

Open

Licensing and Environmental Committee

Agenda

10.30am
Monday, 6th December 2021
Council Chamber
Wyre Forest House
Finpoint Way
Kidderminster



Licensing and Environmental Committee

Members of Committee:

Chairman: Councillor P Dyke
Vice-Chairman: Councillor A Coleman

Councillor J F Byng

Councillor B S Dawes

Councillor I Hardiman

Councillor F M Oborski MBE

Councillor L Whitehouse

Councillor R H Coleman

Councillor C Edginton-White

Councillor K Henderson

Councillor M Rayner

Councillor P W M Young

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF.
Telephone: 01562 732766 or email sian.burford@wyreforestdc.gov.uk

Wyre Forest District Council

Licensing and Environmental Committee

Monday, 6th December 2021

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 4 th October 2021.	5
5.	Review of The Gambling Act 2005 To receive a report from the Head of Worcestershire Regulatory Services on behalf of Wyre Forest District Council on the responses received during the recent consultation on the revised Gambling Statement of Principles 2022–25, as part of the statutory triennial review in accordance with Section 349 of the Gambling Act 2005.	8
6.	Review of Fees and Charges for the Council's Licensing and Regulatory Services Function 2022/23. To inform Members of the recent review of the Council's Licensing and Regulatory Services Function fees and charges for the financial year 2022/23.	56

7.	<p>Consideration of the Grant of a Street Trading Consent</p> <p>To receive a report from the Head of Worcestershire Regulatory Services which asks the Committee to consider and determine an application for street trading consent.</p>	73
8.	<p>Consideration of the Grant of a Street Trading Consent</p> <p>To receive a report from the Head of Worcestershire Regulatory Services which asks the Committee to consider and determine an application for street trading consent.</p>	109
9.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
10.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

11.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

4TH OCTOBER 2021 (10.30AM)

Present:

Councillors: P Dyke (Chairman), A Coleman (Vice-Chairman), J F Byng, R H Coleman, B S Dawes, C Edginton-White, I Hardiman, K Henderson, F M Oborski MBE, M Rayner, L Whitehouse and P W M Young.

Observers:

There were no members present as observers.

LIC.14 Apologies for Absence

There were no apologies for absence.

LIC.15 Appointment of Substitutes

No substitutes were appointed.

LIC.16 Declaration of Interests

No declarations of interest were made.

LIC.17 Minutes

Decision: The minutes of the meeting held on 2nd August 2021 be confirmed as a correct record and signed by the Chairman.

LIC.18 Exclusion of the Press and Public

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 7 of Part I of Schedule 12A of the Act.

LIC.19 Review of a Hackney Carriage/Private Hire Driver's Licence

The Committee received a report from the Corporate Director: Economic Prosperity and Place to review a Hackney Carriage/Private Hire Driver's Licence.

The Senior Practitioner – Licensing from Worcestershire Regulatory Services led Members through the report in detail giving specifics as to the reason for the review.

Agenda Item No. 4

The driver and their legal representative addressed the Committee and answered questions from Members and clarified events around the incident. The Senior Practitioner – Licensing, the Technical Officer (Licensing) the driver and their legal representative left the meeting at this point (11:23am) for Members to deliberate their decision. The Solicitor and Assistant Committee Services Officer stayed in the meeting whilst the Committee reached their decision. The meeting was adjourned at 12:03pm and resumed at 12:12pm. The Senior Practitioner – Licensing, the Technical Officer (Licensing) the driver and their legal representative returned at 12:19pm and the Solicitor read out the decision of the Committee.

Decision: Having reviewed the circumstances of the endorsement and the driver’s Hackney Carriage/Private Hire Driver’s Licence and whether they are a fit and proper person to continue to hold such a licence, the Committee have decided:

That the Committee are satisfied, having considered the details of the endorsement presented to the Committee which triggered the review of the Licence and the fact that the conviction was for a minor traffic offence, that the driver continues to be a “fit and proper person” to continue to hold such a Hackney Carriage/Private Hire Driver’s Licence and the Committee continue to endorse and support the decision of the Head of Worcestershire Regulatory Services dated September 2020 and advise the driver to continue to follow the terms of the same.

And, the Committee themselves wish to warn the driver in the strongest terms that should they receive further endorsements on their DVLA driving licence or receive any conviction or caution of any other offence in breach of the Council’s “Guidelines relating to the Relevance of Convictions”, their status as the holder of a licence to drive Hackney Carriage and private hire vehicles would be considered again and that this could lead to the suspension or revocation of the licence.

LIC.20 Application for a Grant of a Licence to Drive Hackney Carriage/Private Hire Vehicles

The Committee received a report from the Corporate Director: Economic Prosperity and Place which asked the Committee to consider an application for a grant of a licence to drive hackney carriage/private hire vehicles.

A copy of the applicant’s enhanced DBS certificate was circulated to Members.

The Technical Officer (Licensing) took Members through the report giving details of the applicant’s application and driver history informing them that they had failed to declare convictions on their application form and that the applicant had received convictions within the last 4 years.

The applicant addressed the Committee and explained why they had failed to declare the convictions and answered detailed questions from Members about the circumstances surrounding the offences.

The Senior Practitioner – Licensing, Technical Officer (Licensing) and the

Agenda Item No. 4

applicant left the meeting at this point (12:43pm) for Members to deliberate their decision. The Solicitor and Assistant Committee Service Officer stayed in the meeting whilst the Committee reached their decision.

The Senior Practitioner – Licensing, Technical Officer (Licensing) and the applicant returned at 12:57pm and the Solicitor read out the decision of the Committee.

Decision: Having carefully considered the application to grant a Hackney Carriage/Private Hire Driver’s Licence to the applicant the Committee has decided:

That the application to grant a Hackney Carriage/Private Hire Driver’s Licence to the applicant be refused on the grounds that the applicant did not appear to the Committee, with due consideration of the Council’s “Guidelines relating to the Relevance of Convictions”, to be “a fit and proper person” to hold such a Licence, in light of:

The applicant cannot show the Committee that the 5 year period free from convictions (as recommended by the aforementioned Guidance) has passed since the applicant’s licence was restored, following conviction of a major traffic offence, and due to the severity of the offences which they were convicted between 2012 and 2016, the applicant has not given the Committee exceptional reasons for the Committee to depart from the Guidance.

The applicant failed to declare their previous convictions in their application despite this being a clear requirement of the application process.

The Applicant having received four convictions resulting in driving disqualifications which do not show to the Committee that the Applicant has a good driving record.

There being no further business, the meeting ended at 1pm.

WYRE FOREST DISTRICT COUNCIL**LICENSING AND ENVIRONMENTAL COMMITTEE****6th December 2021****REVIEW OF THE GAMBLING ACT 2005
REVISED STATEMENT OF PRINCIPLES
CONSULTATION RESULTS**

OPEN	
DIRECTOR:	Head of Worcestershire Regulatory Services on behalf of Wyre Forest District Council
CONTACT OFFICER:	Niall McMenamin – 01905 822799 niall.mcmenamin@worcestershire.gov.uk
APPENDICES:	Appendix 1 – Response from Gosschalks Solicitors on behalf of the Betting and Gaming Council Appendix 2 – Response from GambleAware Appendix 3 – Revised Gambling Statement of Principles 2022-25

1. PURPOSE OF REPORT

- 1.1 To ask committee to consider all responses received during the recent consultation on the revised Gambling Statement of Principles 2022–25, as part of the statutory triennial review in accordance with Section 349 of the Gambling Act 2005.

2. RECOMMENDATION

The Committee is asked:

- 2.1 **To consider all responses received during the recent consultation on the revised Gambling Act 2005 Statement of principles.**
- 2.2 **Recommend to Council that the revised Statement of Principles 2022–25 attached at “Appendix 3” be approved and published.**

3. BACKGROUND

- 3.1 Wyre Forest District Council is a licensing authority in accordance with the provision of the Gambling Act 2005.
- 3.2 Each licensing authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the authority’s Statement of Principles.

3.3 The Council's current Statement of Principles took effect on 31st January 2019. In accordance with the provisions of the Gambling Act 2005, the Council is required to prepare and publish a Statement of Principles every three years. Therefore, a new Statement of Principles must now be prepared and published ready to take effect on 31st January 2022.

4. KEY ISSUES

4.1 On the 6TH June 2021 the Licensing and Environmental Committee considered the revised Statement of Principles as part of the Statutory Triennial review.

4.2 The last revision of the Statement of Principles during 2018 involved the Council significantly enhancing the content of the statement to provide more comprehensive information on how the Council approaches its roles and responsibilities in relation to the various permits and small society lotteries that it is responsible for administering and monitoring.

4.3 Since the Statement of Principles was revised during 2018, there have been no significant amendments to the provisions of the Gambling Act 2005. Nor have there been any major changes made to the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) that licensed operators have to comply with or the Gambling Commission's statutory Guidance to Licensing Authorities (GLA).

4.4 In light of this, only minor revisions were included in the draft Statement of Principles that was presented to the Licensing Committee on 6TH June 2021. These minor revisions include updating the introduction section of the Statement to reflect the Council's current corporate strategy and priorities and to reflect more recent estimates on the population of the district.

4.5 The draft Statement had also been revised to nominate the Worcestershire Safeguarding Children Partnership as the body competent to advise the Council on matters relating to the protection of children from harm. This is because the Worcestershire Safeguarding Children Partnership has replaced the previously nominated Worcestershire Safeguarding Children Board.

4.6 The list of consultees shown at Appendix B of the Statement has also been updated to reflect changes to some of the Gambling Trade Associations and to include additional organisations involved in working with people who experience problems with gambling.

4.7 On 6th June 2021, the Licensing and Environmental Committee approved the revised Statement of Principles for consultation purposes

4.8 Subsequently consultation on the revised draft Statement of Principles took place with all relevant parties including:

- The Chief Officer of West Mercia Police
- The Gambling Commission
- All other responsible authorities identified under the Act
- Relevant Trade Associations
- Public Health

- Organisations working with people who are problem gamblers
- District Councillors
- Parish Councils
- Town Council's
- The general public

- 4.9 The consultation was also made available for comment via the Council's website and publicised via social media.
- 4.10 The consultation exercise began on the 20th August 2021 and remained open for comments until 1st October 2021.
- 4.11 There were three responses received during the consultation. The first of these responses was received from Gosschalks Solicitors and was submitted on behalf of their clients the Betting and Gaming Council (BGC). A full copy of the response can be seen at **Appendix 1**.
- 4.12 The response made on behalf of the BGC suggests a small number of amendments are made to the revised Statement of Principles before it is published by the Council.
- 4.13 Firstly it is suggested that the words "significant numbers of" should be removed from paragraph 10.2 of the draft Statement in light of the assertion that problem gambling rates are static and are about 0.5% of the population.
- 4.14 Officers respectfully disagree with this suggestion and believe that 0.5% of the population still amounts to a significant number of people. It is therefore not felt that paragraph 10.2 should be amended as suggested by the consultee.
- 4.15 The next suggested amendment in the BGC response is the redrafting of the final bullet point at paragraph 11.4 of the draft Statement, as they have pointed out that the term "primary gambling activity" is no longer used by the Gambling Commission.
- 4.16 Officers agree and any reference to the term "primary gambling activity" has now been removed from the draft policy.
- 4.17 A further response to the consultation was received from the charity GambleAware. This response can be seen at **Appendix 2**.
- 4.18 Due to resource constraints, the charity was not able to provide specific feedback on the draft Statement, but did provide some useful links to tools and publications that can be used by licensing authorities to help identify areas with increased levels of risk for any reason.
- 4.19 These might include areas where there are higher than average resident or visiting populations from groups known to be vulnerable to gambling harms including children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.
- 4.20 These tools and publications will be very helpful when the Gambling Local Area Profile for Worcestershire is next updated.

- 4.21 The final response to the consultation was received from Kidderminster Town Council, who wished to endorse the work of the Council.

5. FINANCIAL IMPLICATIONS

- 5.1 The costs involved in carrying out the consultation will be met from existing budgets held by Worcestershire Regulatory Services.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Section 349 of the Gambling Act 2005 requires that the licensing authority produce, consult on and publish a Statement of the Principles that it proposes to apply when exercising its functions under the Act.

- 6.2 The Act also requires that the Statement of Principles should be kept under review and must be re-published at least every three years.

- 6.3 When revising its Statement of Principles, the Council is required to consult with:

- the Chief Officer of Police for the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
- 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 this Act.

7. RISK MANAGEMENT

- 7.1 Failing to prepare and publish a new Statement of Principles by 31st January 2022 would leave the Council in a position where it was failing to comply with its duties as a licensing authority under the provisions of the Gambling Act 2005.

7.2 Corporate/Policy Implications

All policies approved by Wyre Forest District Council comply with the Regulators Code. The Regulators Code seeks to promote proportionate, consistent, and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 The Licensing Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase equality of opportunity.

- 8.2 A equality impact screening assessment has been undertaken and has not identified any equality issues with the revised Statement of Principles.

9. CONCLUSION

- 9.1 Revision of the Councils Gambling Act 2005 Statement of Principles will result in the effective continuation of the delivery of this important area of regulatory work.

9.2 Members of the Committee are now asked to consider the responses and recommend to Council that the revised Statement of Principles at **Appendix 3**, be approved and published.

10. CONSULTEES

10.1 Solicitor to the Council, Legal Services.

11. BACKGROUND PAPERS

11.1 Gambling Commission Guidance to Local Authorities

GOSSCHALKS

BY EMAIL ONLY to enquiries@worcsregservices.gov.uk
Licensing Section

Please ask for: [REDACTED]
Direct Tel: [REDACTED]
Email: [REDACTED]
Our ref: [REDACTED]
Your ref:
Date: 26 August 2021

Dear Sirs,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Betting and Gaming Council (BGC) and are instructed to respond on behalf of the BGC to your consultation on the review of your Gambling Act 2005 Statement of Principles.

The Betting and Gaming Council

The Betting and Gaming Council (BGC) was created in 2019 as the new standards body for the UK's regulated betting and gaming industry. This includes betting shops, online betting and gaming businesses, bingo and casinos. Its mission is to champion industry standards in betting and gaming to ensure an enjoyable, fair and safe betting and gaming experience for all of its members' customers.

BGC members support 119,000 jobs and account for £4.5 billion to the Treasury annually in tax. Recent study also showed that BGC members contributed around £7.7 billion in gross value added to the UK economy in 2019.

The gambling industry is integral to the survival of sport. Betting companies spend over £40 million a year on the English Football League (EFL) and its clubs. Horse racing, an industry estimated to be worth £3.5 billion a year to the UK economy and which generates 85,000 jobs receives over £350 million per annum through the Horse Racing Industry Levy, media rights and sponsorship. Darts and Snooker receive in excess of £10 million per annum which represents 90 % of all sponsorship revenue.

The BGC has four principal objectives. These are to –

- **create a culture of safer gambling throughout the betting and gaming sector, with particular focus on young people and those who are vulnerable**
- **ensure future changes to the regulatory regime are considered, proportionate and balanced**
- **become respected as valuable, responsible and engaged members of the communities in which its members operate**

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- **safeguard and empower the customer as the key to a thriving UK betting and gaming industry**

Before we comment on your draft policy document, it is important that the backdrop against which the comments are made is established.

