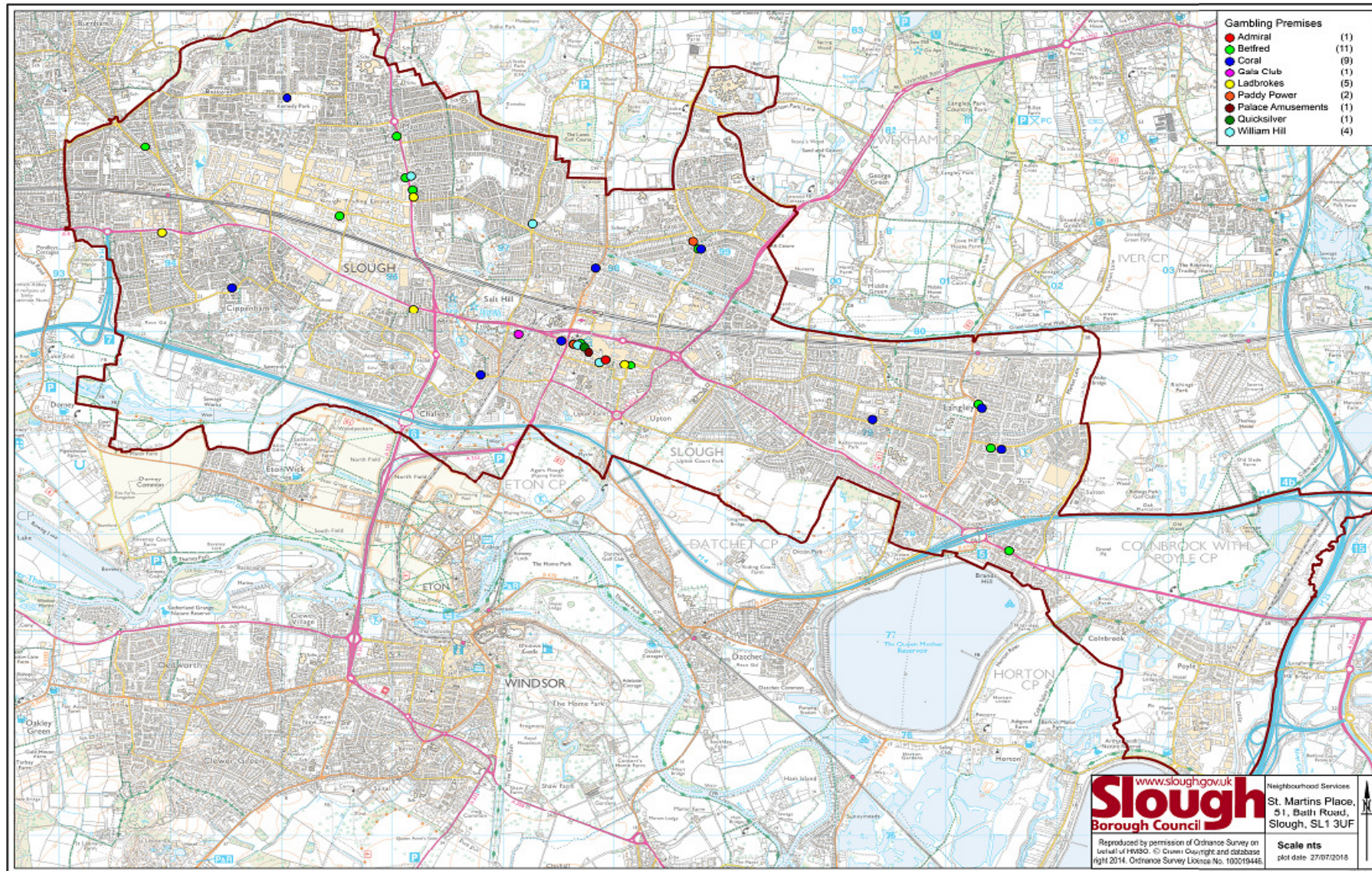
39.2 Tracks are limited to a maximum of 8 days of temporary activities per 12 month period, taken as per calendar year, and may be made up of several notices up to the maximum.

39.3 The licensing authority will keep a public register of Occasional use Notices endorsed to ensure the limits are not being exceeded.

39.4 The licensing authority will give notice of objection if having regard to the licensing objectives it considers that the gambling should not take place, or can only take place with modifications.



Appendix B



APPENDIX C

Summary of Licensing Authority Delegations Permitted under The Gambling Act 2005

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Approval of three year Statement of Principles	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for Premises Licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a transfer of a licence		Where representations have been received and not withdrawn	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a Premises Licence		X	
Application for club gaming / club machine permits		Where objections have been made (and not withdrawn)	Where no objections made / objections have been withdrawn
Cancellation of club gaming / club machine permits		X	
Applications for other permits			X
Cancellation of licensed Premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to be temporary use notice		X	

'X' - Indicates the lowest level to which decisions can be delegated

APPENDIX D

List of Consultees

Chief Constable of Thames Valley Police
Royal Berkshire Fire & Rescue Service
Association of British Bookmakers
Lotteries Council
British Amusement Catering Trade Association
British Casino Association
Remote Gambling Association
Bingo Association
British Horseracing Board
Advertising Association
Department for Culture, Media and Sport (DCMS)
Gamcare
Age UK
Thames Valley Chamber of Commerce
British Beer and Pub Association
BIIAB
Frimley Health NHS Foundation Trust
Slough Council for Voluntary Service
East Berks Primary Care Trust
Slough Faith Partnership
Slough Business Community Partnership
Slough Children's Trust Board
Betfred
Coral
Gala leisure
Paddy Power
Ladbrokes
Novomatic (Quick Silver)
William Hill
Palace Amusements
All licensed premises/clubs with authorisation for the sale/supply of alcohol
Director of Adults and Communities
Town Centre Management
Economic Growth & Enterprise Manager
LADO
Britwell Parish Council
Colnbrook parish Council
Wexham Parish Council
Community Safety Manager
SBC Communities and Leisure
Pubwatch

In addition, responses to the consultation were invited by press releases to local newspapers and radio stations.

Gambling Act Glossary - APPENDIX E

Adult Gaming Centres	Adult Gaming Centres (AGCs) are a new category of Premises introduced by the Act. Persons operating an AGC must hold a gaming machines general operating licence and must seek a Premises licence from the Licensing Authority. They will be able to make category B, C and D gaming machines available to their customers.
Betting Premises	The Act contains a single class of licence for betting Premises. Within this single class of licence there will be different types of Premises which require Licensing, such as off course betting, tracks and betting offices on tracks.
Bingo	It is to have its ordinary and natural meaning - no definition is included in the Act. Two types of Bingo can be offered. Cash bingo - where the stakes paid made up the cash prizes that were won; or Prize bingo - where various forms of prizes are won and are not directly related to the stakes paid.
Casinos	A Casino is an arrangement whereby people are given an opportunity to participate in one or more Casino games. The Act defines Casino games as a game of chance which is not equal chance gaming.
Customer Lottery	A lottery run by occupiers of a business for the benefit of the customers who buy tickets sold on the Premises (e.g. supermarket holding a hamper raffle).
Exempt Lottery	Incidental non-commercial lotteries Private Lotteries Customer Lotteries Small Society Lotteries
Gambling Act 2005	The Act gives effect to the Government's proposals for reform of the law on gambling. The Act contains a new regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and Spread Betting. It received royal assent on 7 April 2005.
Gambling Commission	Established 1 st October 2005. It has taken over from the Gaming Board for Great Britain relating to gaming and certain lotteries. It will take on its full range of Licensing functions in 2007.
Gaming Machines	Covers all machines on which people can gamble on. Category of machine and where they can be situated are contained in Appendix F.

Incidental Non-Commercial Lottery	Lottery that is run as an additional amusement at non-commercial events with tickets sold only during the event, such as a raffle at a dance or church fair.
Licensed Family Entertainment Centre	The Act creates two classes of family entertainment centres (FEC). Licensed FECs provide category C and D machines and require a Premises licence.
Lotteries	It is unlawful to run a lottery unless it is in accordance with an operating licence issued by the Gambling Commission or it is an exempt lottery.
Occasional Use Notices	Section 39 of the Act provides that where there is a betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full Premises licence.
Off course betting	Betting that takes place other than at a race track.
Private Lottery	Lottery that requires membership of a society, place of work or single residential unit (e.g. raffle at a student hall of residence).
Small Society Lottery	Non-commercial societies if it is established and conducted: <ul style="list-style-type: none"> • For charitable purposes • For the purposes of enabling participating in, or of supporting, sport, athletics or a cultural activity; or • For any other non-commercial purpose other than private gain.
Temporary Unit Notices	These allow the use of Premises for gambling where there is no Premises licence but where a gambling operator wishes to use the Premises temporarily for providing facilities for gambling. Premises which might be suitable for temporary use notices would include hotels, conference centres and sporting venues.
Track	Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks both in the form of pool betting (often known as the “totalisator” or “tote”) and also general betting, often known as “fixed-odds” betting.
Travelling Fairs	A travelling fair is one that “wholly or principally” provides amusements and they must be on a site that had been used for fairs for no more than 27 days per calendar year. No permit is required for gaming machines, but they must comply with age restrictions.
Unlicensed Family Entertainment Centres	Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits.

APPENDIX F

RESPONSIBLE AUTHORITIES and LOCAL NEWSPAPERS **GAMBLING ACT 2005 Section 157**

1. THE LICENSING AUTHORITY

My Council,
Landmark Place,
High Street
Slough
SL1 1JL
Tel - 01753 875664
Fax- 01753 875221
licensing@slough.gov.uk

2. THE GAMBLING COMMISSION

Victoria Square House
Victoria Square
Birmingham
B2 4BP
www.gamblingcommission.gov.uk

3. THAMES VALLEY POLICE

Licensing
HQ South
165 Oxford Road
Kidlington
OX5 2NX
Tel - 01865 846584

4. ROYAL BERKSHIRE FIRE AND RESCUE SERVICES

Slough Community Fire Officer
The Fire Station
124 London Road
Slough
SL3 7HS
Tel - 01753 547997
Fax - 01753 547871

5. PLANNING AND DEVELOPMENT CONTROL SERVICES

Slough Borough Council
St Martins Place
51 Bath Road
Slough
SL1 3UF

6. ENVIRONMENTAL HEALTH (NEIGHBOURHOOD ENFORCEMENT SERVICES)

Slough Borough Council
St Martins Place
51 Bath Road
Slough
SL1 3UF

7. LOCAL SAFEGUARDING CHILDREN'S BOARD

Slough Borough Council
St Martins Place
51 Bath Road
Slough
SL1 3UF
Tel - 01753 872901

8. HM REVENUE AND CUSTOMS

Portcullis House
21 India Street
Glasgow
G2 4PZ

LOCAL NEWSPAPERS CIRCULATING IN SLOUGH

Applicants must advertise the applications (where applicable) in one of the following newspapers:

Slough and Langley Observer

Observer Group
Upton Court
Datchet Road
Slough
SL3 7NR
Tel – 01753 523355

Slough Express

487 Ipswich Road
Slough
SL1 4EP
Tel – 01753 825111

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 27th November, 2018

CONTACT OFFICER: Community Governance Review Group
Catherine Meek, Head of Democratic Services

(For all enquiries) (01753) 875011

WARDS: All

PART 1**FOR DECISION****COMMUNITY GOVERNANCE REVIEW OF PARISH COUNCIL ARRANGEMENTS
WITHIN THE BOROUGH OF SLOUGH****1. Purpose of Report**

This report outlines the responses to the 2nd stage of the public consultation carried out as part of the community governance review of the Borough Council area and the recommendations of the Community Governance Review Group.

2. Recommendations

The Council is requested to consider the recommendations of the Community Governance Review Group and determine whether to Resolve:

Britwell Parish Council

1. That the results of the advisory postal poll, the representations made by Britwell Parish Council and the written responses received during the consultation be noted.
2. That in light of the response to the consultation and findings of the Review as set out at paragraph 5.14 of this report, an extraordinary meeting of the Council be called on 18th December, 2018 to determine the abolition of Britwell Parish Council with effect from 1st April, 2019.
3. That, in the event recommendations 1 and 2 above are approved, the Director of Finance and Resources be requested to prepare:
 - a report to include how the facilities and services provided or supported by Britwell Parish Council will be supported and developed in the event of their abolition;
 - a draft order for the abolition of the Britwell Parish Council and the Civil Parish to take effect on 1st April, 2019, and
 - a timetable of consequential actions.

Colnbrook with Poyle Parish Council

1. That the written responses received in relation to Colnbrook with Poyle Parish Council be noted.
2. That the results of the advisory postal poll on whether the parish council is effective and engages effectively with local people be noted.
3. That the parish council be urged to give consideration to the views expressed via the poll and improve its engagement with local people with an emphasis on the Westfield/Brands Hill area (PD CPA), where the poll demonstrated lower levels of public support.
4. That the borough council will review the parish's performance again toward the end of its next term of office and reserves the right to test public opinion in a further advisory postal poll if it is not satisfied that it is engaging widely with local people.