Betting and Gaming in the UK

Betting and gaming is an incredibly important part of the UK leisure and hospitality industry, employing over 70,000 people, including 50,000 in betting, 13,000 in casinos and 10,000 people directly employed online. The betting and gaming industry contributes £8.7 billion Gross Value Added to the UK economy & contributes £3.2 billion to HM Treasury. In addition, casinos contribute over £120 million to the tourism economy each year.

Betting and gaming is widely enjoyed in the UK. Around 30 million people participate in some sort of gambling, whether that is on the National Lottery, placing a bet in betting shops, playing in casinos or at bingo. The overwhelming majority of these people do so safely without reporting any problems.

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

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of March 2020) was 7681. This is reducing every year and has fallen from a figure of 9137 in March 2014. Covid 19 had a devastating effect on the betting industry. The number of betting offices in June 2020 was down to 6461.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- In April 2019 a maximum stake of £2 was applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable and possibly falling.

Problem Gambling

Problem gambling rates are static or possibly falling. The reported rate of 'problem gambling' (according to either the DSM-IV or the PGSI) was 0.8% of the adult population in 2015, in 2016 it was 0.7% and in 2018 it was 0.5% of the adult population.

This is termed statistically stable but is encouraging that we might finally be seeing a reduction in problem gambling due to the raft of measures that have been put in place recently both by the industry, the Gambling Commission and the Government – from a ban on credit cards, restrictions to VIP accounts, new age and identity verification measures and voluntary restrictions on

advertising. These rates have remained broadly the same since the introduction of the Gambling Act 2005.

Whilst one problem gambler is too many, both the Government and regulator both say there is no evidence that problem gambling has increased in recent years.

During the Covid-19 period of lockdown, both the Gambling Commission and Government have acknowledged that problem gambling levels have not increased.

In June 2020, the BGC's five largest members committed to increasing the amount they spend on research, education and treatment (RET) services from 0.1 per cent to 0.25 per cent of their annual revenue in 2020, 0.5 per cent in 2021, 0.75 per cent in 2022 and 1 per cent in 2023. The five operators confirmed they will provide £100 million to GambleAware charity to improve treatment services for problem gamblers.

Rates of 'problem gambling' in the UK are low by international standards – compared to France (1.3%), Germany (1.2%), Sweden (2.2%) and Italy (1.27%).

The BGC supported the creation of the new NHS gambling treatment clinics who have promised 22 clinics, 3 of which are open now. We are pleased that the NHS have committed to work to increase the number of clinics in the UK in addition to existing serviced delivered by Gordon Moody Association and GamCare's 120 treatment centres located throughout the UK.

The BGC welcomes the Gambling Commission's National Strategy was a way of accelerating progress on responsible gambling and tackling problem gambling. Our members are fully committed to meeting this challenge and are working tirelessly to deliver new responsible gambling initiatives including technology that tackles problem gambling and supporting a statutory levy and increased funding for problem gambling clinics.

Underage participating by those aged 11-16 in any gambling activity has declined from 22% to 11% over the past decade; here, 'gambling activity' mainly relates to personal betting (e.g. playing cards with friends) and legal play of lotteries (e.g. participating with consent of parents / guardians). BGC members have a zero tolerance to those under the age of 18 attempting to use their products.

Working in partnership with local authorities

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

Differentiation between Licensing Act 2003 and Gambling Act 2005 applications

When considering applications for premises licences, it is important that a clear distinction is made between the regimes, processes and procedures established by Gambling Act 2005 and its regulations and those that are usually more familiar to licensing authorities – the regimes, processes and procedures relating to Licensing Act 2003.

Whilst Licensing Act 2003 applications require applicants to specify steps to be taken to promote the licensing objectives, those steps being then converted into premises licence conditions, there is no such requirement in Gambling Act 2005 applications where the LCCP provide a comprehensive package of conditions for all types of premises licence.

It should continue to be the case that additional conditions in Gambling Act 2005 premises licence applications are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called "Think 21". This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%.

When reviewing draft statements of principles in the past, we have seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

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

Considerations specific to the Revised Statement of Principles 2022-2025

We note that in the absence of any significant changes to relevant legislation and guidance, the council is not proposing to make any significant amendments to the existing statement of principles. We welcome the light touch approach adopted in the draft statement of principles and have only one comment to make.

Paragraph 11.4 contains a list of bullet points that's a risk assessment may include. The final bullet points refers to "primary gambling activity" which is a term no longer used by the Gambling Commission and in the circumstances this bullet point should be redrafted.

Conclusion

On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful.

The BGC will work with you to ensure that its members' operation of its premises will operate in accordance with the licensing objectives.

Yours faithfully,



GOSSCHALKS LLP

From: [REDACTED]
Sent: [REDACTED]
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: External Email : RE: Consultation – Revised Statement of Principles Under the Gambling Act 2005 - [REDACTED]

Hello,

Thank you for consulting us on your draft Statement of Principles under the Gambling Act 2005.

Due to resource constraints on a small charity, we are not able to offer specific feedback on your policy. However, you may find GambleAware’s recently published [interactive maps](#) useful, which have been designed for use by local authorities. The maps show the prevalence of problem gambling severity in each local authority and ward area as well as usage of, and reported demand for, treatment and support for gambling harms.

GambleAware also strongly commends two publications by the Local Government Association which set out the range of options available to local authorities to deal with gambling-related harms using existing powers:

- <https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>
- <https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales>
-

GambleAware is also fully supportive of local authorities which conduct an analysis to identify areas with increased levels of risk for any reason. In particular we support those who also include additional licence requirements to mitigate the increased level of risk. Areas where there are higher than average resident or visiting populations from groups we know to be vulnerable to gambling harms include children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.

Finally, GambleAware is a leading commissioner of prevention and treatment services for gambling harms. It provides these functions across England, Scotland and Wales and its work is underpinned by high quality research, data and evaluation. We encourage all local authorities to signpost people to the **National Gambling Helpline on 0808 8020 133** and also www.begambleaware.org. Both are part of the **National Gambling Treatment Service** and offer free, confidential advice and support for those who may need it.

Best wishes,

[REDACTED]

[REDACTED]

Company Secretary

GambleAware®

Phone [REDACTED] *note that we are currently remote working so please contact us by email*

Email [REDACTED]

Website begambleaware.org



REVISED STATEMENT OF PRINCIPLES

GAMBLING ACT 2005



2022 – 2025

Revised with effect from:

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Gambling Act 2005 Statement of Principles
Valid from 31st January 2022 – 30th January 2025

1. Introduction

- 1.1 Wyre Forest district is situated in North West Worcestershire and comprises the three distinctive riverside towns of Kidderminster, Bewdley and Stourport-on-Severn as well as surrounding countryside. It covers an area of 75 square miles. In 2019, the population totalled 101,291 (2019 ONS).
- 1.2 Kidderminster is the main business and commercial centre in the district offering industrial areas, shopping, offices and leisure facilities. Kidderminster is famous for carpet manufacture and is still closely associated with the carpet industry; though since the 1970s the industry has been in decline leaving the town in a process of economic diversification. Kidderminster is also the terminus of the Severn Valley Railway. The national tourist attraction – West Midland Safari Park – lies between the towns of Kidderminster and Bewdley.
- 1.3 Stourport-on-Severn is a popular tourist town. It was uniquely created as a canal port in 1766, when the Canal Navigation Act for Worcestershire received Royal Assent. The Georgian Market Town of Stourport has benefited from significant tourism and today continues to be a thriving market town and a successful visitor attraction.
- 1.4 Bewdley is a small riverside town built along the banks of the River Severn. It contains many fine Georgian buildings, has an award-winning museum and is a popular tourist destination.
- 1.5 The Council's overall vision is that "Wyre Forest is a network of thriving and confident communities which minimise their impact on the environment, where people have a decent and affordable home, feel safe and enjoy a good quality of life". This Statement accords with that vision in seeking to pursue the objectives set out in the Act, which are central to the regulatory regime created by the Act. These 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; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.6 The Licensing Authority has produced this statement as required by Section 349 of the Gambling Act 2005 (referred to in this statement as "the Act") and having had regard to the Gambling Commission's formal guidance issued under Section 25 of the Act, the licensing objectives and to the views of those that we have consulted.
- 1.7 The Licensing Authority consulted widely upon this statement before finalising and publishing. The list of those persons and organisations consulted is appended. The consultation took place between 20th August 2021 and 1st October 2021 in line with current published Government consultation principles.

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Should you have any comments as regards this policy statement please send them via email or letter to: enquiries@worcsregservices.gov.uk.

- 1.8 The Licensing Authority intends that this document should provide information and guidance on the general approach to licensing. A series of advice sheets with more specific guidance is available from the Council's website or will be sent on request. Advice tailored to individuals is available by phone or to personal callers.
- 1.9 Nothing in this Policy takes away from the right of any person to make an application under the Act and to have that application considered on its merits; nor does it undermine the right of any person to object to an application or to seek a review of a licence where the law provides that they may do so. Applications will be considered in line with the Licensing Authority's Statement of Principles below.

2. Statement of Policy - Gambling Act 2005

- 2.1 This Policy reflects the corporate priorities to make Wyre Forest "a safe, clean and green living environment" and "supporting a successful local economy" and is valid for up to three years from 1st February 2022, although the Licensing Authority may choose to review or revise it at any time.
- 2.2 The Act provides for Gambling to be authorised in a number of different ways.
- 2.3 The Licensing Authority's main functions are to:
- license premises for gambling activities, including the issue of Provisional Statements
 - regulate and grant permits for gambling and gaming machines in clubs including commercial clubs
 - 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
 - receive and endorse notices given for the temporary use notices
 - receive occasional use notices for betting at tracks
 - register small societies lotteries
 - maintain public registers, and
 - provide information to the gambling Commission on the issue of Licences
- 2.4 The Gambling Commission regulates remote gambling and issues personal and operating licences for premises.
- 2.5 Spread betting is regulated by the Financial Services Authority.
- 2.6 The 'National Lottery' is regulated by the National Lottery Commission.

3. The Gambling Commission

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- 3.1 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted fairly and openly; and by protecting children and vulnerable people.
- 3.2 The Commission provides independent advice to the Government about the manner in which gambling is carried out, the effects of gambling, and the regulation of gambling generally. It also produces guidance under Section 25 of the Act detailing how local authorities should exercise their licensing functions.
- 3.3 In addition, the Commission's role is to issue codes of practice under Section 24 of the Act about the manner in which facilities for gambling are provided, and how those provisions might be advertised.
- 3.4 Information about the Gambling Commission can be found on the Internet at: www.gamblingcommission.gov.uk or by phone: 0121 230 6666.

4 Local Area Profile

- 4.1 Alongside its Statement of Principles, the Licensing Authority has worked with the other Licensing Authorities in Worcestershire and other partners to develop a "Local Area Profile" for the County as a means of mapping out local areas of concern, which can be reviewed and updated to reflect changes to the local landscape.
- 4.2 This Local Area Profile takes account of a wide range of factors, data and information held by the Licensing Authority and its partners. An important element of preparing the Local Area Profile is proactive engagement with responsible authorities, as well as other organisations in the area that could give input to 'map' local risks in the area.
- 4.3 These include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as GamCare or equivalent local organisations.
- 4.4 The aim of the Local Area Profile is to increase awareness of local risks and improve information sharing, to facilitate constructive engagement with licensees and a more coordinated response to local risks. The Local Area Profile will also help to inform specific risks that operators will need to address in their own risk assessments, which forms a part of any new licence application, or any application made to vary a licence.
- 4.5 The Local Area Profile is published on the Licensing Authority's website and will be updated on a regular basis to reflect changes to the local environment. Holders of premises licences will be notified whenever the Local Area Profile is updated.

5. Authorised Activities

- 5.1 'Gambling' is defined in the Act as gaming, betting or taking part in a lottery.
- 'Gaming' means playing a game of chance for a prize.
 - Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.
 - A lottery is an arrangement where persons are required to pay in order to take part in an arrangement whereby one or more prizes are allocated by a process which relies wholly on chance.

6. General Statement of Principles

- 6.1 In carrying out the licensing functions in accordance with the Act, particularly with regard to premises licences, the Licensing Authority will aim to permit the use of premises for gambling as long as it is considered to be:
- in accordance with any relevant Codes of Practice issued by the Gambling Commission;
 - in accordance with any relevant Guidance issued by the Gambling Commission;
 - in accordance with this Statement of Principles; and
 - reasonably consistent with the licensing objectives.
- 6.2 The Licensing Authority will not seek to use the Act to resolve matters that are better dealt with by other legislation. Licensing is not the primary mechanism for general control of nuisance and the antisocial behaviour of people once they are away from licensed premises.
- 6.3 The Licensing Authority will ensure that in dealing with applications under the Act the Licensing Authority will follow the required procedures and only take into account issues that are relevant. Specifically the Licensing Authority will not have regard to "demand" when considering applications for gambling premises; nor will the Licensing Authority consider the suitability of applicants for premises licences (which is a matter for the Gambling Commission). The Licensing Authority will not reject an application on moral grounds. If the Licensing Authority does decide to reject an application, the Licensing Authority will make known the reasons for doing so.
- 6.4 The Council has delegated its licensing function to its Licensing Sub-Committee and Licensing Officers. In the remainder of this Statement of Principles they are referred to collectively as the 'Licensing Authority'.
- 6.5 Where an application is for a new premises licence, the responsible authorities will usually visit to check that gambling facilities meet all necessary legal requirements.
- 6.6 Where there are no representations (objections), licences and permissions will be granted subject only to any appropriate mandatory conditions (Section 167

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of the Act) and any conditions having at least the effect of appropriate default conditions made under Section 168.

- 6.7 If there are objections that cannot be resolved informally, or the Licensing Authority intends to impose extra conditions, the Licensing Authority will hold a public hearing at which the Licensing Sub-Committee will hear evidence and make a decision in accordance with the Act.
- 6.8 This Statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, this Statement of Principles is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.

7. Preventing Gambling from being a Source of Crime and Disorder

- 7.1 The Gambling Commission takes the leading role in preventing gambling from being a source of crime, and maintains rigorous licensing procedures aiming to prevent criminals from providing facilities for gambling. Applicants need an operating licence from the Commission before the Licensing Authority will issue a licence to use premises for gambling.
- 7.2 The Licensing Authority will not issue a premises licence to someone who does not hold an operator's licence, and would not generally be concerned with the suitability of an applicant. Where concerns about a person's suitability arise the Licensing Authority will bring those concerns to the attention of the Commission.
- 7.3 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Licensing Authority will, in consultation with the Police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. This could include a requirement for door supervisors registered by the Security Industries Association.
- 7.4 'Disorder' is generally a matter for the Police; the Licensing Authority will not use this Act to deal with general nuisance issues, for example, parking problems, which can be better dealt with using alternative powers. Disorder will only be considered under this Act if it amounts to activity which is more serious and disruptive than mere nuisance, and where it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if Police assistance was required to deal with it; the Licensing Authority will then consider how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 7.5 When making decisions relating to disorder, the Licensing Authority will give due weight to comments made by the Police.

8. Ensuring Gambling is conducted in a Fair and Open Way

- 8.1 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way.

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The Commission, through the operating and personal licensing regime, will regulate the management of the gambling business and the suitability and actions of an individual.

- 8.2 As betting track operators do not need an operating licence from the Commission, the Licensing Authority may, in certain circumstances, require conditions of licence relating to the suitability of the environment in which betting takes place.

9. Protecting children and vulnerable people from being harmed or exploited by gambling

- 9.1 The intention of the Act is that children and young persons should not be allowed to gamble, and should be prevented from entering those gambling premises which are 'adult-only' environments.
- 9.2 Codes of Practice – including advice about access by children and young persons – may be published by the Gambling Commission for specific kinds of premises. Applicants are expected to heed this advice where applicable.
- 9.3 The Licensing Authority expects steps to be taken to prevent children from taking part in, or being in close proximity to, gambling. This may include restrictions on advertising to ensure that gambling products are not aimed at children, nor advertised in such a way that makes them particularly attractive to children.
- 9.4 When determining a premises licence or permit the Licensing Authority will consider whether any additional measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises like pubs, clubs and betting tracks.
- 9.5 In seeking to protect vulnerable people the Licensing Authority will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.
- 9.6 The Licensing Authority will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people will balance these considerations against the overall principle of aiming to permit the use of premises for gambling.
- 9.7 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.

These principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area.

- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

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

10. Public Health and Gambling

- 10.1 The Licensing Authority agrees with the Gambling Commission's position that gambling-related harm should be considered as a public health issue.
- 10.2 Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so with enjoyment, and without exhibiting any signs of problematic behaviour. There are however significant numbers of people who do experience significant harm as result of their gambling.
- 10.3 For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality. It can also be associated with substance misuse.
- 10.4 There can also be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected.
- 10.5 Therefore the Licensing Authority considers that Public Health teams, whilst not a responsible authority under the Act, can still assist the Licensing Authority to address gambling-related harms in its area.
- 10.6 The licensing authority would therefore like to engage with the local Public Health team in the future development of this Statement of Principles and the Local Area Profile. It is hoped that the Public Health team will be able to help the Licensing Authority:
 - Identify and interpret health data and evidence, to inform the review of the Statement and develop locally tailored local area profiles.
 - Make decisions that benefit and protect the health and wellbeing of local communities.
 - Be clear on issues which they can have regard to when deciding on licenses for a wide range of gambling activities.
 - Identify and interpret health data and evidence to inform the review of the Statement;
 - Conduct a health-impact assessment of gambling in the local area or assess any existing information.

11. Local Risk Assessments

- 11.1 Since 6 April 2016 it has been be a requirement for operators to assess local risks to the licensing objectives taking into account this Council's Policy. The operator must also have policies, procedures and control measures in place to mitigate these risks. Risk assessments must be reviewed whenever there are

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significant changes in local circumstances, or at the premises, or when applying for a new licence or a variation of a licence. Risks in this context include actual, potential and possible future emerging risks to the licensing objectives.

- 11.2 The Licensing Authority will expect the local risk assessment to consider, for example:
- whether the premise is in an area of deprivation;
 - whether the premise is in an area subject to high levels of crime and/or disorder;
 - whether the premise is near an addiction treatment facility and in general consider the demographics of the area in relation to vulnerable groups;
 - the location of sensitive buildings such as schools, playgrounds, toy shops, leisure centres, libraries and other areas where children are likely to gather; and
 - how vulnerable persons as defined within this Policy are protected.
- 11.3 In compiling their local risk assessment the Licensing Authority shall also expect operators to take into account the general principles as set out in this Policy and the Local Area Profile.
- 11.4 Other matters that the risk assessment may include are, for example:
- Staff training, including refresher training, e.g. such as intervention when customers show signs of excessive gambling, in the mandatory licensing conditions, in location of the premises licence; in location of information relating to gambling care providers, etc.
 - Where installed, details of CCTV coverage and how the system will be monitored.
 - Layout of the premises to ensure staff have unobstructed views of persons using the premises or where this is not possible, evidence of how this can be achieved.
 - The number of staff employed at the premises at any one time taking into account any effects from seasonal trade in the area.
 - Where only one staff member is employed – in the case of smaller premises – what the supervisory and monitoring arrangements are when that person is absent from the licensed area or distracted for any other reason.
 - Provision of signage and documents relating to games' rules, gambling care providers.
 - The mix of gambling provided.
 - Consideration of the location of gaming machines on the premises.
- 11.5 Operators are expected to share their risk assessments with the Licensing Authority when applying for a new premises licence, applying for a variation to an existing licensed premise or otherwise upon request. These risk assessments must in any event be kept under regular review and updated as necessary. The Licensing Authority expects a copy of the most recent local risk assessment to be kept on each premises that is subject to a premises licence under the Gambling Act 2005.

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- 11.6 The information contained within the risk assessment may be used to inform the decision the Licensing Authority makes about whether or not to grant the licence; to grant the licence with special conditions; or to refuse the application.
- 11.7 However, in all circumstances each application will be treated on its own merits with the onus on the applicant providing the Licensing Authority with sufficient information to make their determination with the underpinning statutory aim of permitting gambling subject to being reasonably consistent with the licensing objectives.
- 11.8 In its Guidance to Licensing Authorities, the Gambling Commission suggests that Licensing Authorities should adopt a 'Local Area Profile'. The Guidance suggests that a Local Area Profile is a process of gathering and presenting information about a locality and any particular areas of concern within that locality. It underpins and explains the approach that the Licensing Authority will apply when granting licences. The Licensing Authority has created a Local Area Profile to assist applicants and licence holders to conduct their local risk assessments.
- 11.9 The Licensing Authority expects local risk assessments to be kept under review and updated as necessary. The Licensing Authority expect local risk assessments to be subject to a review whenever there is a significant change at or near the premises and in any event at least every twelve months.

12 Premises Licences

12.1 A premises licence can authorise the provision of facilities at the following:

- casino premises
- bingo premises
- betting premises, including betting tracks
- adult gaming centres
- family entertainment centres

12.2 Premises can be 'any place' but the Act generally prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts can be reasonably regarded as being separate 'premises'.

12.3 This will allow large multiple unit premises such as shopping malls or service stations to obtain separate premises licences, with appropriate safeguards in place. The Licensing Authority will pay particular attention if there are issues about sub divisions of a single building or plot and mandatory conditions relating to access between premises are observed. The Licensing Authority will 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. Whether different parts of a building can properly be regarded as being separate premises will depend on the individual circumstances of the case.

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- 12.4 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that separation of the premises is not compromised and people are not allowed to drift accidentally into a gambling area. It should normally be possible to access the premises without going through another licensed premises or premises with a permit. The Licensing Authority will also expect customers to be able to participate in the activity named on the premises licence.
- 12.5 The Secretary of State has appointed an independent Casino Advisory Panel to advise the Government on the areas in which small and/or large casinos may be located. Wyre Forest district has not been identified as a suitable location for a casino; consequently the Authority is prevented from granting a licence for casino premises at present.
- 12.6 The Council has not passed a resolution under section 166(5) of the Gambling Act 2005 to not issue casino premises licences. If such a resolution were considered in the future, the Council would carry out a full public consultation and consider all responses before passing such a resolution.
- 12.7 The Licensing Authority will not turn down applications for premises licences where relevant objections can be dealt with through the use of licence conditions.
- 12.8 Other than an application for a betting premises licence for a track, the Licensing Authority are not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 12.9 When considering applications for premises licences the Licensing Authority will not take into account either the expected 'demand' for facilities, or the likelihood of planning permission or building regulation approval being granted as well as moral objections to gambling. Equally, the grant of a premises licence will not prejudice or prevent any action which may be appropriate under the law relating to planning or building regulations.
- 12.10 The Licensing Authority will only issue a premises licence once it is satisfied that the premises is ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required. If the construction of a premises is not yet complete, or if any alteration, or the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made as having a right to occupy the premises is a pre-condition to making a Premises Licence application.
- 12.11 The Licensing Authority will apply a two-stage consideration process if there is outstanding construction or alteration works at the premises:
- Should the premises be permitted to be used for gambling?
 - Can appropriate conditions be imposed to cater for the situation that the premises is not yet in a state in which they should be before gambling takes place?

- 12.12 The Licensing Authority is entitled to decide whether or not it is appropriate to grant a licence subject to conditions.
- 12.13 Applicants for premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.
- 12.14 The Licensing Authority will maintain a public register of premises licence applications received which may be viewed at the Council offices during normal office hours which are generally Monday to Friday 9am – until 4.30pm.

13. Responsible Authorities

- 13.1 Responsible authorities are identified in the legislation and have to be notified about licence applications so that it can identify any risk. The responsible authorities that the Licensing Authority currently recognises are listed below:

- The Gambling Commission
- The Chief of Police for the area
- Fire & Rescue Service
- Wyre Forest District Council Development Control Section
- Worcestershire Regulatory Services – Community Protection, Business Compliance and Licensing
- Worcestershire Safeguarding Children Partnership
- HM Revenue and Customs
- Any other bodies identified in Regulation by the Secretary of State
- For vessels – the Environment Agency, British Waterways, Secretary of State

- 13.2 Contact addresses and telephone numbers for each of the responsible authorities identified are available on the Council's website, and will be sent with application packs and on request.
- 13.3 Any concerns expressed by a responsible authority cannot be taken into account unless they are relevant to the application itself and to the licensing objectives. However each representation will be considered on its own individual merits.

14. Interested Parties

- 14.1 An interested party is someone who:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities, or
- has business interests that might be affected by the authorised activities (including existing gambling premises), or
- represents persons in either of the two groups above.

- 14.2 The Licensing Authority will generally require written evidence that a person/body, represents someone is 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

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persons, requesting representations is sufficient. Whilst this may not apply to elected Ward Members, Member of Parliament or Parish Councillors, those persons should be aware of the need to represent the whole of the community that they represent and not just the vocal minority.

14.3 In determining whether a person lives sufficiently close to particular premises as to be affected, the Licensing Authority will take into account among other things:

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the person making the representation;
- the nature of the complaint; and
- the potential impact of the premises.

14.4 In determining whether a person has a business interest which could be affected the Council will consider, among other things:

- the size of the premises;
- the catchment area of the premises; and
- whether the person making the representation has business interests in the catchment area that might be affected.

14.5 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, the Licensing Authority would not consider this, in the absence of other evidence, as a relevant representation as it does not relate to the licensing objectives and instead relates to demand or competition.

14.6 The Licensing Authority may consider a representation to be either frivolous or vexatious, and reject it. This will generally be a matter of fact given the circumstances of each individual case but, before coming to a decision the Licensing Authority will normally consider:

- who is making the representation and whether there is a history of making representations that are not relevant;
- whether it raises an issue relevant to the licensing objectives; or
- whether it raises issues specifically to do with the premises which are the subject of the application.

15. Licence Conditions

15.1 In particular cases the Licensing Authority may find it necessary to impose conditions beyond appropriate mandatory and default conditions. Additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives, in the particular circumstance of the case. Any such conditions will be relevant to the need to make the building suitable for use 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. The Licensing Authority will not have recourse to a pool of standard conditions.

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- 15.2 The Licensing Authority will ensure that category C machines or above that are on offer in premises to which children are admitted, are located in an area of the premises which is separated by a physical barrier. This should be to prevent access other than through a designated entrance: the designated area must be supervised and observed by staff or the licence holder.
- 15.3 Examples of some conditions which are likely to be attached in certain circumstances include those relating to opening hours, segregation of gambling from non gambling areas frequented by children, Security Industry Authority licensed door supervisors, appropriate signage for adult only areas, age limits, or keeping children and young persons away from gaming machines. The Licensing Authority will also expect the applicants to offer their own suggestions as to the way in which the licensing objectives can be promoted effectively.
- 15.4 The Licensing Authority will not seek to control those matters specified in the Act with conditions:
- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission;
 - relating to gaming machine categories or method of operation;
 - which specify that membership of a club or other body is required; or
 - in relation to stakes, fees, winnings or prizes.
- 15.5 Duplication with other statutory or regulatory regimes will be avoided as far as possible. The need for conditions will be assessed on the specific merits of each application.

16. Gaming Machines

- 16.1 Gaming machines include all types of gambling activity, which can take place on a machine, including betting on 'virtual' events.
- 16.2 The Act itself prescribes the number and category of gaming machines that are permitted in each type of gambling premises.
- 16.3 Subject to the provisions of the Act, gaming machines can be made available in a wide variety of premises, including:
- casinos
 - bingo premises
 - betting premises (including tracks)
 - adult gaming centres
 - family entertainment centres
 - clubs
 - pubs and other alcohol licensed premises
 - travelling fairs

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- 16.4 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would bring it within the definition of a gaming machine.
- 16.5 The Licensing Authority will encourage permit and premises licence holders to adopt applicable codes of practice which may be introduced by the amusement industry or Gambling Commission, from time to time.

17. Gambling in Alcohol Licensed Premises

- 17.1 There are exemptions in the Act that provide for a limited amount of gambling activity to take place within premises that are subject to a relevant valid alcohol licence.
- 17.2 These exemptions only apply where a premises is subject to a licence that authorises the sale of alcohol for consumption on the premises and that has a bar at which alcohol is served without a requirement that alcohol is served only with food.
- 17.3 In all cases the licensing authority considers that gambling must remain ancillary to the main purpose of the premises.

Automatic entitlement to two gaming machines

- 17.4 Section 282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence must give notice to the Licensing Authority of their intention to make gaming machines available for use, and must pay the prescribed fee.
- 17.5 This is not an authorisation procedure. The Licensing Authority has no discretion to consider the notification or to turn it down. The only matter to determine is whether the person applying for the automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.
- 17.6 The Licensing Authority expects licence holders making machines available in accordance with their automatic entitlement to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.
- 17.7 The Licensing Authority can remove the automatic authorisation in respect of any particular premises by making an order under section 284 of the Act. The Licensing Authority can do so if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises that breaches a condition of s.282, for example the gaming machines have been made available in

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a way that does not comply with requirements on the location and operation of gaming machines

- the premises are mainly used for gaming
- an offence under the Act has been committed on the premises.

17.8 Before making an order, the Licensing Authority will give the licensee at least 21 days' notice of the intention to make the order and will consider any representations that they may make. The Licensing Authority will hold a hearing if the licensee so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The Licensing Authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' Court.

Licensed Premises Gaming Machine Permits

17.9 Where the holder of a relevant alcohol licence wishes to make more than two gaming machines available, they may apply for a licensed premises gaming machine permit. Such a permit can authorise the provision of any number of category C or D gaming machines within the relevant licensed premises.

17.10 The Licensing Authority expects licence holders making machines available in accordance with a licensed premises gaming machine permit to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.