Wexham Court Parish Council

1. That the results of the advisory postal poll, the written responses received during the consultation and the audit report of the governance arrangements of the Parish be noted.
2. That in light of the response to the consultation and findings of the Review as set out at paragraph 5.31 of this report, an extraordinary meeting of the Council be called on 18th December, 2018 to determine the abolition of Wexham Court Parish Council with effect from 1st April, 2019.
3. That, in the event recommendations 1 and 2 above are approved, the Director of Finance and Resources be requested to prepare:
 - a report to include how the facilities and services provided or supported by Wexham Court Parish Council will be supported and developed in the event of their abolition;
 - a draft order for the abolition of the Wexham Court Parish Council and the Civil Parish to take effect on 1st April, 2019, and
 - a timetable of consequential actions.

3. The Joint Wellbeing Strategy, the JSNA and the Five Year Plan

Effective governance arrangements are central to a successful modernised and transformational council and the Community Governance Review process is an important part of those arrangements.-

1. Other Implications

(a) Financial

If Council decides to abolish a parish council the Borough Council will have to 'wind up' its the assets and existing liabilities. A further report will be submitted setting out more detailed financial implications that may arise from a decision to abolish at a meeting to approve the abolition order.

Risk Management

Risk	Mitigating action	Opportunities
Legal challenge to decisions	Seek legal advice at all stages of the Review	The aim of the review is to bring about improved community engagement, better local democracy and more effective and convenient delivery of local services
Human Rights	None at this stage	
Employment Issues	None at this stage	
Equalities Issues	EIA prepared	
Community Support	Ensure consultation is appropriate and engages all interested parties so that community support for the way forward is effectively sought	Community engagement improved as a result of the recommendations of the review
Communications	Consultation is appropriate and engages all interested parties	Residents given the opportunity to influence how their local area is governed
Community Safety	N/A	N/A

Financial No financial provision exists for this review and costs to date have been absorbed within existing budget provision. There may be additional costs associated with on-going legal advice and any subsequent challenge to recommendations could involve additional legal costs	Ensure Statutory Guidance on Reviews is followed and recommendations are evidence based.	
Timetable for delivery	The Review must be completed within one year of commencement.	
Project capacity	Head of Democratic Services is the Review Manager currently supporting the Review with Project Officer support. ERS were commissioned to administer the advisory polls.	
Reputation	Ensure Statutory Guidance on Reviews is followed and recommendations are	The outcomes of the review may address longstanding concerns

	evidence based	about governance and probity in the borough
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(b) Human Rights Act and Other Legal Implications

The conduct of a CGR is governed by Local Government and Public Involvement in Health Act 2007 ("the Act"). Slough Borough Council as a principal council must comply with both Part 4, Chapter 3 (Sections 79 to 102) of the Act and the Terms of Reference adopted by the Council for the purpose of carrying out the review. The council must have regard to the Guidance on Community Governance Reviews the relevant sections of which are set out in full at Appendix 1 to this report.

With regard to the dissolution of a Parish Council, the Council needs to be satisfied on the following points in each case:

- a) Whether there is clear evidence of local support for the abolition of the parish and the dissolution of the parish council;
- b) Whether such support has been maintained over a sufficient length of time (i.e. that the case for abolition has not been generated in the short term by an unpopular decision of the council, or a particular year's parish precept etc);
- c) Whether the support is sufficiently informed (i.e. that a properly constituted parish council has had an opportunity to exercise parish functions and that local people therefore have had an opportunity to assess whether the parish council can contribute positively to local quality of life); and
- d) Whether it can be demonstrated that suitable alternative arrangements are in place for engaging the local community.

(c) Equalities Impact Assessment

An Equalities Impact Assessment (EIA) was completed at the start of the Community Governance Review to ensure those with protected characteristics were not disadvantaged during the consultation. Should the recommendations in this report be adopted, a further assessment will be undertaken to inform decision-making on 18th December.

4. Background

- 4.1 At its meeting on 24th April 2018 the Council agreed to carry out a Community Governance Review within the Borough area including the parishes and their electoral arrangements. The Council approved terms of reference and timetable for the review and appointed a Review Group comprising Councillors Hussain Swindlehurst, Cheema, Mann, Wright and Strutton to undertake the task and make recommendations to the Council.
- 4.2 The aim of the review is to consider and bring about improved community engagement, better local democracy and more effective and convenient delivery of local services, and to ensure that electors across the whole Borough are treated equitably and fairly.
- 4.3 The review should ensure that electors are consulted, that local arrangements are effective and convenient, and that the interests and identities of the community are reflected in local governance arrangements.
- 4.4 It is focused primarily on the parished areas of the Borough but may also consider other forms of community representation which help make a distinct contribution to the

community such as residents' associations, community forums, neighbourhood working groups etc.

- 4.5 The review may consider the creation, abolition, merging or altering of parish councils and any subsequent electoral arrangements. New parishes may be created to reflect the geography of an area, the make-up of the local community, or sense of identity. All parishes must fall within the existing borough boundary.
- 4.6 Details of the current Parish Band D Precept, number of Parish Councillors, electorate sizes and 5 year forecast of the electorate for the three parished areas of the Borough are set out below.

Parish population and precepts

Parish	Number of councillors	Electorate 2017	Electorate 5 year forecast to 2022	Precept (Band D) £
Britwell	7	1,735	1,740	66.10
Colnbrook with Poyle	12	4,228	4,388	49.40
Wexham Court	11	3,531	3,771	36.72

5. Results of Public Consultation

- 5.1 The 2nd stage of the public consultation was approved by the Council at its meeting on 27th September, 2018 and was launched on 1st October.
- 5.2 Consultation comprised an updated Council webpage, public notices posted at St Martins Place, libraries and community centres, and letters and emails to local community and leisure organisations, housing associations, business organisations, the police, the health authority and local schools.
- 5.3 Consultation also included an advisory postal poll of voters in all three parish areas on the following questions:
Britwell – Should the parish council be abolished
Wexham Court – Should the parish council be abolished, or if not should it have its boundary and size changed?
Colnbrook with Poyle – Does the parish council provide effective services and engage effectively with local people?
- 5.4 Slough's 3 parish councils were also notified together with the National Association of Local Councils, Berkshire Association of Local Councils, the Slough District Association of Local Councils and the Slough Council for Voluntary Services. All those consulted were invited to submit their views on the Council's proposals by 9th November, 2018.
- 5.5 In response to the above, 27 letters, and emails were received, 4 in relation to Wexham Court, 16 to Britwell and 7 to Colnbrook with Poyle. In addition, a response has been received from Britwell Parish Council.
- 5.6 Copies of all of the written comments received are at appendix 2.

Review Group Deliberations

5.7 The review group considered each parish council in turn, taking into account its history, concerns noted earlier in the review, the results of the postal poll, and the specific responses received. It also took into account the public funding of the councils and the extent to which each delivered tangible benefits to its residents.

Britwell Parish Council

5.8 The review group noted that in 2013 the Borough Council was sufficiently concerned about the effectiveness of the parish that it consulted parish electors on its abolition. The majority of voters supported abolition, whereupon the Borough Council resolved to test public opinion again in four years' time, and in the meantime reduced its size and number of councillors and simplified its boundaries to enable better performance. The postal poll had a turnout of 27% and the poll result was 566 (57%) in favour of abolition and 424 (43%) against.

5.9 In 2018 the review group was concerned that the parish had not made any significant improvements in the way it worked, other than removing its direct involvement in running the Chicken Ranch bar, or that it has succeeded in bringing the community together despite it being a smaller parish council.

5.10 In response to the recent consultation, 16 comments were received. Of the 9 in favour of abolition, amongst other things responders said that there appeared to be little point in having the parish council and that the precept was not value for money. 7 responses favoured retention of the parish, specifically retaining the grounds for community use. There was also support for the community activities provided on the grounds and the cohesion these promoted and provided.

5.11 A response was also received from the parish council, responding to each of the points in the Borough Council leaflet accompanying the postal ballot papers. The response emphasised the local activities taking place in the community centre and surrounding grounds, its recent focus on strategy and its close working with the Neighbourhood Action Group.

5.12 Noting its work with others to provide services and a lack of clarity about how the Borough taking over parish activities would improve services for residents, the parish argued that its abolition would result in a democratic deficit.

5.13 The advisory postal poll was held between 20th October and 9th November when the following question was put to voters – 'Do you support the abolition of Britwell Parish Council?'

Number of eligible voters:	1805
Total number of votes cast:	544
Turnout:	30.14%
Number of votes found to be invalid:	5
Total number of valid votes counted:	539

Result

Number voting YES259. (48.0% of the valid vote)
Number voting NO280 (51.9 % of the valid vote)
TOTAL 539 (100% of the valid vote)

Consideration by the Review Group

5.14 The review group considered all the above at its meeting on 13th November and made the following observations:

- Some people may have voted in the postal poll as well as submitting an on line comment; it could equally be that a number of the responses were additional votes to the poll and the table in 5.13;
- The poll results indicated support for the retention of the parish, but taken alongside the general comments received, the outcome was balanced with more or less equal support for abolition and retention. Turnout for the Poll at 30.14 % was low and there had only been 16 other submissions on the Council's recommendations indicating an overall general lack of interest in the future of the parish;
- The electorate of the parish had, since 2014, consisted only of those people living in close proximity to the parish council buildings and community grounds and these people were therefore more likely to use the facilities than had been the case when the council was larger. Despite this, the poll results did not demonstrate overwhelming support for the parish council – there was still significant continuing support from the electorate for its abolition;
- Significant support for abolition has been evident since 2013, when the first poll was undertaken;
- A reduction in hiring charges for the hall appeared to be the only benefit that parish residents received for their precept making it questionable value for money for the majority of residents. A resident would have to hire the hall on several occasions per annum to be better off than a non-precept payer;
- One of the respondents indicated particularly that the parish precept of £66 per annum for a Band D property did not represent good value for money. Many residents of the Britwell estate are on low incomes and costs to householders are therefore a particular concern;
- In 2013 the parish council advised the review group that it planned to reduce the precept, but this has not happened;
- No evidence was provided that the parish council was likely to make and sustain any significant improvements in the way it works or succeed in bringing the community together. The majority of the activity and events detailed in the parish council's submission as reasons for its continued existence were provided by community groups themselves or the Borough Council;
- The parish council had used information fliers in the past to communicate with residents, but now mainly relied on word of mouth, question time at (poorly attended) council meetings and the website. However the website was out of date and the council had no immediate plans to update it;
- The parish council had ceased its direct involvement in running the Chicken Ranch bar, but no other improvements in the way it worked;
- There was no evidence that the reduction in size of the parish council had resulted in

it operating in a more strategic, effective or focused way or delivering improved community engagement, better local democracy and more effective and convenient local services. It was noted that a serious fraud had consumed much of the council's attention immediately after the last elections, but there was no evidence that during the significant period of time which has elapsed since then any improvement has been made;

- The fraud by parish staff resulted in a loss of public money;
- Should the parish council be abolished, its property, rights and liabilities transfer to, and vest in, the borough council. In this event the borough council could provide support to former parish council staff to secure other employment or redeployment opportunities;
- Concerns had been expressed about development of parish land in the event that the parish was abolished. All of the parish council land is currently designated as public open space and as such is protected from development by Core Policy 2 (Green Belt and Open Spaces) which states: 'existing private and public open spaces will be preserved and enhanced. Where, exceptionally, it is agreed that an open space may be lost a new one, or suitable compensatory provision will be required to be provided elsewhere';
- In the event of abolition, the borough council has no plans to change the status of the community centre and the borough council would work with the Neighbourhood Forum and other relevant groups to that end. The existing parish council building could continue to be used, linked with its outdoor recreation space, as a centre for local young people and sport. The nearby Britwell Hub on Wentworth Avenue provides a further local venue for recreational and social activities as well as learning and the local library. A Northern Neighbourhood Forum has been established as part of the joint partnership between Osborne and the borough council and it is intended the forum will be developed to have a wider remit focused on improving the area to meet local people's needs and engage with wider borough council services;
- In the event of abolition it was noted that the borough council currently offers concessionary rates to voluntary and charitable organisations at all its community centres and these charges are reviewed on an annual basis to ensure they adequately support local groups. The borough council's 'Five Year Plan' makes it clear that it will work to build on the strengths of communities, including supporting local community groups and seeks a flexible approach to achieve the widest benefit to the local community. Between the Britwell Hub, the facilities on the parish site and elsewhere in Britwell, the capacity exists to accommodate all the various groups currently using the community building;

Having carefully considered all the above, the review group made the following recommendations:

1. That the results of the advisory postal poll, the representations made by Britwell Parish Council and the written responses received during the consultation be noted.
2. That in light of the response to the consultation and findings of the Review as set out at paragraph 5.14 of this report, an extraordinary meeting of the Council be called on 18th December, 2018 to determine the abolition of Britwell Parish Council with effect from 1st April, 2019.
3. That, in the event recommendations 1 and 2 above are approved, the Director of