17.11 Applications must be made by a person or organisation that holds the on-premises alcohol licence for the premises for which the application is made and must include information on the premises to which it relates and the number and category of gaming machines sought.

17.12 The Licensing Authority may also require an applicant to submit a plan of the premises showing where the gaming machines are to be located and showing the position of the bar.

17.13 In determining an application, the Licensing Authority must have regard to the licensing objectives and to the Gambling Commission's Guidance to Licensing Authorities. The Licensing Authority may also take account of any other matters that are considered relevant to the application.

17.14 In particular the Licensing Authority will have regard to the size and nature of the premises, the number of gaming machines requested and the ability of the licence holder to comply with the relevant code of practice.

17.15 The application does not require notification to the Commission or police before determination, however, the Licensing Authority is able to specify this as a requirement should they see fit.

17.16 The Licensing Authority may grant or refuse an application. In granting the application, it may vary the number and category of gaming machines authorised by the permit. If granted, the Licensing Authority will issue the permit as soon as possible after that. Where they refuse the application they

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will notify the applicant as soon as possible, setting out the reasons for refusal. The Licensing Authority will not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations, orally, in writing, or both.

- 17.17 The Licensing Authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels a permit the Licensing Authority will notify the holder, giving 21 days notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the Licensing Authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed or, where an appeal is made, until the appeal is determined.
- 17.18 The Licensing Authority can also cancel a permit if the holder fails to pay the annual fee, unless failure is the result of an administrative error. The court may order forfeiture of the permit if the holder is convicted of a relevant offence.
- 17.19 The applicant may appeal to the Magistrates' Court against the Licensing Authority's decision not to issue a permit. The holder can also appeal against a decision to cancel a permit.

Exempt Gaming

- 17.20 Exempt gaming is generally permissible in any relevant alcohol licensed premises. Such gaming must be equal chance gaming and must be ancillary to the purposes of the premises. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.
- 17.21 Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.
- 17.22 The Secretary of State has set both daily and weekly prize limits for exempt gaming in alcohol licensed premises and details of these can be found on the Gambling Commission's website.
- 17.23 The Licensing Authority expects exempt gaming in alcohol licensed premises to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.
- 17.24 The Licensing Authority can remove the automatic authorisation for exempt gaming in respect of any particular premises by making an order under s.284 of the Act, if:

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- 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.

17.25 Before making an order, the Licensing Authority will give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The Licensing Authority will hold a hearing if the licensee so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The Licensing Authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' Court.

18.0 Gambling in Clubs

Defining Clubs

18.1 The Act creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines two types of club for the purposes of gaming:

- members' clubs (including miners' welfare institutes)
- commercial clubs.

18.2 This is an important distinction in respect of the gaming that may take place.

18.3 A members' club is a club that is not established as a commercial enterprise and is conducted for the benefit of its members. Examples include working mens' clubs, miners' welfare institutes, branches of the Royal British Legion and clubs with political affiliations.

18.4 Miners' welfare institutes are associations established for recreational or social purposes. They are managed by representatives of miners or use premises regulated by a charitable trust which has received funds from one of a number of mining organisations.

18.5 A commercial club is a club established for commercial gain, whether or not they are actually making a commercial gain. Examples include commercial snooker clubs, clubs established as private companies and clubs established for personal profit.

18.6 The Licensing Authority expects exempt gaming in clubs to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.

Exempt Gaming

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- 18.7 Exempt gaming is generally permissible in any club. Such gaming must be equal chance gaming and be ancillary to the purposes of the club. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.
- 18.8 Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.
- 18.9 The Secretary of State has set both daily and weekly prize limits for exempt gaming. Different higher stakes and prizes are allowed for exempt gaming in clubs than are allowed in alcohol-licensed premises and details of these can be found on the Gambling Commission's website.
- 18.10 Clubs may levy a charge for participation in equal chance gaming under the exempt gaming rules. The amount they may charge is as prescribed in regulations and the relevant details can be found on the Gambling Commission's website. However in order to qualify as exempt gaming, clubs may not charge a rake on games (a commission or fee deducted from the prize fund), or levy or deduct an amount from stakes or winnings.
- 18.11 The Licensing Authority expects exempt gaming in clubs to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.

Club Gaming Permits

- 18.12 The Licensing Authority may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming (without having to abide by the stake and prize limits which would apply to exempt gaming in the absence of a permit) and games of chance as prescribed in regulations namely pontoon and chemin de fer. This is in addition to the exempt gaming authorisation detailed above.
- 18.13 Club gaming permits allow the provision of no more than three gaming machines. These may be from categories B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement.
- 18.14 Where a club has gaming machines the licensing authority expects the club to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.

Club Machine Permits

- 18.15 If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the Licensing Authority for a club machine permit under s.273 of the Act. This type of permit authorises the holder to have up to three gaming machines of categories B3A, B4, C and D.

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- 18.16 Commercial clubs are also able to apply for a club machine permit, although such a permit does not allow the siting of category B3A gaming machines by commercial clubs.
- 18.17 Where a club has gaming machines the Licensing Authority expects the club to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.

Applications for Club Gaming Permits and Club Machine Permits

- 18.18 Applications for permits must be accompanied by the prescribed documents and fees and must be copied to the Gambling Commission and the Chief Officer of Police within the prescribed period. The Commission and the Police may object to the permit being granted and if such objections are received, the Licensing Authority will hold a hearing.
- 18.19 The Licensing Authority may grant or refuse a permit, but it may not attach any conditions to a permit.
- 18.20 The Licensing Authority can only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
 - b) the applicant's premises are used wholly or mainly by children and/or young persons
 - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - d) a permit held by the applicant has been cancelled in the previous ten years
 - e) an objection has been lodged by the Commission or the police.
- 18.21 If the Licensing Authority is satisfied that (a) or (b) is the case, it must refuse the application. The Licensing Authority will have regard to relevant guidance issued by the Commission and (subject to that guidance), the licensing objectives.
- 18.22 In cases where an objection has been lodged by the Commission or the police, the Licensing Authority is obliged to determine whether the objection is valid.
- 18.23 There is a fast-track procedure for clubs in England and Wales which hold a club premises certificate under s.72 of the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which the Licensing Authority can refuse a permit are reduced.
- 18.24 This is because the club or institute will already have been through a licensing process in relation to its club premises certificate under the 2003 Act, and it is therefore unnecessary to impose the full requirements of Schedule 12.
- 18.25 Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure.

Determining Applications for Club Gaming Permits

- 18.26 When determining applications for Club Gaming Permits the Licensing Authority will take steps to satisfy itself that the club meets the requirements of the Act and to enable this to happen, clubs may be asked to supply additional information and documents in support of their application.
- 18.27 The Licensing Authority is particularly aware of the potential for club gaming permits to be misused for illegal poker clubs.
- 18.28 In determining whether a club is a genuine members' club, the Licensing Authority will take into account the matters set out in relevant part of the Gambling Commission's Guidance to Licensing Authorities.
- 18.29 A visit to the premises before granting of the permit may also be undertaken to assist the Licensing Authority to understand how the club will operate.

Maintenance of Permits

- 18.30 Club Gaming Permits and Club Machine Permits will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. However, a permit granted under the fast-track procedure does not expire, unless it ceases to have effect because it is surrendered, cancelled or forfeited or it lapses.
- 18.31 A permit will lapse if the holder of the permit stops being a club or miners' welfare institute, or if it no longer qualifies under the fast-track system for a permit. In addition, a permit will cease to have effect upon being surrendered to the authority. A notice to surrender must be accompanied by the permit or a statement explaining why it cannot be produced. The Licensing Authority must inform the Police and the Commission when a permit has been surrendered or lapsed.

Cancellation and forfeiture of permits

- 18.32 The Licensing Authority may cancel the permit if:
- the premises are used wholly by children and/or young persons
 - an offence or breach of a permit condition has been committed in the course of gaming activities by the permit holder.
- 18.33 Reference here to 'a permit condition' means a condition in the Act or in regulations that the permit is operating under.
- 18.34 Before cancelling a permit, the Licensing Authority will give the permit holder at least 21 days' notice of the intention to cancel and consider any representations that they may make.
- 18.35 The Licensing Authority will hold a hearing if the permit holder so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the cancellation will take effect 21 days after notice of

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the intention to cancel was given. The Licensing Authority will notify the permit holder, the Commission and the police that the permit has been cancelled and the reasons for the cancellation.

Renewal of permits

- 18.36 In accordance with paragraph 24 of Schedule 12 of the Act, an application for renewal of a permit must be made during the period beginning three months before the licence expires and ending six weeks before it expires. The procedure for renewal is the same as for an application.
- 18.37 The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.
- 18.38 If, at the time a permit is renewed, the applicant holds a club premises certificate, the fast-track procedure will apply as it does when application is first made for the permit.

19.0 Unlicensed Family Entertainment Centre Permits

Introduction

- 19.1 Unlicensed family entertainment centres (uFEC) are able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit, although there may be other considerations, such as fire regulations and health and safety, to take into account. Permits cannot be issued in respect of vessels or vehicles.
- 19.2 uFECs are premises which are 'wholly or mainly' used for making gaming machines available. The permit cannot therefore be granted for an entire shopping centre, airport or bowling alley, for example.

Applications for Unlicensed Family Entertainment Centre Permits

- 19.3 The application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an uFEC and, if the applicant is an individual, he or she must be aged 18 or over. Applications for a permit cannot be made if a premises licence under the Gambling Act 2005 is in effect for the same premises. The application must be made to the licensing authority in whose area the premises are wholly or partly situated.
- 19.4 The application must be submitted on Licensing Authority's standard form and be accompanied by the prescribed application fee. The Licensing Authority also requires the application to be accompanied by a plan of the premises that will be used as an uFEC, which shows the location of any gaming machines that will be provided if the permit were to be granted.
- 19.5 The Licensing Authority requires applicants for uFEC permits to provide a Basic Disclosure certificate issued by the Disclosure and Barring Service (DBS) within a period of one month before the application is made.

Consideration of Applications

- 19.6 The Licensing Authority can grant or refuse an application for a permit, but cannot add conditions. An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an uFEC, and if the chief officer of police has been consulted on the application.
- 19.7 When considering an application, the Licensing Authority will consider the suitability of the applicant. Given that family entertainment centres are likely to appeal particularly to children and young persons, the licensing authority will give particular weight to matters relating to the protection of children from being harmed or exploited by gambling.
- 19.8 In considering the application, the Licensing Authority shall have regard to the Gambling Commission's Guidance to Licensing Authorities and will also have regard to the licensing objectives.
- 19.9 The Licensing Authority may also consider asking applicants to demonstrate:
- that they have suitable policies and procedures in place for the safeguarding of children and young persons.
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible in uFECs
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act)
 - that employees at the premises are suitably vetted
 - that employees are trained to have a full understanding of the maximum stakes and prizes.
- 19.10 The Licensing Authority may not refuse an application unless it has notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.
- 19.11 The permit will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. There is no annual fee for an uFEC gaming machine permit
- 19.12 The permit may lapse for a number of reasons, namely:
- if the holder ceases to occupy the premises
 - if the Licensing Authority notifies the holder that the premises are not being used as an uFEC
 - if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
 - if the company holding the permit ceases to exist, or goes into liquidation.

Renewal of a Permit

- 19.13 An application for renewal of an uFEC gaming machine permit must be made during the period beginning six months before the permit expires and ending

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two months before it expires. The procedure for renewal is the same as for an application. Licensing Authority may only refuse to renew a permit on the grounds that:

- an authorised local authority officer has been refused access to the premises without reasonable excuse
- renewal would not be reasonably consistent with the licensing objectives. In this respect, the licensing authority will have the benefit of having consulted the chief officer of police and will be aware of any concerns that have arisen about the use of the premises during the life of the permit.

19.14 The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

20.0 Prize Gaming Permits

20.1 Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

20.2 A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for gaming with prizes on specified premises.

Applications for Prize Gaming Permits

20.3 An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, he must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises under the Gambling Act 2005. The application must be made to the Licensing Authority in whose area the premises are wholly or partly situated.

20.4 The application must be submitted on Licensing Authority's standard form and be accompanied by the prescribed application fee. The Licensing Authority also requires the application to be accompanied by a plan of the premises that will be used for gaming with prizes.

20.5 The Licensing Authority requires applicants for prize gaming permits to provide a Basic Disclosure certificate issued by the Disclosure and Barring Service (DBS) within a period of one month before the application is made.

Consideration of Applications

20.6 In considering an application, the licensing authority shall have regard to the Gambling Commission's Guidance to Licensing Authorities and will also have regard to the licensing objectives.

20.7 The Licensing Authority can grant or refuse an application for a permit, but cannot add conditions.

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- 20.8 The Licensing Authority will grant a prize gaming permit only if they have consulted the chief officer of police about the application. The Licensing Authority will take account of any objections that the police may wish to make which are relevant to the licensing objectives.
- 20.9 Relevant considerations would include the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and any issues concerning disorder.
- 20.10 A permit cannot be issued in respect of a vessel or a vehicle.
- 20.11 The Licensing Authority will ask the applicant to set out the types of gaming that they are intending to offer and expects that the applicant should be able to demonstrate that:
- they understand the limits to stakes and prizes that are set out in regulations
 - the gaming offered is within the law.
- 20.12 The Licensing Authority will not refuse an application unless they have notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.
- 20.13 If granted, the permit will have effect for ten years, unless it ceases to have effect, lapses or is renewed. There is no annual fee for prize gaming permits.
- 20.14 The permit may lapse for a number of reasons:
- if the holder ceases to occupy the premises
 - if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
 - if a company holding the permit goes into liquidation
 - if the holder (for example a partnership) otherwise ceases to exist.

Renewal of a Prize Gaming Permit

- 20.15 An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application.
- 20.16 A permit will not cease to have effect while a renewal application is pending, including an appeal against a decision not to renew.

21. Temporary Use Notices

- 21.1 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. The Licensing Authority would object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of

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premises. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues. A temporary use notice may only be granted to a person or company holding a relevant operating licence.

- 21.2 Temporary use notices may only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Equal chance gaming is gaming which does not involve playing or staking against a bank and gives equally favourable chance to all participants. Example of equal chance gaming includes games such as: Backgammon, Mahjong, Rummy, Kalooki, Dominoes, Cribbage, Bingo and Poker.

22. Occasional Use Notices

- 22.1 Occasional use notices relate to particular activities at tracks. The Licensing Authority's only role is to ensure that the statutory limit of 8 days in a calendar year is not exceeded. Whilst tracks are normally thought of as permanent racecourses, this can also include land which has a number of uses for example agricultural land upon which a point-to-point meeting takes place. Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

23.0 Lotteries

Introduction

- 23.1 A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Act.
- 23.2 An arrangement is a simple lottery if:
- persons are required to pay to participate
 - one or more prizes are allocated to one or more members of a class
 - the prizes are allocated by a process which relies wholly on chance.
- 23.3 An arrangement is a complex lottery if:
- persons are required to pay to participate
 - one or more prizes are allocated to one or more members of a class
 - the prizes are allocated by a series of processes
 - the first of those processes relies wholly on chance.
- 23.4 The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:
- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences

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- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.
- 23.5 The Licensing Authority is responsible for the registration of societies for the purpose of carrying on “small society lotteries.” Information on other forms of exempt lotteries is available from the Gambling Commission website.
- 23.6 The Licensing Authority defines ‘society’ as the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and needs to understand the purposes for which a society has been established in ensuring that it is a non-commercial organisation.
- 23.7 Section 19 of the Act defines a society as such if it is established and conducted:
- for charitable purposes, as defined in s.2 of the Charities Act 2006
 - for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
 - for any other non-commercial purpose other than that of private gain.
- 23.8 It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in section 19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Registration Applications

- 23.9 The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Licensing Authority believes that a society’s principal office is situated in another area, it will inform the society and the other Licensing Authority as soon as possible.
- 23.10 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application.
- 23.11 If there is any doubt as to the status of a society that makes application for registration to carry on small society lotteries, the Licensing Authority may require the society to provide documentary evidence in support of their application. The types of evidence that may be required include, but are not restricted to:
- A list of the members of the society
 - The society’s constitution or a similar document setting out the aims and objectives of the society and its governance arrangements
 - A written declaration from the applicant stating that they represent a *bona fide* non-commercial society.

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- 23.12 The Licensing Authority shall refuse an application for registration if in the period of five years ending with the date of the application—
- an operating licence held by the applicant for registration has been revoked under section 119(1) of the Act, or
 - an application for an operating licence made by the applicant for registration has been refused.
- 23.13 The Licensing Authority may refuse an application for registration if they think that—
- the applicant is not a non-commercial society,
 - a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or
 - information provided in or with the application for registration is false or misleading.
- 23.14 The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations at a formal hearing. If the Licensing Authority is minded to refuse registration, it will inform the society of the reasons why it is minded to do so and provide it with an outline of the evidence on which it has reached that preliminary conclusion, in order to enable representations to be made.
- 23.15 Any representations received will be considered at a formal hearing and the following principles will be applied when reaching a decision:
- Whether allowing the registration of the society would be consistent with the Act
 - Whether allowing the registration of the society would be consistent with the promotion of the licensing objectives
 - Whether allowing the registration of the society would be consistent with any relevant code of practise issued by the Gambling Commission

Promotion of small society lotteries once registered

- 23.16 Participation in a lottery is a form of gambling, and as such the Licensing Authority requires societies that it registers to conduct their lotteries in a socially responsible manner and in accordance with the Act.
- 23.17 The Act requires that lottery tickets may only be sold by persons that are aged 16 or over to persons that are aged 16 or over.
- 23.18 As the minimum age for participation in a lottery is 16, the Licensing Authority expects those societies that it registers to have effective procedures to minimise the risk of lottery tickets being sold to children, including procedures for:
- checking the age of apparently underage purchasers of lottery tickets
 - taking action where there are unlawful attempts to purchase tickets.

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- 23.19 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:
- the name of the promoting society
 - the price of the ticket, which must be the same for all tickets
 - the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the external lottery manager (ELM)
 - the date of the draw, or information which enables the date to be determined.
- 23.20 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.
- 23.21 The Licensing Authority expects all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw.
- 23.22 With regards to where small society lottery tickets may be sold, the Licensing Authority applies the following criteria to all small society lottery operators:
- 23.23 Lottery tickets must not be sold to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.
- 23.24 This approach is consistent with the operating licence conditions imposed upon operators of large society lotteries and local authority lotteries.

Financial Returns

- 23.25 As the purpose of permitted lotteries is to raise money for non-commercial causes, the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.
- 23.26 The limits are as follows:
- at least 20% of the lottery proceeds must be applied to the purposes of the society
 - no single prize may be worth more than £25,000
 - rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000
 - every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed

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23.27 The Act sets out the information that the promoting society of a small society lottery must send as returns to the licensing authority with which it is registered, following each lottery held. This information allows the Licensing Authority to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose.

23.28 The following information must be submitted:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

23.29 The Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratch cards) within three months of the last date on which tickets were on sale
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

23.30 The Licensing Authority allows for returns to be sent to them both electronically and manually. The form of returns required can be downloaded from the Licensing Authority's website.

23.31 Where societies run more than one lottery in a calendar year, the Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales.

23.32 The Licensing Authority will notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications will be copied to the society in question.

Revocation of a registration

23.33 The Licensing Authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time.

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23.34 Revocations cannot take place unless the society has been given an opportunity to make representations at a hearing. In preparation for this, the Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion.

23.35 Any representations received will be considered at a formal hearing and the following principles will be applied when reaching a decision:

- Whether allowing the registration of the society to continue would be consistent with the Act
- Whether allowing the registration of the society to continue would be consistent with the promotion of the licensing objectives
- Whether allowing the registration of the society to continue would be consistent with any relevant code of practise issued by the Gambling Commission.

24. Exchange of Information

24.1 To ensure the licensing objectives are met, the Licensing Authority will establish a close working relationship with the Police, the Gambling Commission and, where appropriate, other responsible authorities.

24.2 Subject to the provisions of relevant data protection legislation, the Licensing Authority will share any information it receives through the application process with the Gambling Commission, and any relevant responsible authority. In doing so the Licensing Authority will have regard to the Act itself, any guidance issued by the Commission and to any Regulations issued by the Secretary of State.

24.3 The Licensing Authority is committed to being open about what it does and how it comes to a decision, in accordance with the spirit of the Freedom of Information Act 2000 (FOIA). An important feature of the FOIA is the requirement for each public authority to produce a publication scheme setting out what information it will publish as a matter of course, how and when it will be published, and whether this information will be free of charge or on payment.

24.4 Individual requests should be made in writing via the Council's website foi@wyreforestdc.gov.uk.

24.5 Unless restricted by the Gambling Act, details about applications, licences and representations will be made available in our public register. Representations that we accept will be copied in their entirety to applicants, to provide an opportunity for mediation and to ensure that the rights of the applicant are not compromised.

25. Enforcement Protocols

25.1 The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling

Agenda Item No. 5 – Appendix 3

Commission will be the enforcement body for the Operator and Personal Licences and will also take the lead role on the investigation and where appropriate, the prosecution of illegal gambling. Any concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

- 25.2 The Licensing Authority will work with the Commission, the Police and other enforcing authorities, having regard to any specific guidance produced by the Gambling Commission, relevant codes of practice, the licensing objectives and this statement of principles, to provide for the targeting of agreed problem or high-risk premises. A lighter touch will be applied to those premises which are shown to be well managed and maintained.
- 25.3 The overall aim is to permit the use of premises for gambling. With that in mind it is intended that action will generally be taken against 'problem' premises through the licence review process.
- 25.4 We will also have regard to the Regulators' Code whilst carrying out our regulatory functions.
- 25.5 The Licensing Authority will endeavour to be proportionate, accountable, consistent, transparent and targeted, as well as avoiding duplication with other regulatory regimes so far as possible.
- 25.6 In order to ensure compliance with the law, the Licensing Authority will prepare a risk-based Inspection Programme and will carry out regular 'routine' day time programmed inspections, based on risk assessment in the categories high, medium and low and will also carry out 'non-routine' evening programmed inspections. Where a one-off event takes place under a temporary use notice or occasional use notice, the Licensing Authority may also carry out inspections to ensure the licensing objectives are being promoted.
- 25.7 High-risk premises are those premises that have a history of complaints and require greater attention with low risk premises needing only a lighter touch so that resources are effectively concentrated on problem premises.

26. Reviews

- 26.1 A request for a review of a premises licence can be made by interested parties or responsible authorities, however, the Licensing Authority will decide if the review is to be carried out on the basis of the following:
- In accordance with any relevant Code of Practice and/or guidance issued by the Gambling Commission
 - Consistent with the licensing objectives
 - In accordance with the statement of principles
- 26.2 The Licensing Authority will also consider whether or not the request for a review is frivolous, vexatious, or repetitious or whether it would wish to alter/revoke or suspend the licence.

Agenda Item No. 5 – Appendix 3

- 26.3 The Licensing Authority can also initiate a review of a premises licence on the basis of any reason which it thinks is appropriate, including if 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.
- 26.4 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 the statutory consultation period. The purpose of the review will be to determine whether it should take any action in relation to the licence. The options available are:
- add, remove or amend a licence condition;
 - remove or amend a default condition, such as opening hours;
 - suspend the premises licence for a period not exceeding 3 months; or
 - revoke the licence.

Appendix A

Scheme of Delegation

The Licensing Authority is responsible for making licensing decisions but may delegate some of its powers to authorised officers. The table shows how it is proposed decisions will be made.

Matter to be dealt with	Full Council	Licensing Sub-Committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (where appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations have been received or representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations have been received or representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations have been received or 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 have been made or objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Appendix B

List of Consultees

Chief Officer of West Mercia Police

Gambling Commission

All Other Responsible Authorities Identified in the Gambling Act 2005

Worcestershire Safeguarding Children Partnership

Director of Public Health

District Councillors

Town Council's

Parish Councils

Holders of Premises Licences issued by the Council under the Gambling Act 2005

Gambling Trade Associations:

Betting and Gaming Council

Bacta

Bingo Association

Lotteries Council

Hospice Lotteries Association

Organisations working with those who have a gambling problem:

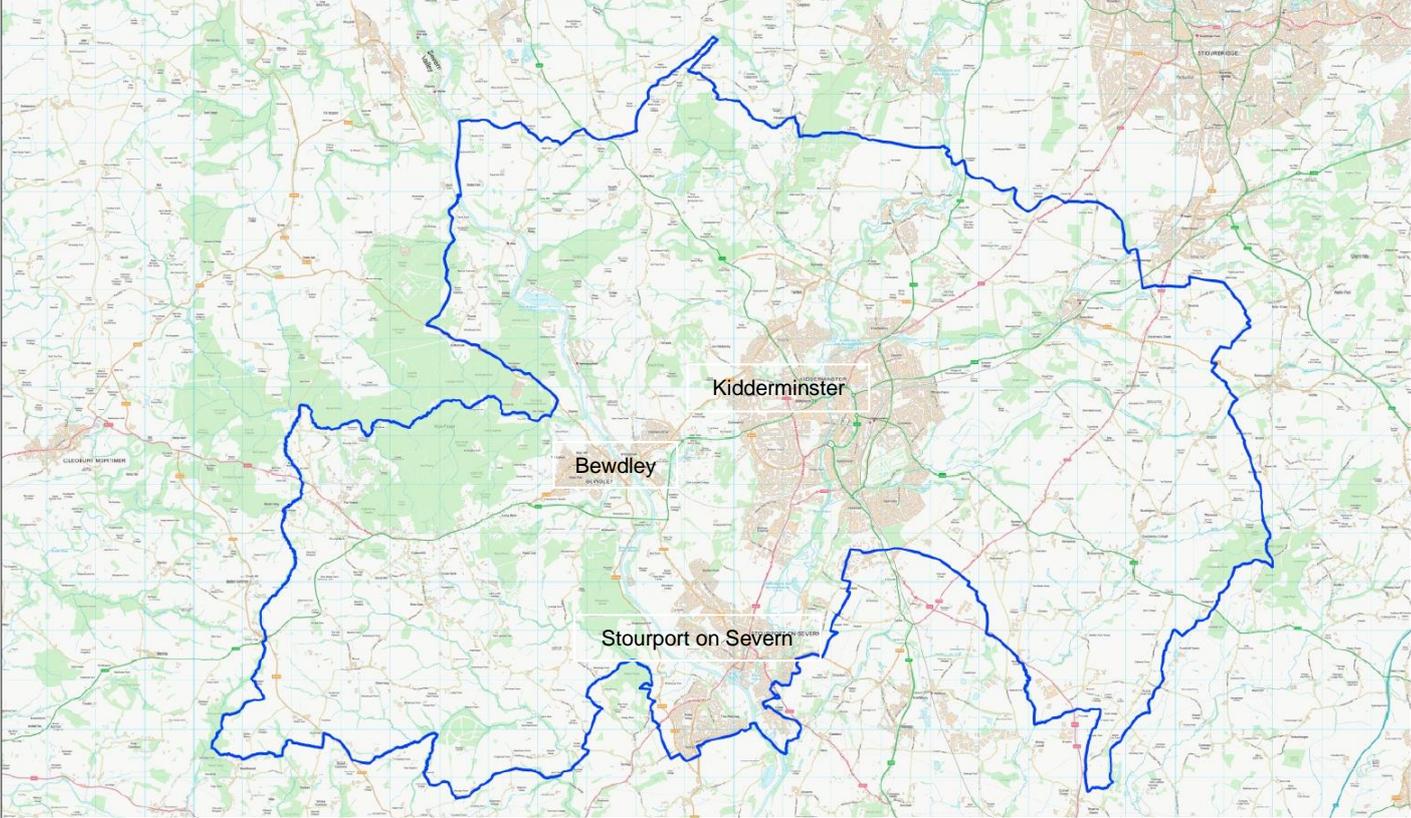
GamCare

Gamblers Anonymous

GambleAware

Gordon Moody Association

Wyre Forest District Map



WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

6th December 2021

Review of Fees and Charges for the Council's Licensing and Regulatory Services Function 2022/23.

OPEN	
DIRECTOR:	Head of Worcestershire Regulatory Services on behalf of Wyre Forest District Council
CONTACT OFFICER:	Niall McMenamin – 01905 822799 niall.mcmenamin@worcsregservices.gov.uk
APPENDICES:	Appendix 1 – Licensing and Regulatory Services - Income Service Options

1. PURPOSE OF REPORT

- 1.1 To inform Members of the recent review of the Council's Licensing and Regulatory Services Function fees and charges for the financial year 2022/23.

2. RECOMMENDATION

The Committee is asked to:

- 2.1 **Note the contents of this report, in particular the draft Licensing & Environmental Health fees and charges for 2022/23 at Appendix 1, and**
- 2.2 **Resolves to recommend to Council that the proposals for fees and charges within the Council's Licensing, Food, Health, Safety and Pollution Control functions for 2022/23, as detailed in the report, be included in the Council's 2022/23 budget strategy.**

3. BACKGROUND

- 3.1 As part of the legal agreement established with the formation of Worcestershire Regulatory Services, licensing remains a reserved matter. As a reserved matter all policy decisions, as well as income and fee setting remain the responsibility of the council.
- 3.2 It is the role of the council to review and set its licensing fees and charges on an annual basis. Worcestershire Regulatory Services Licensing and Support Services Manager, works closely with the Corporate Director of Economic Prosperity and Place, and the council's Finance Officers in establishing accurate details, regarding working towards the full cost recovery of the licensing service in relation to the relevant Cost Centres.

- 3.3 This annual review of licensing fees and charges has now taken place by the Licensing Manager, the Corporate Director (Economic Prosperity and Place) and the council's Finance Officers. A copy of the proposed Licensing & Environmental Health fees and charges for 2022/23 is attached at "**Appendix 1**".