Finance and Resources be requested to prepare:

- a report to include how the facilities and services provided or supported by Britwell Parish Council will be supported and developed in the event of their abolition;
- a draft order for the abolition of the Britwell Parish Council and the Civil Parish to take effect on 1st April, 2019, and
- a timetable of consequential actions

Colnbrook with Poyle Parish Council

- 5.15 As part of the 2013 Community Governance Review the Council had concerns about Colnbrook with Poyle Parish Council's engagement with local people and the borough council reserved the right to test public opinion in an advisory postal poll at or after the next parish council elections in 2015 if it was not satisfied that the Parish Council was engaging more widely with local people.
- 5.16 At its meeting in September the Council acknowledged that submissions received at Stage one of the 2018 Review contained conflicting views about the value of the services the parish provides and whether it benefits, or was representative of, Colnbrook.
- 5.17 The borough council did not consider it had been provided with substantial evidence that the parish council was engaging more widely with local people and had received views where the value of the parish council was queried. As the views of local people had not been formally sought since the parish council's establishment in 1995, the borough council agreed that public opinion on its effectiveness should be tested.
- 5.18 The borough council therefore agreed that electors and other interested parties be formally consulted on whether the parish council is providing effective services and engaging effectively with local people, this consultation included an advisory postal poll of electors in the parish.
- 5.19 Seven written comments have been received in response to the 2nd stage consultation. Six of the views expressed are in support of the parish council whilst acknowledging that there was room for improvement. It should be noted that three of the submissions are from the same individual, two of which are supportive and one indicating a view that the poll question was unclear and could be classed as two separate questions. One comment indicated that they were unaware of what the Parish council did and would be happy to see it go.
- 5.20 The advisory postal Poll was held between 20th October and 9th November, 2018. The following question was put to voters: - Do you consider that Colnbrook with Poyle Parish Council is providing effective services and engages effectively with local people?

Number of eligible voters:	4313
Total number of votes cast:	1197
Turnout:%	27.75
Number of votes found to be invalid:	4
Total number of valid votes counted:	1193

Result

Number voting YES	640 (53.6% of the valid vote)
Number voting NO	553 (46.4% of the valid vote)
	TOTAL 1193 (100% of the valid vote)

The result was further broken down by Polling District as follows:

Polling District CPA (Westfield)	YES	229	NO	227
Polling District CPB (Village)	YES	192	NO	150
Polling District CPC (Pippins)	YES	211	NO	162

- 5.21 The consultation responses in support of the Parish Council recognise that there was room for improvement and that according to some views, if it was to be truly representative, the Parish Council needed to be more open and inclusive. It needed to reach out more and be more receptive to new ideas and more responsive to local views.
- 5.22 Evidence submitted from local businesses, voluntary groups etc demonstrated that the Parish Council had the support of, and was valued by, local businesses, the police and community groups.
- 5.23 The Working Group noted that the outcome of the Poll broken down into Polling Districts had demonstrated that the Parish Council needed to engage more with people in Westfield. The Parish council had maintained a narrow level of support. There had been no Brands Hill previous poll to enable a comparison of sustained or reducing levels of support.
- 5.24 The Working Group considered that the Parish Council had demonstrated that it had a clear aim of making Colnbrook with Poyle a better place to live and the Council had a clear role in representing residents views and resolving concerns specifically given public consultation relating to the new runway at Heathrow and the Western Rail Link.
- 5.25 The consultation responses coupled with the outcome of the Poll led the Working Group to recommend to Council that Colnbrook with Poyle Parish Council be advised of the need to consider and address the feedback from the Review about the Parish's effectiveness and engagement with local people and that the Council would reserve the right to test public opinion in the future if it was not satisfied that the Parish Council was providing effective services and engaging more effectively with local people.

Review Group Recommendation:

- 1 That the written responses received in relation to Colnbrook with Poyle Parish Council be noted.
- 2 That the results of the advisory postal poll on whether the parish council is effective and engages effectively with local people be noted.
- 3 That the parish council be urged to give consideration to the views expressed via the poll and improve its engagement with local people with an emphasis on the Westfield/Brands Hill area (PD CPA), where the poll demonstrated lower levels of public support.

- 4 That the borough council will review the parish’s performance again toward the end of its next term of office and reserves the right to test public opinion in a further advisory postal poll if it is not satisfied that it is engaging widely with local people.

Wexham Court Parish Council

- 5.26 The review group noted that in 2013 the borough council was sufficiently concerned about the effectiveness of the parish that it consulted parish electors on its abolition. The postal poll had a turnout of 26.5% and the poll result was 426 (45%) in favour of abolition and 522 (55%) against. The majority of voters supported its retention but the borough council reserved the right to test public opinion again in the future if concerns continued about governance. The parish council was specifically urged to address the identified governance issues and seek professional advice on employment matters.
- 5.27 In 2018 the review group identified continuing concerns about the parish’s governance and agreed to consult again with local electors and other interested parties on possible abolition as well as changes to the parish council boundary, number of councillors and name of the parish if there was support for its retention.
- 5.28 In response to this consultation 4 written comments were received, 2 of which express support for the parish, 1 saying the parish councillors understood the needs of the local area, 1 seeks the removal of Norway Drive from Slough and its relocation in a separate town of Wexham, and 1 expressing sadness should the parish council go. There was a suggestion that some improvements are necessary, eg parish councillors should be from the area and that greater support was needed from the borough.
- 5.29 The review group was advised in September that, as part of a rolling series of audits of the parish councils in Slough, an audit of the parish’s governance arrangements had been undertaken. The review group noted that the report was in draft, but it identified that the control framework required significant improvement. In November the review group considered the finalized report, which is attached at appendix three to this report.
- 5.30 The advisory postal poll was held between 20th October and 9th November, 2018. Two questions were put to voters:

Q1 Do you support the abolition of Wexham Court Parish Council?

Number of eligible voters:	3686
Total number of votes cast:	952
Turnout:%	25.83
Number of votes found to be invalid:	26
Total number of valid votes to be counted:	926

Result:

Number voting YES 404 (43.6% of the valid vote) Number voting
 Number voting NO . 522 (56.4 % of the valid vote)
 TOTAL 926 (100% of the valid vote)

If you answered NO to Q1 above

Q2 Do you support changing the Council boundary, reducing the number of Councillors and changing the name?

Total number of votes cast:	522
Number of votes found to be invalid:	25
Total number of valid votes to be counted:	497

Result:

Number voting YES 100.(20 % of the valid vote) Number voting
 Number voting NO 397 (80 % of the valid vote)
 TOTAL 497 (100% of the valid vote)

Consideration by the Review Group

5.31 The review group considered all the above at its meeting on 13th November and made the following observations:

- the audit of the governance arrangements was intended to ensure that the money received via the precept was being spent in line with delegated authority and to give an assurance that the precept collected for the parish was being used as intended;
- the Auditor’s conclusion was that the control framework in place at the parish requires significant improvement and issues have been identified where immediate management action was necessary. Particular concerns were highlighted over the pre-signing of cheques, uploading of confidential meeting minutes to the internet, the need for a clear audit trail to identify decisions being made by the parish council, lack of policies and procedures to support investment decisions and the use of purchase orders; the parish council had been urged in 2013 to address the identified governance issues but significant control weaknesses remain;
- the parish council had also been urged in 2013 to seek professional advice on employment matters. Whilst it had sought advice from an HR consultant from the Berkshire Association of Local Councils and was waiting for a review of job roles and structure to be completed, no formal contracts or job roles for staff were in place and the Auditor been unable to confirm that employees were being paid the correct remuneration or sufficient overtime rates, which puts the council at significant risk;
- the Working Group felt strongly that based on the Audit report that the Parish Council’s governance arrangements were not sound and that it had failed to address these failings over a number of years. The Parish Council had not been able to demonstrate efficient and robust use of public funds.
- the poll results indicated support for the retention of the parish council, but the turnout was low at 25% and there had only been four other responses to the consultation indicating an overall general lack of interest in it. Of the 25% of people who did vote over 400 supported its abolition;
- there was little support for changes to the parish boundary, size or name;
- concerns had been identified about relationships between parish councillors and staff, the appointment and management of staff, financial management, procurement arrangements and lettings policies. All these suggested poor governance and inefficiency;

- in the event of abolition the parish facilities could be run equally well by the borough council. The parish hall could be developed to provide a community hub, opening up to the wider local community and encouraging its use for community functions;
- Should the parish council be abolished, its property, rights and liabilities transfer to, and vest in, the borough council. In this event the borough council could provide support to former parish council staff to secure other employment or redeployment opportunities.

Having carefully considered all the above, the review group made the following recommendations:

- 1 That the results of the advisory postal poll and the written responses received during the consultation be noted.

That in light of the response to the consultation and findings of the Review as set out at paragraph 5.31 of this report, an extraordinary meeting of the Council be called on 18th December, 2018 to determine the abolition of Wexham Court Parish Council with effect from 1st April, 2019.

That, in the event recommendations 1 and 2 above are approved, the Director of Finance and Resources be requested to prepare:

- a report to include how the facilities and services provided or supported by Wexham Court Parish Council will be supported and developed in the event of their abolition;
- a draft order for the abolition of the Wexham Court Parish Council and the Civil Parish to take effect on 1st April, 2019, and
- a timetable of consequential actions.

6 Conclusion

- 6.1 The review group was concerned to ensure that local government in Slough embodies the highest standards of governance and probity. It was very concerned by the shortcomings identified above, which it felt reflected badly on the whole sector.
- 6.2 Prior to formal orders being made, the group has asked that the Director of Finance & Resources bring to Council a report to include how the facilities and services provided or supported by Britwell & Wexham Parish Councils will be supported and developed in the event of their abolition.
- 6.3 This will enable members to judge the review group's recommendations against its aim of bringing about improved community engagement, better local democracy, more effective and convenient local services and equitable treatment of electors across the whole Borough.
- 6.4 Parish councils can play an important role in terms of community empowerment but need both robust governance and to be able to demonstrate value for money to their residents.
- 6.5 Whilst Government's guidance states that it 'expects to see a trend in the creation, rather than the abolition of parishes' and that 'the abolition of parishes should not be undertaken unless clearly justified' the review group considers that the

recommendations to abolish Britwell and Wexham Court Parish Councils are clearly justified for the reasons set out in the body of this report.

- 6.6 The review group has given careful consideration to the responses to the consultation undertaken as part of the Review and the recommendations it has made in respect of the existing three parish councils are based on the evidence received.

7 Next Steps

- 7.1 If the Council is minded to agree the recommendations of the review group as set out at paragraph 2 of this report, work will commence on drawing up an Order to give effect to the decisions for report to an extraordinary Council meeting in December 2018.
- 7.2 In addition officers will prepare a report to include how the facilities and services provided or supported by Britwell & Wexham Parish Councils will be supported and developed in the event of their abolition.
- 7.3 It is envisaged that a full list of property, rights and liabilities of the Parish Council will be reported to the Council along with a timetable / timeline of actions/considerations.

8 Background Papers

Written submissions received in response to the public consultation.

Electoral Reform Services reports dated 12th November, 2018 on the results of the advisory polls in Britwell, Colnbrook with Poyle and Wexham Court parish areas.

Guidance on Community Governance Reviews – Extract

Section 100 of the Local Government and Public Involvement in Health Act 2007 provides for guidance to be issued regarding community governance reviews and for local authorities to have regard to that guidance. The key paragraphs relating to abolition of parishes and the dissolution of parish councils, are set out in full as follows:

- 117.** While the Government expects to see a trend in the creation, rather than the abolition, of parishes, there are circumstances where the principal council may conclude that the provision of effective and convenient local government and/or the reflection of community identity and interests may be best met, for example, by the abolition of a number of small parishes and the creation of a larger parish covering the same area. If, following a review, a principal council believes that this would provide the most appropriate community governance arrangements, then it will wish to make this recommendation; the same procedures apply to any recommendation to abolish a parish and/or parish council as to other recommendations (see paragraph 90 -97). Regulations provide for the transfer of property, rights and liabilities of a parish council to the new successor parish council, or where none is proposed to the principal council itself.
- 118.** Section 88 of the 2007 Act provides for a community governance review to recommend the alteration of the area of, or the abolition of, an existing parish as a result of a review. The area of abolished parishes does not have to be redistributed to other parishes, an area can become unparished. However, it is the Government's view that it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place.
- 119.** The abolition of parishes should not be undertaken unless clearly justified. Any decision a principal council may make on whether to abolish a parish should not be taken lightly. Under the previous parish review legislation, the Local Government and Rating Act 1997 , the Secretary of State considered very carefully recommendations made by principal councils for the abolition of any parish (without replacement) given that to abolish parish areas removes a tier of local government. Between 1997 and 2008, the Government rarely received proposals to abolish parish councils, it received only four cases seeking abolition and of these only one was approved for abolition by the Secretary of State.
- 120.** Exceptionally, there may be circumstances where abolition may be the most appropriate way forward. Under the 2007 Act provisions, the principal council would need to consider local opinion, including that of parish councillors and local electors. It would need to find evidence that the abolition of a parish council was justified, and that there was clear and sustained local support for such action. A factor taken into account by the Government in deciding abolition cases, was that local support for abolition needed to have been demonstrated over at least a period equivalent to two terms of office of the parish councillors (i.e. 8 years), and that such support was sufficiently informed. This means a properly constituted parish council should have had

an opportunity to exercise its functions so that local people can judge its ability to contribute to local quality of life.