4. KEY ISSUES

- 4.1 The review has resulted in a proposal not to increase to the Council's licensing, fees and charges for the next financial year 2022/23. This fee structure is based on full recovery of costs.
- 4.2 Members should note that Alcohol and Entertainment (Licensing Act 2003) licensing fees are set nationally by Central Government and therefore are not under the control of the Licensing and Environment Committee.
- 4.3 Taxi licensing fees and charges must remain broadly cost neutral and the proposed fees reflect this from the financial details of the income generated.
- 4.4 All other licensing functions such as gambling, street trading, street amenity and scrap metal licensing must also remain cost neutral and the proposed fees reflect this from the financial details of the income generated.
- 4.5 There has however been a need to increase certain fees in relation to the Council's "Control of Dogs" function, these are shown in the council's stray dog service fees and charges and have been increased on a full cost recovery basis. There has also been a need to introduce a new set of charges in relation to Commercial Animal Services.

5. FINANCIAL IMPLICATIONS

- 5.1 It is proposed that there will be no increase to the Council's licensing fees and charges for the next financial year. There is a proposal to increase the Council's Dog Control functions fees and charges in order to better reflect the cost of the service. A list of the proposed fees and charges for the Council's Licensing, Food, Health, Safety, Pollution Control and Dog Control functions is attached at "**Appendix 1**".
- 5.2 The budget forecast details the cost versus income for licensing and the costs are based on 2020//2021, as no detailed figures are available for the current financial year.
- 5.3 The Council needs to ensure that its licensing fees and charges recover their costs in delivering the relevant service, but do not make a profit.
- 5.4 The budget forecast for 2022/23 excluding those statutory fees which are set by Central Government, show that no projected surplus will be made in respect of the activities whose fees are listed in the proposed fees and charges sheet attached at "**Appendix 1**".

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There is no statutory duty on the Council to consult when setting or revising licensing fees, with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences.
- 6.2 As the proposal being put forward is not to increase the fees and charges in respect of the hackney carriage, private hire vehicles and operators licences for 2022/23, there is no requirement to consult on or publicly advertise amended fees.
- 6.3 The agreed income to be generated by the proposed licence fees and charges is in line with the current policy and legislative restrictions. The Council is not projected to make any surplus on the licensing activities for which the proposed fees are being put forward for the forthcoming year.

7. RISK MANAGEMENT

- 7.1 There is a risk that the Council's Regulatory Services Licensing fees and charges could be challenged. To minimise this risk the fees and charges must be designed to meet, but not exceed the cost the Council reasonably believes will be incurred in issuing of licences and the administration of the service.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 There are no equality impact assessment issues arising from this report.

9. CONCLUSION

- 9.1 The fees and charges are non-profit making and Cost Centres will reflect the operation of the service.

10. CONSULTEES

- 10.1 Solicitor to the Council, Legal Services.

11. BACKGROUND PAPERS

- 11.1 None.



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Pollution Control			
LAPPC CHARGES			
Application Fee			
Standard process (includes solvent emission activities)	1,650.00	1,650.00	No VAT currently charged
Additional fee for operating without a permit	1,188.00	1,188.00	No VAT currently charged
PVRI, SWOBs and Dry Cleaners	155.00	155.00	No VAT currently charged
PVR I and II combined	257.00	257.00	No VAT currently charged
VRs and other Reduced Fee Activities	362.00	362.00	No VAT currently charged
Reduced fee activities: Additional fee for operating without a permit	99.00	99.00	No VAT currently charged
Mobile plant	1,650.00	1,650.00	No VAT currently charged
for the third to seventh applications	985.00	985.00	No VAT currently charged
for the eighth and subsequent applications	498.00	498.00	No VAT currently charged
Where an application for any of the above is for a combined Part B and waste application, add an extra £310 to the above amounts			
Annual Subsistence Charge			
Standard process - Low	739.00 (+99.00)*	739.00 (+99.00)*	No VAT currently charged
Standard process - Medium	1,111.00 (+149.00)*	1,111.00 (+149.00)*	No VAT currently charged
Standard process - High	1,672.00 (+198.00)*	1,672.00 (+198.00)*	No VAT currently charged
PVRI, SWOBs and Dry Cleaners - Low	79.00	79.00	No VAT currently charged
PVRI, SWOBs and Dry Cleaners - Medium	158.00	158.00	No VAT currently charged
PVRI, SWOBs and Dry Cleaners - High	237.00	237.00	No VAT currently charged
PVR I and II combined - Low	113.00	113.00	No VAT currently charged
PVR I and II combined - Medium	226.00	226.00	No VAT currently charged
PVR I and II combined - High	341.00	341.00	No VAT currently charged
VRs and other Reduced Fees - Low	228.00	228.00	No VAT currently charged
VRs and other Reduced Fees - Medium	365.00	365.00	No VAT currently charged
VRs and other Reduced Fees - High	548.00	548.00	No VAT currently charged
Mobile plant, for first and second permits - Low**	646.00	646.00	No VAT currently charged
Mobile plant, for first and second permits - Medium**	1,034.00	1,034.00	No VAT currently charged
Mobile plant, for first and second permits - High**	1,506.00	1,506.00	No VAT currently charged
for the third to seventh permits - Low	385.00	385.00	No VAT currently charged
for the third to seventh permits - Medium	617.00	617.00	No VAT currently charged
for the third to seventh permits - High	924.00	924.00	No VAT currently charged
eighth and subsequent permits - Low	198.00	198.00	No VAT currently charged
eighth and subsequent permits - Medium	316.00	316.00	No VAT currently charged
eighth and subsequent permits - High	473.00	473.00	No VAT currently charged
Late payment Fee	52.00	52.00	No VAT currently charged
Where a Part B installation is subject to reporting under the E-PRTR Regulation, add an extra £103 to the above amounts			
Transfer and Surrender			
Standard process transfer	169.00	169.00	No VAT currently charged
Standard process partial transfer	497.00	497.00	No VAT currently charged
New operator at low risk reduced fee activity (extra one-off subsistence charge - see Art 15(2) of charging scheme)	78.00	78.00	No VAT currently charged
Surrender: all Part B activities	0.00	0.00	No VAT currently charged
Reduced fee activities: transfer	0.00	0.00	No VAT currently charged
Reduced fee activities: partial transfer	47.00	47.00	No VAT currently charged
Temporary transfer for mobiles			
First transfer	53.00	53.00	No VAT currently charged
Repeat following enforcement or warning	53.00	53.00	No VAT currently charged
Substantial Change			
Standard process	1,050.00	1,050.00	No VAT currently charged
Standard process where the substantial change results in a new PPC activity	1,650.00	1,650.00	No VAT currently charged
Reduced fee activities	102.00	102.00	No VAT currently charged



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Pollution Control			
LAPPC Mobile Plant Charges (not using simplified permits)			
First and second permits - Application Fee	1,650.00	1,650.00	No VAT currently charged
First and Second permits - Subsistence Fee - Low	646.00	646.00	No VAT currently charged
First and second permits - Subsistence Fee - Medium	1,034.00	1,034.00	No VAT currently charged
First and second permits - Subsistence Fee - High	1,506.00	1,506.00	No VAT currently charged
For the third to seventh permits - Application Fee	985.00	985.00	No VAT currently charged
For the third to seventh permits - Subsistence Fee - Low	385.00	385.00	No VAT currently charged
For the third to seventh permits - Subsistence Fee - Medium	617.00	617.00	No VAT currently charged
For the third to seventh permits - Subsistence Fee - High	924.00	924.00	No VAT currently charged
Eighth and subsequent permits - Application Fee	498.00	498.00	No VAT currently charged
Eighth and subsequent permits - Subsistence Fee - Low	198.00	198.00	No VAT currently charged
Eighth and subsequent permits - Subsistence Fee - Medium	316.00	316.00	No VAT currently charged
Eighth and subsequent permits - Subsistence Fee - High	473.00	473.00	No VAT currently charged
LA-IPPC CHARGES			
Note: every subsistence charge below includes the additional £103 charge to cover LA extra costs in dealing with reporting under the E-PRTR Regulation.			
Application	3,363.00	3,363.00	No VAT currently charged
Additional Fee for operating without a permit	1,188.00	1,188.00	No VAT currently charged
Annual Subsistence - Low	1,446.00	1,446.00	No VAT currently charged
Annual Subsistence - Medium	1,610.00	1,610.00	No VAT currently charged
Annual Subsistence - High	2,333.00	2,333.00	No VAT currently charged
Late Payment Fee	52.00	52.00	No VAT currently charged
Substantial Variation	202.00	202.00	No VAT currently charged
Transfer	235.00	235.00	No VAT currently charged
Partial Transfer	698.00	698.00	No VAT currently charged
Surrender	698.00	698.00	No VAT currently charged
Environmental Information Regulations request			
Where request relates to 'contamination of the land' charge applied to local	45.00	46.00	No VAT currently charged

NOTES:

* The additional amounts in brackets must be charged where a permit is for a combined Part B and waste installation
 ** Not using simplified permits

LA-IPPC Charges

KEY

Subsistence charges can be paid in 4 equal quarterly instalments paid on 1st April, 1st July, 1st October and 1st January. Where paid quarterly the total amount payable to the local authority will be increased by £38.

Reduced fee activities are listed in the Schedule to the Part B scheme.

Newspaper Advertisements

Newspaper adverts may be required under EPR at the discretion of the LA as part of the consultation process when considering an application (see Chapter 9 of the General Guidance Manual). This will be undertaken and paid for by the LA and the charging scheme contains a provision for the LA to recoup its costs.

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Gambling Permits - Statutory Fee Set By Central Government			
Club Gaming			
New Application	200.00	200.00	No VAT currently charged
Renewal Application	200.00	200.00	No VAT currently charged
Grant (Club Premises Cert Holder)	100.00	100.00	No VAT currently charged
Renewal (Club Premises Cert Holder)	100.00	100.00	No VAT currently charged
Annual Fee	50.00	50.00	No VAT currently charged
Change of Name	100.00	100.00	No VAT currently charged
Copy of Permit	15.00	15.00	No VAT currently charged
Existing Operator	100.00	100.00	No VAT currently charged
Club Gaming Machine			
New Application	200.00	200.00	No VAT currently charged
Renewal Application	200.00	200.00	No VAT currently charged
Grant (Club Premises Cert Holder)	100.00	100.00	No VAT currently charged
Renewal (Club Premises Cert Holder)	100.00	100.00	No VAT currently charged
Annual Fee	50.00	50.00	No VAT currently charged
Variation of Permit	100.00	100.00	No VAT currently charged
Change of Name	25.00	25.00	No VAT currently charged
Copy of Permit	15.00	15.00	No VAT currently charged
Existing Operator	100.00	100.00	No VAT currently charged
Transfer of Permit	25.00	25.00	No VAT currently charged
Prize Gaming			
New Application	300.00	300.00	No VAT currently charged
Renewal Application	300.00	300.00	No VAT currently charged
Transitional Application Fee	100.00	100.00	No VAT currently charged
Change of Name	25.00	25.00	No VAT currently charged
Copy of Permit	15.00	15.00	No VAT currently charged
Existing Operator	100.00	100.00	No VAT currently charged
Family Entertainment Gaming Machines			
New Application	300.00	300.00	No VAT currently charged
Renewal Application	300.00	300.00	No VAT currently charged
Change of Name	25.00	25.00	No VAT currently charged
Copy of Licence	15.00	15.00	No VAT currently charged
Existing Operator	100.00	100.00	No VAT currently charged
Licensed Premises less than 2 Gaming Machines			
New Application	50.00	50.00	No VAT currently charged
Licensed Premises more than 2 Gaming Machines			
New Application	150.00	150.00	No VAT currently charged
Annual Fee	50.00	50.00	No VAT currently charged
Change of Name	25.00	25.00	No VAT currently charged
Copy of Permit	15.00	15.00	No VAT currently charged
Existing Operator	100.00	100.00	No VAT currently charged
Transfer of Permit	25.00	25.00	No VAT currently charged
Variation of Permit	100.00	100.00	No VAT currently charged
Small Society Lottery			
Lottery Application (New)	40.00	40.00	No VAT currently charged
Lottery Application (Renewal)	20.00	20.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Gambling Premises License Fees - Statutory Fee Set By Central Government			
Notification of Change			
Adult Gaming Centre	50.00	50.00	No VAT currently charged
Betting Premises (excluding Tracks)	50.00	50.00	No VAT currently charged
Betting Premises (Tracks)	50.00	50.00	No VAT currently charged
Bingo Club	50.00	50.00	No VAT currently charged
Family Entertainment Centre	50.00	50.00	No VAT currently charged
Copy of Licence			
Adult Gaming Centre	25.00	25.00	No VAT currently charged
Betting Premises (excluding tracks)	25.00	25.00	No VAT currently charged
Betting Premises (tracks)	25.00	25.00	No VAT currently charged
Bingo Premise	25.00	25.00	No VAT currently charged
Family Entertainment Centre	25.00	25.00	No VAT currently charged
Copy of Notice			
Temporary Use Notices	25.00	25.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
Licensing Act 2003 - Statutory Fee Set By Central Government	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Club Premise Certificate (New & Variation)			
Band A - (rateable value £0 to £4,300)	100.00	100.00	No VAT currently charged
Band B - (rateable value £4,301 to £33,000)	190.00	190.00	No VAT currently charged
Band C - (rateable value £33,001 to £87,000)	315.00	315.00	No VAT currently charged
Band D - (rateable value £87,001 to £125,000)	450.00	450.00	No VAT currently charged
Band E - (rateable value over £125,000)	635.00	635.00	No VAT currently charged
Club Premises Certificate Annual Fee			
Band A - (rateable value £0 to £4,300)	70.00	70.00	No VAT currently charged
Band B - (rateable value £4,301 to £33,000)	180.00	180.00	No VAT currently charged
Band C - (rateable value £33,001 to £87,000)	295.00	295.00	No VAT currently charged
Band D - (rateable value £87,001 to £125,000)	320.00	320.00	No VAT currently charged
Band E - (rateable value over £125,000)	350.00	350.00	No VAT currently charged
Copy of Certificate	10.50	10.50	No VAT currently charged
Notification of change of name or alteration of club rules	10.50	10.50	No VAT currently charged
Change of relevant registered address of club	10.50	10.50	No VAT currently charged
Personal Licence			
Application	37.00	37.00	No VAT currently charged
Copy	10.50	10.50	No VAT currently charged
Premises Licence Application and Variation			
Band A - (rateable value £0 to £4,300)	100.00	100.00	No VAT currently charged
Band B - (rateable value £4,301 to £33,000)	190.00	190.00	No VAT currently charged
Band C - (rateable value £33,001 to £87,000)	315.00	315.00	No VAT currently charged
Band D - (rateable value £87,001 to £125,000)	450.00	450.00	No VAT currently charged
Band E - (rateable value over £125,000)	635.00	635.00	No VAT currently charged
Dx2	900.00	900.00	No VAT currently charged
Ex3	1,905.00	1,905.00	No VAT currently charged
Application for making of a provisional statement	315.00	315.00	No VAT currently charged
	10.50	10.50	No VAT currently charged
Vary a Designated Premises Supervisor	23.00	23.00	No VAT currently charged
Transfer a Premises Licence	23.00	23.00	No VAT currently charged
Notification of Interest in a Premises	21.00	21.00	No VAT currently charged
Notification of Change of name or address (holder of premises licence)	10.50	10.50	No VAT currently charged
Interim authority notice following death etc of Licence Holder	23.00	23.00	No VAT currently charged
Right of freeholder etc to be notified of licensing matters	21.00	21.00	No VAT currently charged
Premises Licence Annual Fee			
Band A - (rateable value £0 to £4,300)	70.00	70.00	No VAT currently charged
Band B - (rateable value £4,301 to £33,000)	180.00	180.00	No VAT currently charged
Band C - (rateable value £33,001 to £87,000)	295.00	295.00	No VAT currently charged
Band D - (rateable value £87,001 to £125,000)	320.00	320.00	No VAT currently charged
Band E - (rateable value over £125,000)	350.00	350.00	No VAT currently charged
Dx2	640.00	640.00	No VAT currently charged
Ex3	1,050.00	1,050.00	No VAT currently charged
Temporary Events Notice			
Temporary Events Notice	21.00	21.00	No VAT currently charged
Copy of Temporary Events Notice	10.50	10.50	No VAT currently charged
Premises Licence Annual Fee - Large Venues			
Number of Persons Present :-			
5,000 to 9,999	500.00	500.00	No VAT currently charged
10,000 to 14,999	1,000.00	1,000.00	No VAT currently charged
15,000 to 19,999	2,000.00	2,000.00	No VAT currently charged
20,000 to 29,999	4,000.00	4,000.00	No VAT currently charged
30,000 to 39,999	8,000.00	8,000.00	No VAT currently charged
40,000 to 49,999	12,000.00	12,000.00	No VAT currently charged
50,000 to 59,999	16,000.00	16,000.00	No VAT currently charged
60,000 to 69,999	20,000.00	20,000.00	No VAT currently charged
70,000 to 79,999	24,000.00	24,000.00	No VAT currently charged
80,000 to 89,999	28,000.00	28,000.00	No VAT currently charged
90,000 and over	32,000.00	32,000.00	No VAT currently charged
Premises Licence Additional Fee - Large Venues			