- 121.** Where a community governance review is considering abolishing a parish council we would expect the review to consider what arrangements will be in place to engage with the communities in those areas once the parish is abolished. These arrangements might be an alternative forum run by or for the local community, or perhaps a residents' association. It is doubtful however, that abolition of a parish and its council could ever be justified as the most appropriate action in response to a particular contentious issue in the area or decision of the parish council.
- 122.** In future, principal councils will wish to consider the sort of principles identified above in arriving at their decisions on whether or not to abolish a parish council. In doing so, they will be aware that decisions about community governance arrangements, including decisions for the abolition of a parish council, may attract a challenge by way of judicial review.

Ref	Name/source	Date of letter/e mail	Subject
1	Member of the Public	21/10/18	Britwell
2	Member of the Public	21/10/18	Britwell
3	Member of the Public	21/10/18	Britwell
4	Member of the Public	21/10/18	Britwell
5	Member of the Public	24/10/18	Britwell
6	Member of the Public	23/10/18	Britwell
7	Member of the Public	26/10/18	Britwell
8	Member of the Public	28/10/18	Britwell
9	Member of the Public	29/10/18	Britwell
10	Minister of Britwell Baptist Church	29/10/18	Britwell
11	Member of the Public	30/10/18	Britwell

12	Member of the Public	31/10/18	Britwell
13	Member of the Public	31/10/18	Britwell
14	Member of the Public	31/10/18	Britwell
15	Britwell Parish Council	/10/18	Britwell
16	Member of the Public	08/11/2018	Britwell
17	Member of the public	09/11/2018	Britwell
18	Member of the Public	25/10/18	Colnbrook with Poyle
19	Member of the Public	06/11/2018	Colnbrook with Poyle
20	Colnbrook Village Resident and Secretary of the Colnbrook Residents Association	06/11/2018	Colnbrook with Poyle
21	Member of the Public	06/11/2018	Colnbrook with Poyle
22	Member of the Public	09/11/2018	Colnbrook with Poyle
23	Trustee Colnbrook Community Partnership	09/11/2018	Colnbrook with Poyle
24	Thames Valley Police	09/11/2018	Colnbrook with Poyle
25	Member of the Public	9/10/18	Wexham Court
26	Member of the Public	20/10/18	Wexham Court
27	Mr Brian Edwards Hon. Treasurer Parish Church of St Mary Wexham	25/10/18	Wexham Court
28	Member of the Public	30/10/18	Wexham Court

1. **Member of the Public - Britwell**

I hereby vote YES to abolish the Britwell Parish Council.

2. **Member of the Public - Britwell**

I hereby vote Yes to abolishing the Britwell Parish Council

3. **Member of the Public - Britwell**

I hereby vote YES to abolish the Britwell Parsish Council.

4. **Member of the Public - Britwell**

I hereby vote YES to abolish the Britwell Parish Council.

5. **Member of the Public - Britwell**

My mum and I have discussed the abolition of the council and believe it should be abolished.

6. **Member of the Public - Britwell**

In a nutshell I think the Britwell Parish Council needs to be abolished. I purchased a new build house on Kennedy Park 4yrs or so ago and felt we had a fantastic spot albeit with the community centre opposite on Long Furlong Drive. Within 6 months, the Chicken Ranch opened and thus our home ownership has become a nightmare. Drug dealing, Anti Social Behaviour, daily Drink Driving from the venue all of which has been reported to numerous bodies over the years. When it first opened I contacted Britwell Parish Council asking why the Chicken Ranch failed to appear on our property search paperwork prior to buying and that we should have all been told yet I was totally ignored. I contacted them a few times about the same issue and the fact that they had ignored me and still got no response leading me to believe they were closing ranks and effectively being corrupt as I then had the belief that they opened the chicken ranch with back handers. When we complained about noise issues every single weekend they got a Security Guard to work there to take noise readings... To highlight how dodgy this was, whenever he went to take a reading, the music would be turned down and the door shut to lower the reading. Additionally that security guard was there drinking anyway so he effectively wore a badge to tick a box for the parish council to hush the residents around the chicken ranch. The chicken ranch needs to be closed. The drug dealing from there is absolutely rife (again, it has been reported in numerous different ways).

We have also complained about the sheer amount of drug dealing in the area, and anti social behaviour in Kennedy Park, and Kennedy Parade shops. Nothing gets done about that either. We have pleaded for the benches in Kennedy Park to be removed as they were the worst thing they could have put in there yet they still exist. We asked for more litter bins to make it 'easier' for the dog walkers who fail to pick up their dog mess, or the feral teenagers getting served booze from the off license on the Parade smashing the bottles all over the field making it hazardous for dogs yet were turned down. We have additionally reported these to SBC and at least had a response yet Britwell Parish Council just ignore us (I know my neighbours have complained to them too about issues). Frankly we pay the Britwell Precept for absolutely nothing. They are not transparent. They do not respond to genuine concerns from their residents/electorate and just ignore them as if they are a problem themselves or might make them face the issues they created in the first place. They do nothing good for the area, and those voting to keep it are only clinging on to the past. Continue building in Britwell, demolish the Chicken Ranch and build there if you must. Britwell Parish Council needs to be abolished.

7. Member of the Public - Britwell

The parish council have always supported local people within our community and small preschool's like ours, without their support we not be able to provide the dedicated service we offer our families within our Britwell community. The parish council grounds provide football for all ages of children, they put on free events for the children at Christmas for families who would not usually be able to attend a pantomime financially. They represent our parish at council meetings and let ordinary peoples voices be heard over crime, policing and housing issues on our estate. These are just a few of the many items covered at the parish meetings. Please do not close our parish council down, how will our voices be heard or represented otherwise.

8. Member of the Public - Britwell

I am in favour of the the Britwell Parish to remain for the reasons, 1. It provides a platform for the community to come to together during the carnival period which will disconnect us from one another if taking away. 2. Our young Lad's enjoy the use of the ground for their football games. 3. Over crowding the communtiy with more properties will in the long run creat opportunities for crimes evolving among the youths that will go out of control in years to come.

9. Member of the Public - Britwell

It should be abolished.

10. **Minister of Britwell Baptist Church - Britwell**

I am the minister of Britwell Baptist Church and wish to submit that the Parish grounds should be maintained for the use of people living on the estate. This is the place where we hold most of our community events on a regular basis. As churches together we support the work Britwell Parish does for the community here is Britwell. I am in favour of the parish ground NOT to be taken over by the council. Britwell community needs these grounds to help integration of people in this community.

11. **Member of the Public - Britwell**

The park is significant for so many way, brings together evryone within the family during carnival

12. **Member of the Public - Britwell**

Please use my vote to SAVE (KEEP IT) our local BRITWELL PARISH COUNCIL.

13 . **Member of the Public - Britwell**

1. The whole residents will lose out community facilities.
2. Local democratic representation will be lost.
- 3.The community enjoys cohesion among each other and much more.

14 . **Member of the Public - Britwell**

1. The community will be better served by having local democracy and local community centre.
2. The oneness and cohesion existence requires the parish to continue.
3. Without the centre the community will facilities and much more.

15 **Britwell Parish Council -Attached at annex**

16. **Member of the public – Britwell**

I would like to raise my concern about Chicken Ranch Pub. The problem with ongoing noise and parties was reported by us many times with no result. the place attracts drug dealers and suspicious people later at night.

17. **Member of the Public – Britwell**

I was unsure about the choice on abolishing the Parish Council until I looked at their official website. The last 'news' item was from November 2017, if the Parish Council has no news to share in the last year, what is the point in them even being here? Disband the Parish Council.

18. **Member of the Public – Colnbrook with Poyle**

Question Q1 of your Ballot appears to be loaded against the Parish Council. In fact it contains two separate questions. One is about the provision of effective services and the other about engagement. If one considers that the Parish Council are providing very effective services but that there is certainly some room for improvement in engagement with local people that don't take an interest in local affairs and are somewhat apathetic towards community life then the ballot is worthless and could be dangerously misleading. In this instance should one vote yes or no. Most people will wrongly decide that they need to say "No". The Ballot form instructions seeking that it is completed and returned immediately gives no time for the voters' proper reflection or research. Some people who don't really care will not know or be that interested in what services the Parish Council as opposed the District Council provide. You will therefore receive uninformed and unconsidered votes.

19. **Member of the Public – Colnbrook with Poyle**

Very much support the existence of our Parish Council. However I accept that there is room for improvement. Slough Borough Council should strongly and without political pressure consider revising the qualifications required in terms of candidates standing for election (if this is within their gift).

Candidates should be permanent residents in the Parish at the time of election. Further to this the Parish should be warded into three areas divided along the lines of the pre 1995 county borders. Each ward should have four representatives (ideally each living in that ward). Political parties have increased their efforts to take control of our parish and currently we have four Cllrs that do not live in the Parish. Three of these are sponsored and supported by political parties. The other has significant business interests in the area. I believe that such people, bringing with them their own agendas dilute the representation of the local resident population. Colnbrook is significantly different from the rest of Slough. Visitors often comment on this, as did last year's Mayor when she met some of the community at just two of our very many successful community social events. It is the people that actually live in Colnbrook and go about their lives here that suffer the highs and lows of having good community spirit whilst living right next door to one of the busiest airports in the world. We are also the location for a huge incinerator that handles all the waste from Slough and a much wider area. In the last decade Slough's planning policies have brought Heathrow Airport even further into our front rooms with the Poyle Industrial Estate changing from light engineering, laboratories and offices into an extension of Heathrow's Freight Handling Facility. Lorries are now destroying our street furniture and pumping pollution into one of our local schools. Despite lobbying by residents and the Parish no mitigations have been carried out. Also and alarmingly without any consultation or proper engagement with Colnbrook residents SBC decided to support Heathrow expansion with a third runway to be built in our parish. Shame on you SBC. Our resident Parish councillors either meet the community at the school gates, in local streets, at community gatherings and events. Most are members of local clubs, associations, societies, churches. Amongst them we have school governors, Neighbourhood action group members, Flood Action Group members, Village Hall trustees, Wives Group members, Whist Club supporters, Heathrow Local Focus Forum members, Colnbrook Community Association members, active Colnbrook Residents' Association members. They have always been and remain a real physical part of our community before and without the direct aid of the internet. It is appreciated that there now is another world out there were people living in other countries can post their views on what's happening in Colnbrook and probably this is somewhere that the Parish Council should look to raise their profile and improve the content on the website. However, the Parish Council continue to host public sessions at their monthly meetings. They also hold monthly surgeries or drop in sessions for people to raise issues. They publish newsletters and they do their best to provide useful information on notice boards. They are available, approachable people and very willing to be part of two way engagement with the community. The Parish Council's community engagement compares very favourably with that of the District Council which have no Public meetings in Colnbrook. Borough Councillors hold no surgeries and to the best of my knowledge Colnbrook no longer receives the Citizen newsletter. Also, SBC's recreation ground lost its Green Flag Status last year. This can be compared with the Parish Council's longer and continuous success. I understand that of late that the District council has reduced the frequency of meetings with the Parish Council and suggested a more cumbersome method of communication with responsible officers. SBC should use the intelligence of the Parish Council to directly assist departments where there are issues that need attention. With an inadequate highways monitoring team SBC should welcome the Parish Council's involvement. I trust that whilst being critical you find my comments constructive.

20. Brenda Pettit, Colnbrook Village Resident and Secretary of the Colnbrook Residents Association – Colnbrook with Poyle

I am writing as a Colnbrook Village Resident and also as Secretary of the Colnbrook Residents Association. I strongly support the retention of Colnbrook with Poyle Parish Council. This Council having been requested by the residents in 1995 is to the best of my knowledge and belief still very much needed, supported, wanted and required by the overall majority of residents in Colnbrook. I have always found the Parish Council to be wholly supportive of all the activities promoted by the Colnbrook Residents Association as well as the Community as a whole. It is at the door step of the residents when most needed and so valuable in enhancing good Community Relations and harmony. It would be so very sad to lose this service which the Colnbrook Residents Association feel is such an integral and important part of our village. I speak for all our members in confirming how important the Parish Council is to our community. It must not be lost under any circumstances.

21. Member of the Public – Colnbrook with Poyle

Slough borough Council should be more engaging with the Parish. It seems we are too remote and the wrong side of the M4 to be of much interest other than the site for an incinerator, a proliferation of freight forwarding depots and now a new airport runway. The people of Colnbrook with Poyle want you to value them not just the land assets. SBC needs to review its own governance as well. We have two district councillors in Colnbrook only one has any significant contact with a wide range of residents, attends social and community events as an equal, is a governor at one of our schools and a member of Colnbrook societies and associations. The other is distinctly different and somewhat anonymous to parish residents although now a civic personality who apparently does much good work in other parts of Slough.. This person and a close relative backed by a political party both stood at the last Parish Election and won sufficient votes to take up office but failed to accept it in the prescribed manner. This put residents to a cost of circa £7000 for a by-election.. However this person sought to blame others. It concerns me to hear that this person is a member of the Governance review team. If this is true I trust any prejudicial views will be guarded against by the rest of the committee.

22. Member of the Public – Colnbrook with Poyle

I have lived in Colnbrook for 11 years and do not know what the parish really do. I found out a few years ago that they arrange a Christmas dinner but not sure how you find out where or when it is. Would be happy not to have them.

23. **Mr M Nye, Trustee – Colnbrook Community Partnership – attached at annex**

24. **Thames Valley Police – Colnbrook with Poyle**

I am the neighbourhood Sgt that covers Colnbrook. I have been a neighbourhood Officer for over 10 years. I have recently moved to the East Slough neighbourhood team which covers Colnbrook. Since starting on the team I have been impressed with Colnbrook Parish Councils passion for trying to improve the parish. When I have attended the meetings there have been residents present which is always good to see, giving their view points and asking questions. The Parish Council have assisted me in trying and resolve some of the issues that are of concern to the community. I hope we will be able to continue working together in the future.

25. **Member of Public – Wexham Court**

I believe the Parish Council should continue operation, however changes are required. Councillors should be from the parish they are representing to ensure a vested interest in the work that they are doing. There is need for a greater awareness within the Parish to the work that the PC do within the community, as well as the councillors being more present in the local area at regular intervals to understand the needs of the constituents. Measures should be put in place to review the attendance of councillors to PC meetings, notably a minimum percentage of meeting attendance should be set as current levels for some councillors is unsatisfactory. Greater support is needed from the borough council to ensure the PC runs correctly and is offered training where necessary.

26. **Member of Public – Wexham Court**

It is immensely sad to lose this parish after many generations due to the very recent infiltration of a group of racist Labour councillors who have no interest in the parish, only their personal gain. I only hope this level of corruption is not at borough level, but I have little hope of that, and I hope the recent investigations revealed in the newspapers are continued at all levels of our supposed elected officials

27. **Mr Brian Edwards Hon. Treasurer Parish Church of St Mary Wexham**

In response to your communication dated 1st October which was received a few days ago, we at St Mary's Church Wexham Reject the closing down of the Wexham Court Parish Council on the grounds that the representatives on that Council understand the needs of the local area.

The recommended changes to the boundary of the Wexham Court Estate is absurd. The estate was built as it should be recognised as a well knit community from all religions and walks of life and it has been for some fifty years.

We point out that the website stated in the fourth paragraph is conveniently not recognised and cannot be visited. You should make sure it works before you publicise to the 'outside world'.

Wexham Court Parish Council should remain as it is currently formed.

On behalf of the Parochial Church Council.

28. Member of the Public – Wexham Court

Would like to see Norway Drive removed from Slough and be in separate town of Wexham. The area is big enough. Otherwise if you are twisting my arm, create parish of ward of Wexham Court (not Wexham lea) to include Wexham Green and remove Upton Lea.

Parish Community Centre
Long Furlong Drive
BRITWELL
Slough, Berks
SL2 2PH.

T: 01753 570109
E: britwellparish@btconnect.com

Catherine Meek
Head of Democratic Services
Slough Borough Council

by email
22 October 2018

Dear Ms Meek

Re: Community Governance Review 2018

Britwell Parish Council notes the recommendations made by the Slough Borough Council Review team in favour of the abolition of Britwell Parish Council .

Further to your request for a further submission, Britwell PC notes the arguments you have put forward to residents in the leaflet which you are issuing and responds as follows: _

What Slough Borough Council Says

The borough council had hoped a reduction in size would enable the parish council to operate in a more strategic and focused way and bring about improved community engagement and more effective and convenient delivery of local services.

Britwell Parish Council Says

- As a result of the 2013 Review, the Borough Council reduced the size and scope of Britwell Parish Council. The local services it can provide relate to the Community Centre and the surrounding grounds.
- Since Summer 2017, Strategy has been an ongoing Agenda item at the monthly Full Council meetings.
- Focus on Strategy led the Parish Council to work closely with the Neighbourhood Action Group (NAG) and Borough Council Events to run the Summer Celebration in June 2018.
- The Council is committed to ongoing partnership with NAG and Borough Council Events on future events, and is open to other partnerships which would benefit the local community.

What Slough Borough Council Says

The borough council .. is not convinced the parish council has made any significant improvements in the way it works, other than removing its direct involvement in running the Chicken Ranch bar,

Britwell Parish Council Says

There has been a major change in the way in which the Council works, moving from direct control to working increasingly in co-operation with others, including:-

- Working with Berkshire Active and also participating in “Active Slough”, organised by the Borough Council in 2018, by allowing the Community Centre and grounds to be used for:-
 - Wildcat Girls Football for 5-7 year olds and for 8-11 year olds;
 - Teen Boxing
 - Pilates
 - Rugby for children and young people.
- Working party meetings with the Neighbourhood Action Group (NAG) and Borough Council Events to plan the Summer Celebration in June 2018;
- Bringing in Tenants to run and take the commercial risk on the Bar, and in the process free the Parish Council from all the workload involved in running a Bar.

What Slough Borough Council Says

The borough council .. is not convinced the parish council ... has succeeded in bringing the community together despite it being a smaller parish council

Britwell Parish Council Says

- The only Bar now open in Britwell is the Chicken Ranch – the Borough Council would plan to close it;
- After a gap of two years, in June 2018, the community came together again at the Summer Celebration, a bigger and more inclusive event than previously held.
- Questionnaires were produced to seek Residents’ views on the Summer Celebration - 66 completed questionnaires were returned ,with 100% stating their support for the Summer Celebration as a good use of Council resources.
- The Hall is used by a variety of groups including Over 50’s Arts & Crafts; Britwell Come Dancing; Britwell Drama Group at reduced or subsidised rates as well as commercial users which benefits residents , such as Slimming World .
- New initiatives which are seen as benefitting and bringing together the community are considered and approved by the Parish Council at reduced or subsidised rates eg The Job Club.

What Slough Borough Council Says

The borough council also has concerns about the parish council's ability to operate effectively and transparently and, whilst some of its services are valued by local people, the borough council believes these and other services could be provided more efficiently and effectively for local residents by other means.

Britwell Parish Council Says

- The Parish Council meets monthly (other than August & December) and its meetings at the Community Centre are open . Does the Borough Council really believe that there will be more transparency for residents if Britwell issues are considered, amongst many other issues, in Slough by the Borough Council ?
- Neighbourhood police attend Parish Council meetings – where they are able to hear and be asked to respond to local issues.
- The Parish Council is able to offer residents and local groups a reduced or subsidised rate to hire the Hall – would the Borough Council continue to do so? The charges at the Britwell Centre (run by Slough Borough Council) are substantially higher than those charged to use the Parish Community Centre.
- Parish Council members live in the community – they hear of issues affecting local people and then bring to attention of those responsible – be it anti social behaviour (Monksfield Way & Twist Way), drug dealing (Monksfield Way & Upper Lees), dog fouling (Goodwin Road), or cars illegally parked (Long Readings Lane).
- The Borough Council gives no indications as to what costs savings if any it believes direct control would provide .

What Slough Borough Council Says

The review group has considered what arrangements might be put in place to engage with communities in the area if the parish were to be abolished. The existing parish council building could continue to be used, linked with its outdoor recreation space, as a centre for local young people and sport. Members noted the Britwell Hub provides a venue for recreational and social activities as well as learning and the local library. Parties and events could be supported by a temporary bar.

Britwell Parish Council Says

- The Parish Council consists of local people, who are able to hear and express Residents' concerns – be it to Neighbourhood Police who attend Council meetings or on local planning applications . That local democratic voice will disappear with the Borough Council's proposals;
- The Parish Council – being accountable to local Britwell people - is better placed to decide how best to use the Community Centre and grounds – hire out the car park

to a car wash business (No) or allow hire of Hall for Diabetic Screening at reduced rate (Yes) ;

- Having Tenants to run the only remaining Bar in Britwell – the Borough Council only plans to have a temporary bar for parties and events.
- It is not clear that the Britwell Hub could accommodate the non Youth groups which currently use the Parish Community Centre and if it did, it can only be assumed that they would be charged the rates publicised for the Britwell Hub – which for some might mean closing down their group.

In sum, the Borough Council's Review Team, as expressed in their leaflet to Britwell residents, is proposing a democratic deficit, in removing the presence of the Parish Council, but providing no real substance as to how and to what extent its direct administration would result in a material improvement for residents.

In view of the public interest, this letter will be copied to the media.

Yours sincerely

Jonathan Holder
Locum Clerk

**The Community Governance Review Officer
Democratic Services
Slough Borough Council
St Martins Place
51 Bath Road
Slough, Berkshire
SL1 3UF**

For the attention of:- Fiona Ahern

8th November 2018
Ref: CCP/2018/03

Colnbrook with Poyle Parish Council

Dear Madam,

On behalf of the Colnbrook Community Partnership (CCP) I submit a firm positive response in favour of the retention of the Colnbrook with Poyle Parish Council. The Parish Council offers a great deal of support to other Colnbrook community groups, acting in the capacity of an 'umbrella organisation' without their specific support, the future of our community groups would certainly be compromised.

The Parish Council are the first tier of local government, being made up from individuals who live or work within the Parish Boundary, and as such are both the closest and have the greater knowledge of the community and the problems that beset this community.

A strong community bond has evolved between most of the Colnbrook groups who work with the Parish Council in order to organise and structure community events throughout the year. The Parish Council are represented as a Partner with the Colnbrook Community Partnership, as is SBC, within the charity. The Parish Council have representation on the Colnbrook Residents' Association, Colnbrook Village Hall Trust, Colnbrook NAG and Colnbrook FAG. Their involvement in other issues including HGV traffic through our residential areas, Fly-tipping, highway and neglected footpath complaints are well documented and are issues to which the Parish Council have no direct responsibility for but nevertheless advocate strongly to find solutions to these problems.

If the Parish Council were to be disbanded, then I fear much of our community spirit and cohesion would be lost. It must be remembered that it was the Colnbrook Residents' Association who in 1947 brought together the three separate districts of

Colnbrook, Poyle and Brands Hill. From this in 1994 when Colnbrook with Poyle ward was the outcome of the Boundaries Commission decision to move our community into Slough Borough Council that the CRA successfully petitioned for a Parish Council. That situation has worked well for the community and it still has the potential to work. There may be some valid criticisms of the Parish Council no organisation can ever please everyone all of the time, but without that “buffer” between Community and Local authority is a situation that ultimately would not be of benefit to anyone.

I therefore strongly advocate that the future of the Colnbrook with Poyle Parish Council be assured.

Yours sincerely,

Michael J. Nye
Trustee
Colnbrook Community Partnership.



SLOUGH BOROUGH COUNCIL

Parish Council Governance Review – Wexham Court Parish Council

FINAL

Internal audit report: 9.18/19

7 November 2018

This report is solely for the use of the persons to whom it is addressed.
To the fullest extent permitted by law, RSM Risk Assurance Services LLP will accept no responsibility or liability in respect of this report to any other party.



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Debrief held	26 July 2018	Internal audit team	Daniel Harris - Head of Internal Audit Chris Rising - Senior Manager Amir Kapasi - Assistant Manager Jay Desai – Assistant Manager
Draft report issued	3 August 2018		
Revised draft report issued	8 October 2018		
Responses received	7 November 2018		
Final report issued	7 November 2018	Client sponsor	Neil Wilcox - Director of Finance and Performance
		Distribution	Neil Wilcox - Director of Finance and Performance

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The matters raised in this report are only those which came to our attention during the course of our review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. Management actions raised for improvements should be assessed by you for their full impact before they are implemented. This report, or our work, should not be taken as a substitute for management’s responsibilities for the application of sound commercial practices. We emphasise that the responsibility for a sound system of internal controls rests with management and our work should not be relied upon to identify all strengths and weaknesses that may exist. Neither should our work be relied upon to identify all circumstances of fraud and irregularity should there be any.

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This report is released to you on the basis that it shall not be copied, referred to or disclosed, in whole or in part (save as otherwise permitted by agreed written terms), without our prior written consent.

We have no responsibility to update this report for events and circumstances occurring after the date of this report.

RSM Risk Assurance Services LLP is a limited liability partnership registered in England and Wales no. OC389499 at 6th floor, 25 Farringdon Street, London EC4A 4AB.