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Licensing Act 2003 - Statutory Fee Set By Central Government			
Number of Persons Present :-			
5,000 to 9,999	1,000.00	1,000.00	No VAT currently charged
10,000 to 14,999	2,000.00	2,000.00	No VAT currently charged
15,000 to 19,999	4,000.00	4,000.00	No VAT currently charged
20,000 to 29,999	8,000.00	8,000.00	No VAT currently charged
30,000 to 39,999	16,000.00	16,000.00	No VAT currently charged
40,000 to 49,999	24,000.00	24,000.00	No VAT currently charged
50,000 to 59,999	32,000.00	32,000.00	No VAT currently charged
60,000 to 69,999	40,000.00	40,000.00	No VAT currently charged
70,000 to 79,999	48,000.00	48,000.00	No VAT currently charged
80,000 to 89,999	56,000.00	56,000.00	No VAT currently charged
90,000 and over	64,000.00	64,000.00	No VAT currently charged
Minor Variation	89.00	89.00	No VAT currently charged
Pavement Licence			
Every 6 Months	100.00	100.00	No VAT currently charged

NOTES:

* A multiplier of twice the fee and annual charge applies where use of the premises is exclusively or primarily for the carrying on, on the premises of the supply of alcohol for consumption on the premises.
 ** A multiplier of three times the fee and annual charge applies where use of the premises is exclusively or primarily for the carrying on, on the premises of the supply of alcohol for consumption on the premises.
 Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge TO 31-03-2022 £ Charges inclusive of VAT (if applicable)	Proposed Charge FROM 01-04-2022 £ Charges before VAT	Proposed Charge FROM 01-04-2022 £ Charges inclusive of VAT (if applicable)
Water Sampling and Analysis Charges - Fees Recommended By Worcestershire Regulatory Services			
POLLUTION CONTROL			
Water Sampling Charges			
The Regulations allow local authorities to charge a fee, to enable reasonable costs of services (lab fees etc) to be recovered			
Proposed Fees and Charges			
Risk Assessment	55.00 per hour	56.00 per hour	No VAT currently charged
Sampling (each visit)	55.00 per hour	56.00 per hour	No VAT currently charged
Investigation	55.00 per hour	56.00 per hour	No VAT currently charged
Analysing a sample			
taken under regulation 10 (small supplies)	lab analysis cost	lab analysis cost	No VAT currently charged
(Plus extra lab costs for additional parameters where required)			
taken during monitoring for Group A parameters	lab analysis cost	lab analysis cost	No VAT currently charged
taken during audit monitoring	lab analysis cost	lab analysis cost	No VAT currently charged

NOTES:

Where the request is made by the Owner/Occupier and the Authority is not the only service provider - VAT will be added.
 Where the authority instigates the testing under regulations i.e. Periodic tests, assessments - VAT is not applicable in this instance.
 Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Hackney Carriage/Private Hire Fees			
Hackney Carriage Vehicle (includes renewal plates and twice yearly vehicle inspections)	430.00	430.00	No VAT currently charged
Private Hire Vehicle (includes renewal plates and twice yearly vehicle inspections)	430.00	430.00	No VAT currently charged
Change of Business (Sell Car and Transfer Plate)	108.00	108.00	No VAT currently charged
Temporary Replacement HC & PH vehicle (excluding plates & decals)	107.00	107.00	No VAT currently charged
Initial or Replacement Licences/Plates (if lost or damaged)			
External Car Plate	50.00	50.00	No VAT currently charged
Internal (Executive Vehicles) Car Plate	22.00	22.00	No VAT currently charged
Vehicle Decals - Replacements	20.00	20.00	No VAT currently charged
Exemption Notice (Executive Vehicles)	30.00	30.00	No VAT currently charged
Vehicle Testing			
Vehicle Retest Fee (if re-tested within 48 hours of failure)	32.00	32.00	32.00
Vehicle Retest Fee (if re-tested after 48 hours of failure)	61.00	61.00	61.00
Hackney Carriage/Private Hire Drivers Licence (valid for 3 years)	426.00	426.00	No VAT currently charged
Disclosure and Barring Service check	64.00	64.00	No VAT currently charged
Drivers Badge	26.00	26.00	No VAT currently charged
Drivers' Knowledge Test	56.00	56.00	No VAT currently charged
Private Hire Operators (valid for 1 year)	477.00	477.00	No VAT currently charged
Private Hire Operators (valid for 5 years)	1,810.00	1,810.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Licensing and Registration - Animal Activity Licence			
Animal Activity Licence			
Animal Boarding, Dog Breeding, Pet Shops, Riding Establishments			
Application Fee	329.00	329.00	No VAT currently charged
1 Year Licence Fee	184.00	184.00	No VAT currently charged
2 Year Licence Fee	364.00	364.00	No VAT currently charged
3 Year Licence Fee	546.00	546.00	No VAT currently charged
Variation Fee	240.00	240.00	No VAT currently charged
Inspection Fee	163.00	163.00	No VAT currently charged
Vet Fees	Charged at Cost recovery	Charged at Cost recovery	
Animal Activity Licence			
Performing Animals (No Risk Assessment)			
Application Fee	219.00	219.00	No VAT currently charged
1 Year Licence Fee	N/A	N/A	No VAT currently charged
2 Year Licence Fee	N/A	N/A	No VAT currently charged
3 Year Licence Fee	300.00	300.00	No VAT currently charged
Variation Fee	158.00	158.00	No VAT currently charged
Inspection Fee	163.00	163.00	No VAT currently charged
Vet Fees	Charged at cost recovery	Charged at Cost recovery	

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Licensing and Registration			
Dangerous Wild Animals Initial	432.00	432.00	No VAT currently charged
Renewal	285.00	285.00	No VAT currently charged
Vet fees/Animal welfare visit (if applicable)			
Zoo Licences Initial	2,075.00	2,075.00	No VAT currently charged
	(plus Inspector's expenses)	(plus Inspector's expenses)	
Renewal	1,866.00	1,866.00	No VAT currently charged
	(plus Inspector's expenses)	(plus Inspector's expenses)	
Vet fees/Animal welfare visit (if applicable)	Charged at Cost	Charged at Cost	
Acupuncture, Tattooing, Electrolysis, Ear Piercing, Skin Piercing & Semi-Permanent Skin			
Colouring -			
Certificate of Registration: (a) Person	210.00	210.00	No VAT currently charged
(b) Premise	302.00	302.00	No VAT currently charged
(c) Persons & Premises	No Longer Available	No Longer Available	
Sex Establishments Initial	5,487.00	5,487.00	No VAT currently charged
Renewal	2,107.00	2,107.00	No VAT currently charged
Transfer	421.00	421.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Gambling Premises Licence Fees			
Gambling Premises Licence - New Application			
Adult Gaming Centre	1,765.00	1,765.00	No VAT currently charged
Betting Premises (excluding Tracks)	2,648.00	2,648.00	No VAT currently charged
Betting Premises (Tracks)	2,205.00	2,205.00	No VAT currently charged
Bingo Club	3,085.00	3,085.00	No VAT currently charged
Family Entertainment Centre	1,765.00	1,765.00	No VAT currently charged
Temporary Use Notices	449.00	449.00	No VAT currently charged
Gambling Premises Licence - Annual Fee			
Adult Gaming Centre	883.00	883.00	No VAT currently charged
Betting Premises (excluding Tracks)	530.00	530.00	No VAT currently charged
Betting Premises (Tracks)	883.00	883.00	No VAT currently charged
Bingo Club	883.00	883.00	No VAT currently charged
Family Entertainment Centre	660.00	660.00	No VAT currently charged
Provisional Statement Application			
Adult Gaming Centre	1,765.00	1,765.00	No VAT currently charged
Betting Premises (excluding Tracks)	2,648.00	2,648.00	No VAT currently charged
Betting Premises (Tracks)	2,205.00	2,205.00	No VAT currently charged
Bingo Club	3,085.00	3,085.00	No VAT currently charged
Family Entertainment Centre	1,765.00	1,765.00	No VAT currently charged
Licence Application (Provisional Statement Holders)			
Adult Gaming Centre	837.00	837.00	No VAT currently charged
Betting Premises (excluding Tracks)	1,061.00	1,061.00	No VAT currently charged
Betting Premises (Tracks)	837.00	837.00	No VAT currently charged
Bingo Club	1,061.00	1,061.00	No VAT currently charged
Family Entertainment Centre	837.00	837.00	No VAT currently charged
Application to Transfer			
Adult Gaming Centre	837.00	837.00	No VAT currently charged
Betting Premises (excluding Tracks)	1,061.00	1,061.00	No VAT currently charged
Betting Premises (Tracks)	837.00	837.00	No VAT currently charged
Bingo Club	1,061.00	1,061.00	No VAT currently charged
Family Entertainment Centre	837.00	837.00	No VAT currently charged
Application to Vary			
Adult Gaming Centre	883.00	883.00	No VAT currently charged
Betting Premises (excluding Tracks)	1,322.00	1,322.00	No VAT currently charged
Betting Premises (Tracks)	1,101.00	1,101.00	No VAT currently charged
Bingo Club	1,546.00	1,546.00	No VAT currently charged
Family Entertainment Centre	883.00	883.00	No VAT currently charged
Reinstatement of Licence			
Adult Gaming Centre	837.00	837.00	No VAT currently charged
Betting Premises (excluding Tracks)	1,061.00	1,061.00	No VAT currently charged
Betting Premises (Tracks)	837.00	837.00	No VAT currently charged
Bingo Club	1,061.00	1,061.00	No VAT currently charged
Family Entertainment Centre	837.00	837.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Street Trading			
Single Unit up to 12 x 12 (max 5m length) Food - Initial	2,575.00	2,575.00	No VAT currently charged
- Renewal	2,450.00	2,450.00	No VAT currently charged
Single Unit up to 12 x 12 (max 5m length) Non-Food - Initial	2,145.00	2,145.00	No VAT currently charged
- Renewal	1,935.00	1,935.00	No VAT currently charged
For every additional 12 x 12 or part thereof or length more than 5m	1,060.00	1,060.00	No VAT currently charged
Mobile Traders - Initial	1,010.00	1,010.00	No VAT currently charged
Mobile Traders - Renewal	1,010.00	1,010.00	No VAT currently charged
Street Amenities (Control of Street Furniture)	405.00	405.00	No VAT currently charged

NOTES:

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Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Scrap Metal Dealers Act 2013 - Fees Recommended By Worcestershire Regulatory Services			
Site Licence - Initial (3 year licence)	296.00	296.00	No VAT currently charged
Site Licence - Renewal (3 year licence)	245.00	245.00	No VAT currently charged
Collectors Licence - Initial (3 year licence)	148.00	148.00	No VAT currently charged
Collectors Licence - Renewal (3 year licence)	97.00	97.00	No VAT currently charged
Variation of Licence	67.00	67.00	No VAT currently charged
Copy of licence (if lost or stolen)	26.00	26.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>



Service	Worcestershire Regulatory Services	Service Manager	Worcestershire Regulatory Services Officer
Directorate	Economic Prosperity & Place	Cabinet Member	Culture, Leisure and Community Protection

PROPOSAL OF SCALE OF FEES AND CHARGES

INCOME DESCRIPTION	Current Charge	Proposed Charge	Proposed Charge
	TO 31-03-2022	FROM 01-04-2022	FROM 01-04-2022
	£	£	£
	Charges inclusive of VAT (if applicable)	Charges before VAT	Charges inclusive of VAT (if applicable)
Control of Dogs - Fees Recommended By Worcestershire Regulatory Services			
Stray Dogs			
Statutory Fine per dog seized	25.00	25.00	No VAT currently charged
Kennelling charge per dog per day	15.00	17.00	No VAT currently charged
Kennelling of Dangerous Dogs charge per dog per day	25.00	25.00	No VAT currently charged
Administration Fee per stray dog seized	15.00	15.00	No VAT currently charged
Out of Hours Charge	40.00	45.00	No VAT currently charged
Repeat stray charge	30.00	40.00	No VAT currently charged
Treatment Costs (wormer, flea treatment)	10.00	10.00	No VAT currently charged
Vet fees/treatment charges (if applicable)	Charged at Cost	Charged at Cost	
Return charge (during office hours when resource available)		40.00	No VAT currently charged
Commercial Animal Services			
Dog Training Facility Welfare Assessment Check (upon request)	45.00	168.00	No VAT currently charged
Dog Kennelling per dog per day (excluding any hospitalisation)	17.00	19.00	No VAT currently charged
Dog Kennelling of dangerous dogs per dog per day (excluding any hospitalisation)	20.00	22.00	No VAT currently charged
Boarding of non-canine animals charges quoted at time	upon request	upon request	No VAT currently charged
Administration Charge	15.00	15.00	No VAT currently charged
Veterinary Fees including Hospitalisation	Charged at cost	Charged at cost	No VAT currently charged
Transportation charge to include Collection, transport to vets if required and return	40.00	40.00	No VAT currently charged
Transportation charge to include Collection, transport to vets if required and return	50.00	50.00	No VAT currently charged
Rehoming of animal	40.00	45.00	No VAT currently charged

NOTES:

Customers may be able to order and pay for some services online – please refer to <http://www.wyreforestdc.gov.uk>

**WYRE FOREST DISTRICT COUNCIL
LICENSING AND ENVIRONMENT COMMITTEE**

6TH DECEMBER 2021

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

CONSIDERATION OF THE GRANT OF A STREET TRADING CONSENT

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Emma Rhodes Technical Licensing Officer 01905822799 Emma.rhodes@worcsregservices.gov.uk
Ward(s) affected:	Areley Kings And Riverside
Appendices:	Appendix 1 – Application Form and supporting documents Appendix 2 – Representation from Stourport Town Council Appendix 3 – Guidance Notes on Street Trading In Wyre Forest

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for street trading consent to trade from the following site:

**Toll House Car Park
Dunley Road
Stourport On Severn
Worcestershire
DY13 0AA**

(Being a site that has not been designated a prohibited street for the purposes of street trading consent)

2. BACKGROUND

- 2.1 On 28 August 2021 an application was received from James Shakespeare, T/A The Bridge Catering Company Ltd for the grant of consent to sell hot and cold refreshments from a trailer, Monday to Saturday between the hours of 08:00 and 17:00.
- 2.2 As part of the application Mr Shakespeare has also provided documentation to show the land owner has given their consent for the business to trade from this site.
- 2.3 Once outstanding elements of the application had been received, details of the application were sent out on the 16 September 2021 to required consultees which are: Police, Worcestershire County Council Highways Partnership Unit Manager, Ward Councillors, the Parish or Town Council, Economic Regeneration & Tourism Manager, Development Control Manager, Operational Services Manager. Local businesses within the vicinity of the proposed site of operation were notified by post.
- 2.4 Confirmation to show the public notice was displayed accordingly was received on 23rd September 2021.