1 EXECUTIVE SUMMARY

1.1 Background

As part of a rolling series of audits of the Parish Councils an advisory audit of Wexham Court Parish Councils governance arrangements was undertaken on behalf of Slough Borough Council as part of the approved plan for 2018/19. The objective of the audit was to ensure that the money being received by the Wexham Court Parish Council (hereafter referred to as the Parish Council) via precept payment is being spent in line with delegated authority. To do this, we reviewed the governance arrangements in place to provide assurance to the Council that the precept collected for parishes was being used as intended.

Wexham Court Parish Council have Standing Orders in place which were adopted by the Council in March 2004 which were last reviewed and updated in April 2011.

Wexham Court Parish Council receives an annual Precept of around £55k and other income for Parish Hall hire which is of around £52k. In addition, the Parish Council employs four employees including; the Clerk, the Responsible Finance Officer (RFO), Booking Clerk and the Caretaker.

Wexham Court Parish Council held £321,540 within its bank account as at the 2017/18 financial year end.

1.2 Conclusion

Our review identified that the control framework in place at for the Parish required significant improvement and we identified issues where immediate management action is necessary in relation to the pre-signing of cheques and uploading of confidential meeting minutes to the internet.

Further management actions were identified in relation to the retention of a clear audit trail to demonstrate the decisions being made by the Parish Council, lack of policies and procedures to support the Parish Council in making investment decisions and the use of purchase orders.

1.3 Key findings

The key findings from this review have resulted in the identification of three **high priority** and ten **medium priority** management actions, we have ordered these by priority:

Pre-signing of cheques

Meeting minutes between May 2017 and December 2017 confirmed that 25 blank cheques were being signed at each meeting with one signature during each of the meetings to allow for expenditure to be incurred and paid for by one person, the Responsible Finance Officer (RFO) without appropriate segregation of duties. Although, cheques required dual signatory, the Council had been agreeing to cheques being signed off with one signature at the Parish Council meetings without the knowledge of what they would be used for, this would then allow payments to be made sooner with only one further signature on each cheque but the Parish Council would be unaware of the commitment until the next Parish Council meeting.

We were informed by _____ that this had stopped taking place from the February 2018 meeting and noted the signing of 25 cheques was not included within meeting minutes from February 2018 onwards. Without the correct segregation of duties, the Parish Council face a significant risk of fraudulent expenditure or activity occurring without the knowledge of the Parish Council. **(High)**

Parish Council Website

We reviewed the Parish Council website and tested to confirm whether the most up to date meeting minutes had been uploaded and found that in several instances private meeting minutes (Part two discussions) had been uploaded to the public website which included employee health issues, complaints and other confidential items. The Parish Council is breaching employee privacy and potentially General Data Protection Regulations (GDPR) as it has published meeting minutes with confidential items discussed and these have not been anonymised or excluded. **(Medium)**

Employment Contracts

No formal contracts of employment for staff employed at the Parish Council are in place. We were informed by [redacted] that the job roles and structure were being reviewed by a HR Consultant from Berkshire Association of Local Councils (BALC). [redacted] informed us that once the review by BALC is fully completed a new structure would be defined, job roles and descriptors would be re-developed and contracts of employment for all staff will be developed.

As there were no formal employment contracts in place at the time of our review, we were unable to confirm that the Parish Council was paying its employees the correct remuneration or sufficient overtime rates, as you would expect in a terms and conditions section of an employment contract. Therefore, there is a risk that the Parish Council may be under/overpaying its employees. **(High)**

Delegated Powers

The Parish Council meet on a monthly basis with the exception of August and January however, there is no scheme of delegation in place for this group. We therefore noted that the Parish Council was unable to demonstrate the powers of the Parish Council and what falls within their remit. In addition, we noted that there was lack of documentation which identified the powers delegated to the Clerk and the RFO. Without a scheme of delegation, there is an increased risk of inappropriate expenditure being incurred which could financially impact the Parish Councils finances. **(High)**

Policies and Procedures

The Parish Council does not have a list of all Policies in place at the council and key policies were absent such as Treasury Management or a Reserves Policy. Therefore, there was no guidance available to the Council, Clerk or the RFO in relation to how to manage the funds held within the Councils bank account which was in excess of £320k at the end of the 2017/18 financial year as established through discussions with [redacted] in June 2018.

There is a risk that the Council may face challenge in relation to the sum of funds held within its bank account and question the protection of these funds with reference to the FSCS (Financial Services Compensation Scheme) limit of £85,000. **(Medium)**

Key Deadlines Timetable

The Parish Council meeting discussions revolved around nine agenda items at each meeting. The Standing Orders identified some key items which were required to be discussed or approved by the Council including the agreement of the precept however, we noted that this was not captured within the meeting minutes between September 2017 and April 2018. Through review of meeting minutes, we were unable to obtain evidence to confirm that the 2018/19 annual budget was reviewed by the Parish Council. Furthermore, we were unable to evidence the discussion around the precept payment for 2018/19 which was required by the Standing Orders to take place prior to February 2018.

There is a risk that without a clear and formally agreed terms of reference, the Parish Council risk not discussing key areas such as approval of the budget and agreement of the precept. This may result in decisions being made in relation to the matters noted above without the appropriate authority and within the appropriate timescales. **(Medium)**

Approval of Payments

Following review of the minutes between May 2017 and April 2018, we noted that the minutes in a majority of months documented that 'payments were approved' or 'accounts were approved' or 'approved' however, the papers for the meeting did not highlight the value of expenditure, which therefore did not correspond to the value of the payments approved in the Parish Council meeting minutes. There is a risk that the amounts presented within papers could differ from the agreed payment amounts and adjustments and variations could be approved without the appropriate authority. **(Medium)**

Risk Register

Through review of the meeting minutes between May 2017 and April 2018, we were unable to evidence review of the risks faced by the Parish Council. Therefore, it was noted that the Parish Council have not approved and documented a Risk Register for 2017/18. There is a risk that the Parish Council is not identifying and regularly reviewing the risks it faces as a Council and this could impact the Parish Council both financially and reputationally if a risk materialises. **(Medium)**

Declarations of Interests

We were informed that there was no central log of all conflicts for the Councillors which confirmed all interests for each of the Councillors and the agreed actions for the individual where relevant. At each Parish Council meeting, we were able to confirm that an opportunity to declare interests was provided and one Councillor had repeatedly declared an interest however, there was no further information or evidence available which confirmed the action taken or the requirement to take any actions for this declaration of interest, although review of the minutes confirmed that there were no items which would be affected by the declaration.

If the actions following declaration of interest are not sufficiently detailed within meeting minutes, there is a risk of the interest not being managed in the appropriate manner, which could affect the objectivity of decisions made and the reputation of the Parish Council. **(Medium)**

Finance and General-Purpose Committee

The Parish Council have in place a Finance and General-Purpose Committee for which there is no Terms of Reference or documented responsibilities or meeting requirements. Without a Terms of Reference there is a risk that the committee may not be discharging its duties in line with what is expected of them by the Parish Council. **(Medium)**

Purchase Orders

We were informed by _____ that there was no process in place for the use of purchase orders however, where required quotations or estimates would be obtained to seek the best value for money. Without the use of purchase orders there is an increased risk of queries, disputed and legal consequences should an order for goods or services be processed incorrectly. There is also a financial risk if purchases are committed without appropriate budget / funds being available. **(Medium)**

Procurement

We requested evidence to confirm that the procurement requirements were complied with in accordance with the finance regulations for four items: heating expenditure, insurance and appointment of both internal and external auditors. We identified that the meeting minutes for the Parish Council included the requirement for approval of items however, there was lack of clarity as to the decisions being made in relation to procuring for goods or services. For heating expenditure, we noted that an initial amount of work was agreed by the Parish Council with a price, and a further amount of work was also agreed but without a price. The meeting minutes did not note whether a further approval was required once the further work had been quoted or whether the Council provided delegated power to the Clerk or the RFO to make the decision. Furthermore, we were informed that the insurance was agreed to be renewed by the Parish Councillors without confirming value for money however, there was no audit trail documented within meeting minutes for this.

Without complete transparency, appropriate use of purchase orders and clearly documented meeting minutes, the Parish Council may not effectively control their expenditure, and this may result in commitment to expenditure which has not been fully agreed. **(Medium)**

Capital Expenditure Plan

The Capital and General Funds Spend Forecast section within the 2018/19 budget papers was incomplete. We noted that as there was no capital expenditure plan in place for the Parish Council, this may prompt questions regarding the best use of the funds for the local community and may lead to reputational damage in relation to the Parish collecting precept money but not matching the funds collected with the expenditure of the Council. **(Medium)**

In addition, we have also agreed **two low** priority management actions, which are detailed in section two of this report.

1.4 Additional information to support our conclusion

The following table highlights the number and categories of management actions made. The detailed findings section lists the specific actions agreed with management to implement.

Area	Control design not effective*		Non Compliance with controls*		Agreed actions		
	Low	Medium	High	Low	Medium	High	
Wexham Court Parish Council	8	(9)	1	(9)	2	10	3
Total	2	10	3				

* Shows the number of controls not adequately designed or not complied with. The number in brackets represents the total number of controls reviewed in this area.

2 DETAILED FINDINGS

Categorisation of internal audit findings

Priority	Definition
Low	There is scope for enhancing control or improving efficiency and quality.
Medium	Timely management attention is necessary. This is an internal control risk management issue that could lead to: Financial losses which could affect the effective function of a department, loss of controls or process being audited or possible regulatory scrutiny/reputational damage, negative publicity in local or regional media.
High	Immediate management attention is necessary. This is a serious internal control or risk management issue that may lead to: Substantial losses, violation of corporate strategies, policies or values, regulatory scrutiny, reputational damage, negative publicity in national or international media or adverse regulatory impact, such as loss of operating licences or material fines.

This report has been prepared by exception. Therefore, we have included in this section, only those areas of weakness in control or examples of lapses in control identified from our testing and not the outcome of all internal audit testing undertaken.

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Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
1.1	Wexham Court Parish Council have Standing Orders in place which were adopted by the Council in March 2004. The Standing Orders document outlines the following information: <ul style="list-style-type: none"> Meeting frequency and statutory annual meeting; Chairman of the meeting; Notice of meetings; Attendance and quorum requirements; Order of business; Expenditure; 	No	N/A	<p>WCPC Standing Orders</p> <p>We obtained the Wexham Court Parish Council Standing Orders and were able to identify through review of the document that it had been last reviewed, amended and approved at the Meeting of Full Council held on 12 April 2011. We obtained the meeting minutes for the meeting held in April 2011 and were able to evidence the approval at this meeting.</p> <p>We noted that the orders were last updated over seven years ago and the document did not outline a regular review requirement or include version control identifying when it had been updated.</p> <p>Without regular review of the standing orders, there is a risk that the Parish</p>	Low	Slough Borough Council will advise Wexham Court Parish Council to update its current standing orders to include version control. In addition, Slough Borough Council will advise the Parish Council to introduce a cyclical review process for its Standing Orders.	31 st Oct 2019	Sushil Thobhani – Service Lead – Governance
					High	Slough Borough Council will advise the Parish Council to develop a scheme of delegation which outlines key information such as: <ul style="list-style-type: none"> Requirements for approval of expenditure 	31 st Jan 2019	Sushil Thobhani – Service Lead – Governance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	<ul style="list-style-type: none"> • Committees and Sub-Committees; • Annual and Financial Statement; • Interests; • Financial Matters; • Banking Arrangements; and • Standing Orders to be Given to Members. <p>The Standing Orders do not include version control or outline a next review date.</p>			<p>Council's practices may have evolved and no longer match the standing orders documented and do not comply with the Governance and Accountability for Smaller Authorities in England March 2018. This may result in incorrect procedures being followed as a result of guidance not reflecting current practice.</p> <p>Delegated Powers</p> <p>We noted that there was lack of documentation which identified the powers given to the Clerk and the RFO. We noted that the Standing Orders identified that the Council approved all payments which exceed £1,000 however, there was no clarification as to the expenditure below this amount.</p> <p>We were advised through discussion with that all payments below £1,000 can be authorised by the Clerk at the time of expenditure however, upon receipt of the invoice, this must be presented to the Council for review. Therefore, this meant that transactions of up to £1,000 can be made without notification to the Council however, identified that issues with hazards within the parish, which could lead to health and safety implications for residents such as holes in pavements need to be resolved as soon as possible and therefore this delegated authority is used in these scenarios but had not been formally documented.</p> <p>Without a delegated powers document, there is an increased risk of inappropriate</p>		<p>(minimum number of members required);</p> <ul style="list-style-type: none"> • Expenditure limits • Documented powers delegated to the clerk and RFO for the daily running of the Parish Council; • Review requirement to ensure that the terms of reference and powers are subject to regular review. 		

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				expenditure being incurred which could financially impact the Parish Councils finances.				
1.2	The Parish Council does not have a list of all Policies in place at the council and key policies were absent such as Treasury Management or a Reserves Policy.	No	N/A	<p>Policies and Procedures</p> <p>During our review, we were informed by that there was no central list of all policies for the Parish Council and subsequently noted that policies such as Treasury Management Policy or Reserves were not in place.</p> <p>We noted that this had therefore meant that there was no guidance available to the Parish Council, Clerk or the RFO in relation to the management of the funds held within the Parish Councils bank account, which was in excess of £320k at the end of the 2017/18 financial year as established through discussions with in June 2018.</p> <p>There is a risk that the Council may face challenge in relation to the sum of funds held within its bank account and question the protection of these funds with reference to the FSCS (Financial Services Compensation Scheme) limit of £85,000 which is covered in the event of a bank collapse. There is a risk that the Council could lose a significant sum of money should the financial services firm where the money is held fail.</p>	Medium	<p>SBC will advise the Parish Council to undertake a review of the policies and procedures in place at the Council and identify where there are gaps within its policies and procedures.</p> <p>The Parish Council will be advised to develop and agree a policy on Treasury Management as soon as possible to support the current situation with its reserves.</p> <p>All policies will be made available to the public through the Parish Council website.</p>	31 st May 2019	Sushil Thobhani – Service Lead – Governance
1.3	The Parish Council do not have a Terms of	No	N/A	We were informed by the Parish Council Clerk that there were no terms of reference	Medium	Slough Borough council will advise the Parish Council to	31sy May 2019	Sushil Thobhani –

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	Reference in place which identifies the purpose and core duties of the Parish Council meetings. The common agenda items include the following: <ul style="list-style-type: none"> • Declaration of Interests • Dispensation applications relating to Code of Conduct; • Approval of previous meeting minutes; • Police Liaison; • Public Question Time; • Information reports from Members and Councillors; • Finance and General-Purpose Committee meeting minutes approval; • Report of RFO and Finance Statements; and • Report of Clerk. 			in place for the Parish Council meeting which takes place monthly with the exclusion of January and August. We did however note there were standing orders which were adopted by the Parish Council identifying the core meeting requirements such as the requirement to hold an annual meeting, public notice of meetings and quoracy requirements. Through review of meeting minutes and agendas between September 2017 and April 2018, we were able to confirm that the Parish Council meeting discussions revolved mainly around nine agenda items. The Standing Orders identified some key items which were required to be discussed or approved by the Parish Council including the agreement of the precept however, noted that this was not captured within the meeting minutes between September 2017 and April 2018. Through review of meeting minutes noted above, we were unable to obtain evidence to confirm that the 2018/19 annual budget was reviewed by the Parish Council. Furthermore, we were unable to evidence the discussion around the precept payment for 2018/19 which was required by the Standing Orders to take place prior to February 2018. We did however confirm that this was discussed and approved during the Finance and General Purpose committee however, noted that there was no delegated authority recorded to do this and		develop a timetable which outlines key target dates, meeting schedules and the items to be presented at each meeting. This will allow for them to pro-actively plan for deadlines, papers and items which are required to be delivered at each meeting. Slough Borough Council will advise the Parish Council to request their bank to provide a report of all cheque numbers which have been transacted, and those which have not been deposited will be cancelled. The Parish Council will be advised that going forward, the Parish Council should stop all cheques being pre-signed and for each cheque a purchase order, and backing documentation is provided when sign off is required by two individuals.		Service Lead – Governance
	The Standing Orders of the Parish Council identified the following: <ul style="list-style-type: none"> • Meeting frequency and statutory annual meeting; 				High		31 st Jan 2019	Barry Stratfull – Service Lead Finance
					Medium	Slough Borough Council will advise the Parish Council to ensure the meeting minutes for the Parish Council are taken in more detail to ensure there is sufficient audit trail to match the minutes to the papers. More	31 st Mat 2019	Sushil Thobhani – Service Lead – Governance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	<ul style="list-style-type: none"> Chairman of the meeting; Notice of meetings; and Attendance and quorum requirements. <p>The Governance and Accountability for Smaller Authorities in England guidance outlines that Members should review the risk register not less than annually. This could be achieved by risk management being a standing item at authority or committee meetings.</p>			<p>the Standing Orders noted that the Council shall approve written estimates of the precept.</p> <p>There is a risk that without a clear and formally agreed terms of reference, the Parish Council risk not discussing key areas such as approval of the budget and agreement of the precept. This may result in decisions being made in relation to the matters noted above without the appropriate authority and within the appropriate timescales.</p> <p>Pre-signing of cheques</p> <p>Meeting minutes between May 2017 and December 2017 confirmed that 25 blank cheques were being signed at each meeting with one signature (the other to be provided by the RFO when payments were due) during each of the meetings to allow for expenditure to be incurred and paid for by one person without appropriate use of a segregation of duties.</p> <p>However, we were informed by that this had stopped taking place from the February 2018 meeting and noted the signing of 25 blank cheques was not included within meeting minutes from February 2018.</p> <p>We have still made a note of this as there may be pre-signed cheques available to the staff of the Parish Council which were signed in advance of the change.</p> <p>Without the correct use of a segregation of duties the Parish Council face a significant</p>	Medium	<p>specifically, where payments are authorised the total approved amount will be captured within the meeting minutes.</p> <p>Slough Borough Council will advise the Parish Council to ensure that a risk register is reviewed and approved on an annual basis by the Parish Council. This will be added to the timetable as outlined above.</p>	13st May 2019	Phil Brown – Risk & Insurance Officer

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				<p>risk of fraudulent expenditure or activity occurring without the knowledge of the Parish Council.</p> <p>Approval of Payments</p> <p>Following review of the minutes between May 2017 and April 2018, we noted that the minutes in a majority of months stated that 'payments were approved' or 'accounts were approved' or 'approved' however we confirmed through review of the papers presented to the meeting that a schedule of payments was not included.</p> <p>While we noted that payments made by cheque were listed in the monthly financial statements, there was no information within the minutes to confirm the total of payments that had been approved.</p> <p>There is a risk that the amounts presented within papers could differ from the agreed payment amounts and adjustments and variations could be approved without the appropriate authority.</p> <p>Risk Register</p> <p>Through review of the meeting minutes between April 2017 and April 2018, we were unable to evidence that the Council had either documented or reviewed the risks faced by the Parish Council. Therefore, it was noted that the Parish Council have not approved and documented the review of the Risk Register for 2017/2018.</p>				

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				There is a risk that the Parish Council is not identifying and regularly reviewing the risks it faces as a Council and this could impact the Parish Council both financially and reputationally if a risk materialises.				
1.4	<p>At each Parish Council meeting, Councillors are asked to confirm whether they have any conflicted interests with matters to be discussed within the meeting.</p> <p>The Parish Council do not have a central register of all Councillor and employee interests.</p>	No	N/A	<p>Declarations of Interests</p> <p>We were informed during our discussion with [redacted] that one of the Councillors was a Slough Borough Council Councillor and therefore declared this interest in each meeting. During inspection of the meeting minutes between September 2017 and April 2018, we were able to confirm that this was noted as a declaration of interest however, there was no further information or evidence available which confirmed the action taken or the requirement to take any actions for this declaration of interest.</p> <p>While we confirmed through review of the Parish Council minutes that no decisions were taken which would have been affected by the declared interest, if the actions following declaration of interest are not detailed within meeting minutes, there is a risk of the interest not being managed in the appropriate manner, which could affect the objectivity of decisions made and the reputation of the Parish Council.</p> <p>Furthermore, we were informed that there was no central log of all conflicts for the Councillors which confirmed all interests for</p>	Medium	<p>Slough Borough Council will advise the Parish Council to develop a conflict of interest register and an annual declaration of interest form which is collated and recorded within the register.</p> <p>The Parish Council will also be advised that this register should be made available to all staff at each of the Parish Council Meetings for review.</p>	31 st May 2019	<p>Sushil Thobhani</p> <p>- Service Lead Governance</p>

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				<p>each of the Councillors and the agreed actions for the individual where relevant.</p> <p>There is a risk that without a central document of all conflicts of interests for members, interests may be missed which could impact and influence the independence of decisions being made at the Parish Council meetings.</p>				
1.5	The Parish Council have in place a Finance and General-Purpose Committee for which there is no Terms of Reference or documented responsibilities or meeting requirements.	No	N/A	<p>We were informed by [redacted] that there was no Terms of Reference in place for the Finance and General-Purpose Committee.</p> <p>We confirmed through review of the Standing Orders that no reference to the Finance and General-Purpose Committee meeting requirements or its responsibilities were made.</p> <p>Through review of the December 2017 meeting minutes of the Finance and General-Purpose Committee, we were able to identify that they had reviewed and agreed the precept and the budget for 2018/19 however we noted that the membership of both committees were different, highlighting a need to ensure the precept was agreed with all Parish Council members.</p> <p>The December 2017 meeting was attended by four of the eleven councillors and the Clerk with apologies from two further councillors.</p> <p>If Terms of reference are not developed, there is a risk that the committee may not be discharging its duties in line with what is</p>	Medium	<p>Slough Borough Council will advise the Parish Council to develop and agree a Terms of Reference for the Finance and General-Purpose Committee which outlines the following:</p> <ul style="list-style-type: none"> • Purpose of the group; • Membership requirements; • Quoracy requirements; • Attendance requirements; • Meeting frequency; and • Objectives. 	31 st May 2019	Sushil Thobhani – Service Lead - Governance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				expected of them by the Parish Council. This may also lead to difficulty of the Council holding the committee to account if accurate requirements and expectations of the group are not documented.				
1.6	<p>The Standing Orders adopted by the Parish Council outline that the public and press shall be admitted to all meetings of the Council and its committees however, may temporarily exclude the public and press whereby the nature of the business to be discussed is deemed as confidential.</p> <p>The Standing Orders require a three clear days' notice of a meeting to Councillors and the Public.</p> <p>The agenda for meetings are displayed within the notice board outside the building in advance of the meetings.</p> <p>A record of a public participation session at a meeting shall be included in the minutes of that meeting.</p>	Yes	No	<p>Public Notice Board</p> <p>During discussions, identified that there was a varying level of public participation at all meetings of the Parish Council and any matters which are deemed to be confidential were discussed in a meeting after the public meeting.</p> <p>We were able to confirm through viewing of the public notice board outside the building that there was an agenda for the forthcoming meeting printed and displayed for view by the public on two occasions:</p> <ul style="list-style-type: none"> • Tuesday 17th April 2018; and • Thursday 21st June 2018. <p>Through review of meeting minutes between September 2017 and April 2018, we noted that the meeting minutes did not clearly capture the public attendance. The meeting minutes included notes under the agenda item 'public question time' which identified the discussions between the Parish Council and the public however, we were unable to identify whether the number of public attendees within each meeting.</p> <p>There is a risk that the Parish Council are not complying with their adopted Standing Orders should meeting minutes not</p>	Low	<p>Slough Borough Council will advise the Parish Council to ensure that meeting minutes capture public attendance levels to allow for the evidencing of effective public question time matters.</p> <p>Medium Slough Borough Council will advise the Parish Council to review the contents of its website to confirm that the correct meeting minutes are uploaded for view by the public and this excludes all part 2 discussions (private and confidential items).</p>	31 st Oct 2019	Sushil Thobhani – Service Lead - Governance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	Meeting minutes for meetings are published on the internet for access by the public after the finalisation and agreement of meeting minutes has been confirmed.			<p>effectively capture the level of public participation by not recording the number of individuals involved in discussions or attending meetings.</p> <p>Parish Council Website</p> <p>We reviewed the Parish Council website and tested to confirm whether the most up to date meeting minutes had been uploaded and found the following:</p> <ul style="list-style-type: none"> • April 2017 meeting had been cancelled due to failure to meeting quorum; • May 2017 meeting minutes had been uploaded but included the private meeting notes 'Part 2' of the meeting and the document was titled April 2017 meeting minutes; • July 2017, February 2018, March 2018 and April 2018 meeting minutes had been correctly uploaded but also included the private meeting notes under 'Part 2' of the meeting notes; and • The meeting minutes under the title May 2018 were meeting minutes for November 2017 and required updating with the correct set of meeting minutes. <p>Items discussed under part 2 of the meeting included Parish Council employee health issues, complaints and other confidential items.</p> <p>The Parish Council is currently breaching employee privacy as it has published meeting minutes with confidential items discussed and these have not been anonymised or excluded.</p>				

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
1.7	<p>No official purchase orders are raised for the purchase of goods or services to ensure that the appropriate authorisation has been obtained prior to the commitment of expenditure by the Parish Council.</p> <p>At each meeting a finance statement is presented to the Parish Council for review and approval. This statement details the following:</p> <ul style="list-style-type: none"> Income; Expenditure (including staff costs); and Summary and Bank. <p>Each element is presented with the actual of the month, actual year to date, budget year to date and variance year to date.</p>	No	N/A	<p>Use of Purchase Orders</p> <p>We obtained meeting minutes for all meetings between September 2017 and April 2018 and were able to confirm that in each meeting, report of the RFO and Finance Statements were presented.</p> <p>We were informed by [redacted] that there was no process in place for the use of purchase orders however, where required quotations or estimates would be obtained to seek the best value for money.</p> <p>Without the use of purchase orders there is an increased risk of queries, disputed and legal consequences should an order for goods or services be processed incorrectly.</p> <p>The use of purchase orders will allow the Parish Council to ensure that there is a clear audit trail available to confirm what goods or services are being purchased, the agreed cost and clarity on the payment terms.</p>	Medium	<p>Slough Borough Council will advise the Parish Council to implement the use of official purchase orders to approve the purchase of goods and services and this should be coded to an appropriate code in the budget.</p> <p>The Parish Council will also be advised that these will then need to be initialled to agree the details are correctly matched when goods or services have been invoiced to the Parish Council.</p>	31 st Mat 2019	Barry Stratfull – Service Lead Finance
1.7b	The Financial Regulations adopted by the Parish Council dated 2006 outlines the following in relation to	Yes	No	We requested evidence to confirm that the procurement requirements were complied with in accordance with the finance regulations for four items: heating expenditure, insurance and appointment of internal and external auditors.	Medium	Slough Borough Council will advise the Parish Council that where meeting minutes are due for approval, the Clerk will note whether they have been formally	31 st May 2019	Sushil Thobhani – Service Lead - Governance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	<p>expenditure and entering into contracts:</p> <ul style="list-style-type: none"> Expenditure which is intended to exceed £60,000 the Clerk must invite tenders from at least three firms; Expenditure which is expected to be within £60,000, the Clerk or RFO must obtain three quotations; and Where the expenditure is below £3,000 and above £100 the Clerk or RFO shall strive to obtain three estimates. <p>The Financial Regulations outline that all members and Officers are responsible for obtaining value for money at all times. An Officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or</p>			<p>Heating Expenditure</p> <p>Through review of the 2017/18 budget, we were able to confirm that there was planned capital expenditure of £60,000 for the hall heating, hot water and pumps.</p> <p>We obtained evidence of quotes retained for three different suppliers however, noted in one instance the quote did not identify who the supplier was.</p> <p>The chosen supplier was cheapest for the original quote request at £11,427.69+VAT compared to the second cheapest of £15,362+VAT.</p> <p>The actual expenditure invoiced exceeded that of the initially quoted amount due to the decision to replace convection heaters as agreed within the meeting minutes of the Parish Council of September 2017, but this did not include a price for the replacement of the additional works.</p> <p>We noted that the full invoice amount of £18,152+VAT was challenged during the meeting of December 2017.</p> <p>Without the proper use of purchase orders, the Parish Council will not be able to adequately control the approval of the expenditure in relation to items such as the above.</p> <p>Whilst we note that there was no record of approval of a value for the additional works to be carried out by Tencer LTD, there was no challenge documented within the initial</p>		approved. Instances where there is disagreement relating to the content of the meeting minutes, sufficient detail will be captured as to the changes required.		

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	estimates from appropriate suppliers.			<p>agreement to require a quote prior to the commitment of the order.</p> <p>Without complete transparency, appropriate use of purchase orders and clearly documented meeting minutes, the Parish Council may not effectively control their expenditure, and this may result in commitment to expenditure which has not been fully agreed.</p> <p>Through review of meeting minutes for October 2017, we were unable to confirm that the meeting minutes for September 2017 had been confirmed, the meeting minutes for October identified that the July 2017 meeting minutes were approved, but not September 2017 where the decision was made. We reviewed the November 2017 meeting minutes and identified that the October 2017 meeting minutes required re-writing however, it did not include why this was required.</p> <p>There was insufficient audit trail available to confirm that the meeting minutes for September 2017 Parish Council meeting had been formally reviewed and approved. Therefore, we were unable to confirm whether the meeting minutes published for September 2017 provided a true and fair view of the discussions held within the September 2017 Parish Council meeting in relation to the commitment of additional works without a formally agreed quotation.</p> <p>Insurance 2018/19</p>				

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				<p>We were able to evidence within the July meeting minutes for the Parish Council that insurance expenditure was paid however, were unable to obtain evidence of challenge of the price offered by the supplier of insurance.</p> <p>Through discussion with _____, we identified that it was agreed by the Parish Council that they would accept the quote provided for the year and consider the market in 2018/19. We reviewed meeting minutes between December 2016 and July 2017 to confirm whether this was documented, and we were unable to obtain documented meeting evidence to confirm this was agreed.</p> <p>As noted above, there is insufficient audit trail maintained through meeting minutes due to the level of detail captured within meeting minutes.</p> <p>Appointment of Internal Auditors</p> <p>The RFO confirmed that the appointment of the Internal Auditors was initially agreed however, due to the medical circumstances of the auditor this did not match the council's timeline due to the deadline for preparation of the annual return.</p> <p>The Parish Council therefore appointed the auditors with the most expensive quote however, the quality of the service to be provided was also taken into consideration as well as the requirement for the completion of the internal audit within a</p>				

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
				<p>small timescale due to the requirement to complete the annual return.</p> <p>Appointment of External Auditors</p> <p>Through discussions with _____, we were able to confirm that external auditors are assigned to the Parish Council by the Smaller Authorities' Audit Appointments is the sector led company appointed by the then Department of Communities and Local Government (now Ministry of Housing, Communities and Local Government) as the 'specified person' to procure and appoint external auditors to smaller authorities, perform the functions set out in the relevant legislation, and to manage the ongoing audit contracts awarded for the 5 year period commencing 1 April 2017.</p> <p>Furthermore, the RFO provided us with an introductory email confirming that PKF Littlejohn LLP had been appointed as External Auditors for the Parish Council.</p>				
1.8	No formal contracts of employment for staff employed at the Parish Council are in place. The Parish Council did however have procedural guides to the working practices of the following staff members:	No	N/A	<p>The Parish Council does not have formal contracts of employment in place for its current employees. We were informed by _____ that the job roles, structure were being reviewed by a HR Consultant from Berkshire Association of Local Councils (BALC).</p> <p>We noted that the current procedural guides for working practices were dated between 2006 and 2008 and included outdated information in relation to the</p>	High	Once the review by BALC has been completed, Slough Borough Council will advise the Parish Council to implement new Contracts of Employment for all staff at the Parish Council. These will then be subject to regular review and update to ensure they remain fit for purpose.	31 st Jan 2019	Surjit Nagra – Service Lead - People

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	<ul style="list-style-type: none"> Assistant Clerk (Responsible Finance Officer); and Booking Clerk. <p>The procedural guides outlined the key duties of the individuals in relation to day to day operations.</p>			<p>Parish Council and required significant levels of updating.</p> <p>We were however, informed by that once the review by BALC is fully completed a new structure would be defined, job roles and descriptors would be re-developed and contracts of employment for all staff will be developed.</p> <p>We were informed that employees of the Parish Council were being paid as per their agreed salaries however, noted that there was additional overtime being added to the financial statements presented each month to the Parish Council for approval.</p> <p>As there were no formal employment contracts in place at the time of our review, we were unable to confirm that the Parish Council was paying its employees the correct remuneration or sufficient overtime rates. Therefore, there is a risk that the Parish Council may be under/overpaying its employees.</p>		The Clerk will also be advised to re-develop the role descriptors and structure of the Parish Council employees following the receipt of advice from the BALC review.		
1.9	<p>The Parish Council budget papers outlined the planned income and expenditure for 2018/19.</p> <p>The Parish Council also outline the forecasted capital expenditure for the year which may include community projects, improvement of current land or buildings</p>	No	N/A	<p>We obtained the 2018/19 budget papers and identified that the Capital and General Funds Spend Forecast was incomplete.</p> <p>Through discussion with , we identified that the balance in the Parish Councils bank account had a significant surge due to an amendment to the lease of the land where the Parish Council Hall and fields are located. We were informed that Slough Borough Council had reclaimed this</p>	Medium	Slough Borough Council will advise the Parish Council to develop and agree a Capital Expenditure Plan for 2018-2021 identifying where it intends to make capital investments to improve the facilities, services or infrastructure within the local community.	31 st May 2019	Barry Stratfull – Service Lead - Finance

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management	Implementation date	Responsible owner
	<p>and a general fund for which expenditure is identified as and when required.</p> <p>The Parish Council held in excess of £300k within one bank account at the end of the 2017/18 Financial Year.</p> <p>The Parish Council did not have a long-term Capital Expenditure Plan.</p>			<p>land from the Parish Council for a fee, in order to build new homes.</p> <p>We were informed by [redacted] that the Parish Council hold all of its monies in a single bank account and noted that the account held £321,540 at the end of the financial year 2017/2018.</p> <p>We noted that the FSCS as mentioned above have a claim limit of £85,000. Therefore, there is a risk that the Council may face challenge in relation to the sum of funds held within its bank account and question the protection of these funds with reference to the FSCS (Financial Services Compensation Scheme) limit of £85,000. There is a risk that the Council could lose a significant sum of money should the financial services firm where the money is held fail.</p> <p>Furthermore, we noted that as there was no capital expenditure plan in place for the Parish Council, this may prompt questions regarding the best use of the funds for the local community and may lead to reputational damage in relation to the Parish collecting precept money but not matching the funds collected with the expenditure of the Council.</p>				

APPENDIX A: SCOPE

The scope below is a copy of the original document issued.

Scope of the review

The scope was planned to provide assurance on the controls and mitigations in place relating to the following areas:

Objectives of the area under review

To ensure that the money received via the Precept payment is spent in line with the authority delegated.

When planning the audit, the following areas for consideration and limitations were agreed:

Areas for consideration:

As part of a rolling series of audits of the Parish Councils, we will review the Governance arrangements in place to provide assurance to the Council that the precept collected for parishes is being used as intended. This will include review of:

- Whether the statutory duties, powers, and subsequent legal obligations of the Parish Council have been documented and are subject to regular review;
- Whether there is any alignment between Council policies and procedures and Parish documents.
- Whether Parish Councils efficiently prioritise and undertake activities arising from statutory duties, powers, and subsequent legal obligations;
- Whether there is evidence of engagement with local residents and other key stakeholders to deliver the services and facilities required;
- Whether a process is in place for taking informed, transparent decisions and managing risk; and
- Whether expenditure is appropriately monitored, recorded, and reported. This will include review of the process for the appointment of auditors to sign off annual accounts.

Limitations to the scope of the audit assignment:

The scope of the work will be limited to those areas examined and reported upon in the areas for consideration in the context of the objectives set out in for this review.

- The review has been undertaken on an advisory basis and as such, no opinion has been provided.
- Any testing undertaken as part of this audit will be compliance based and sample testing only.
- The review will not provide assurance of all areas of compliance as it will be undertaken on a sample basis.
- We will not guarantee the accuracy of financial statements but will review the governance around decision making in line with their statutory responsibilities.
- Our work does not provide absolute assurance that material errors, loss or fraud do not exist.
- The review does not aim to cover all aspects of the Parish Council as this would be impractical for the resources allocated to the review. It aims to provide assurance that the key arrangements outlined above are in place and complied with. As such this review should not be considered to provide assurance over the whole Parish Councils arrangements.

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 27th November, 2018

CONTACT OFFICER: Shabana Kauser
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 (01753) 787503

WARD(S): All

PART I
FOR DECISION**MOTIONS SUBMITTED TO COUNCIL UNDER PROCEDURE RULE 14**

The following motions have been received in accordance with Council Procedure Rule 14:-

A) School Cuts

(Moved by Councillor Sadiq, seconded by Councillor Pantelic)

“With the Government declaring austerity over this Council sees no reason why Slough children and young people must continue to suffer and our schools continue to face severe pressure to fund basic provision. Therefore this Council calls upon the Government to

- Address the £321 per pupil cut to Slough Schools when it belatedly reviews the Schools Funding Formula in 2021.
- Restore to the 62% cut in funding for youth services.”

B) Modern Slavery

(Moved by Councillor Mann, seconded by Councillor Strutton)

“This Council is committed to eradicating modern slavery and human trafficking in Slough and to raising awareness of modern slavery and human trafficking within our communities and with partners and stakeholders to help tackle this problem

Therefore the Council will continue to;

- Require its contractors & suppliers to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) course on Ethical Procurement and Supply, also train all its customer-facing staff to understand, detect and report modern slavery.

The Council commits to;

- Work closely with communities, partners and stakeholders to identify risks concerning modern slavery.
- Refer suspected cases of modern slavery to the national referral mechanism (NRM) - a victim identification and support process – to share information about potential victims and facilitate their access to advice, accommodation and support.

The Council will;

- Review the implementation of this commitment annually through its Overview and Scrutiny Committee.”

C) Waste Recycling Rates

(Moved by Councillor Smith, seconded by Councillor Wright)

“This Council resolves to address its poor recycling rates with immediate effect by implementing a Waste Strategy that sets out a vision and framework to help:

- Increase its current 26.3% recycling rate to meet a target of 50% by 2020, as set out in the Waste (England and Wales) Regulations 2011.
- Deliver a cost effective waste collection service.
- Deal sustainably with household waste without any recourse to landfill.”