3. REPRESENTATIONS

- 3.1 One response to consultation on the application was received from Stourport Town Council via email on the grounds that grant of the consent for the site could compromise highway safety and make traffic congestion issues worse.
- 3.2 In their email representation, Stourport Town Council highlighted road safety concerns in the area due to access to the site being directly off the A451. Specific hazards include the bus stop and pedestrian crossing on the A451 and the proximity of the site to the new medical centre on Harold Davies Drive (due to open Spring 2022).
- 3.3 Please note, a copy of the application and supporting documents were sent to Highways and Police as part of the consultation procedure, however no response was received from them.

4. LOCAL POLICY CONSIDERATIONS

- 4.1 The Committee should have regard to the Council's Policy Statement on Street Trading (this is included in the Council's Guidance Notes on Street Trading in Wyre Forest, attached as Appendix 7).
- 4.2 The Council's Policy Statement on Street Trading is available to download from the Council's website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email wrsenquiries@worcsregservices.gov.uk

55. LEGAL IMPLICATIONS

- 5.1 The Committee is obliged to determine this application in accordance with the Local Government (Miscellaneous Provisions) Act, 1982.
- 5.2 In making its decision, the Committee is obliged to have regard to the underlying principles as set out in the street trading policy adopted by The Council.
- 5.3 The Committee must also consider the representations made and the evidence it hears.
- 5.4 The Committee should also have regard to the criteria for considering applications for street trading consents as set out in the street policy.
- 5.5 The Committee must take such of the following steps as it considers appropriate:
 - (a) Allow the consent to be granted
 - (b) Grant the consent with special conditions
 - (c) Refuse the application
- 5.6 The Committee may attach such conditions to it as they consider reasonably necessary, in order to prevent the following:
 - (a) obstruction of the street or danger to persons using it; or
 - (b) nuisance or annoyance (whether to persons using the street or otherwise).
- 5.7 A street trading consent shall not be granted:
 - (a) to a person under the age of 17 years; or
 - (b) for any trading in a highway to which a control order under section 7 of the Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply.
- 5.8 All parties to the hearing will be notified of the Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.9 There is no right of appeal in the case of refusals or against the application of conditions.
- 5.10 The hearing should be conducted in accordance with the agreed procedure.

6. FOR DECISION

- 6.1 The Committee must consider whether to grant or refuse the application made by the applicants.



APPLICATION FOR A STREET TRADING CONSENT

Type of Application

Grant of a new Street Trading Consent Renewal of an existing Street Trading Consent

Static (from a single site) Mobile (moving from one site to another)

Applicant Details

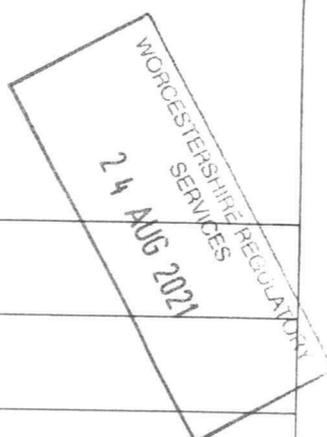
Name: JAMES SHAKESPEARE - THE BRIDGE CATERING COMPANY LTD.

Address: HOME:


Telephone Number:

Email:

I am registered as a Food Business Operator
 Yes Name of registering Council:
 No



When you want to trade

Hours (indicate the start and end of the hours you wish to trade):
 08:00 - 17:00

Days (indicate the days of the week you wish to trade):
 MON - SAT.

What you want to trade

Describe the articles you intend to sell
 SANDWICHES, BURGERS, HOT DOGS, CHIPS, JACKET POTATOS, HOT AND COLD BEVERAGES

Application for a Street Trading Consent - continued

Where you want to trade

Describe the location you wish to trade from. If this is a single site, you should include a map or plan of the site indicating the location. If you are applying for a mobile consent, you should indicate the streets and/or areas where you wish to operate.

MOBILE CONSENT - TOLL HOUSE CARPARK,
ADJACENT TO BRIDGE BOATYARD, DUNLEY RD
STOURPORT ON SEVERN, DY13 0AA AS SHOWN ON
ATTACHED SHEET

Details of your vehicle, stall and/or container

Describe the unit you will be using, including any registration number where appropriate, and its dimensions

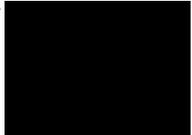
16 FT x 7 FT CATERING TRAILER, WHITE/CREAM
IN COLOUR AND WILL HAVE BRAND
NEW DECALS. VERY NICE LOOKING UNIT.

The vehicle is kept at the following address when not trading:

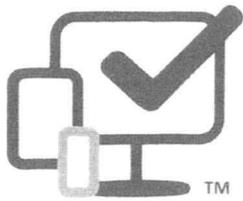
BRIDGE BOATYARD
DUNLEY RD
STOURPORT ON SEVERN
DY13 0AA .

I have enclosed the following documents		Please tick ✓
(a)	A colour photograph of the vehicle or unit	✓
(b)	Food Hygiene Training Certificates (for food retailers)	✓
(c)	Certificate of Inspection for Fire Extinguishers	✓
(d)	Certificate to show electrical installations have been tested and are safe	✓
(e)	Proof of Public Liability Insurance to 5 million pounds	✓
(f)	Consent fee (Cheque payable to Wyre Forest District Council)	✓

I understand that any vehicle should be inspected prior to the start of trading.
I am **aware** of the provisions of The Local Government (Miscellaneous Provisions) Act 1982 concerning street trading. The details contained in the application form and any attached documentation are correct to the best of my **knowledge** and belief.
I **understand** that the Council is under a duty to protect the public funds it administers and to this end may use the information I have provided on this form within this Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds, solely for these purposes.

SIGNATURE		DATE	18/8/21
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Please return to
Licensing Section, Wyre Forest House, Wyre Forest District Council, Finepoint Way, Kidderminster, DY11 7WF
Telephone 01905 822799



Vital Skills TM

.co.uk

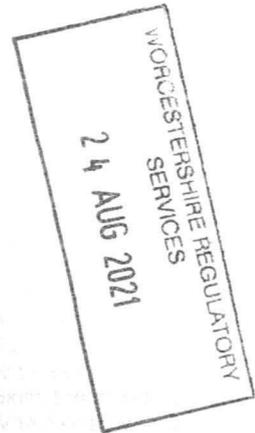
Certificate of completion

This is to certify that

James Shakespeare

has completed the course

Food Safety and Hygiene (Level 1) V3.0

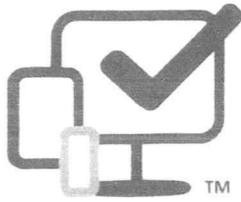


Certificate number: **i9PVWzLKKa**

Date completed: **20-07-2021**

Course provider: **Vital Skills is a trading name of HSQE Ltd**

T: 0333 733 1111 | E: info@hsqe.co.uk | W: www.hsqe.co.uk



Vital Skills TM

.co.uk

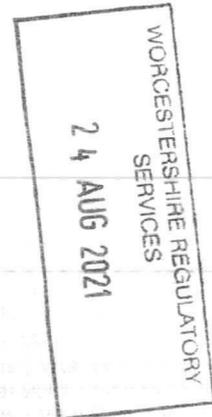
Certificate of completion

This is to certify that

James Shakespeare

has completed the course

Food Safety and Hygiene for Catering (Level 2) V3.0



Certificate number: ZhBhtFd06g

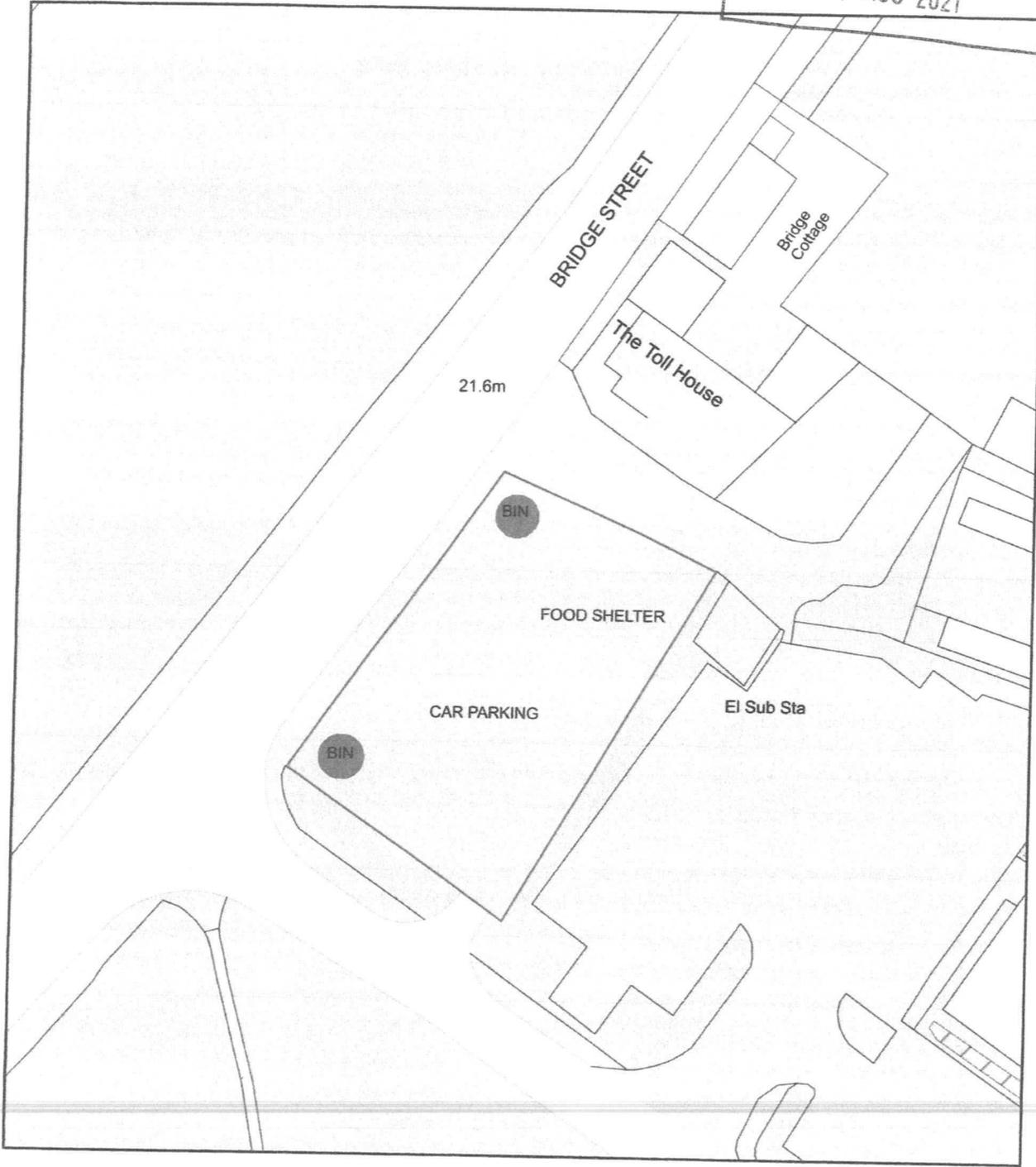
Date completed: 20-07-2021

Course provider: Vital Skills is a trading name of HSQE Ltd

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Toll House Carpark

WORCESTERSHIRE REGULATORY SERVICES
24 AUG 2021



Plan Produced for: **MATT KNOWLES**
 Date Produced: 24 Jun 2021
 Plan Reference Number: TQRQM21175234228730
 Scale: 1:500 @ A4

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Mobile / Transportable Unit Electrical Installation Condition Report

Requirements for Electrical Installations - BS 7671:2018 (IET Wiring Regulations 18th Edition)



The term 'unit' is intended to include a vehicle and/or transportable structure in which all or part of a low voltage electrical installation is contained, which is provided with a temporary supply by means of a plug and socket-outlet, for example. The units are either of the mobile type, such as self-propelled/towed vehicles, or of the transportable type, such as containers or cabins.

Examples of such units include:

Outside broadcast units as used in the entertainment industry. Medical services such as blood donor or mobile breast screening units. Advertising trucks and "roadshow" vehicles. Firefighting appliances. Mobile workshops. Modular office buildings and construction site huts. Transportable catering units and fast food vans.

1. The purpose of this condition report is to confirm, so far as reasonably practicable, whether or not the electrical installation is in a satisfactory condition for continued service (see Section E). The report should identify any damage, deterioration, defects and/or conditions which may give rise to danger (see Section K).
2. The person ordering the report should have received the original report and the inspector should have retained a duplicate.
3. The original report should be retained in a safe place and be made available to any person inspecting or undertaking work on the electrical installation in the future. If the Building/Unit is vacated or sold on, this report will provide the owner /occupier with details of the condition of the electrical installation at the time the report was issued.
4. Where the installation incorporates residual current devices (RCDs) there should be a notice at or near the devices stating that they should be tested 6 monthly.
For safety reasons it is important that these instructions are followed.
5. Section D (Extent and Limitations) should identify fully the extent of the electrical installation covered by this report and any limitations on the inspection and testing. The inspector should have agreed these aspects with the person ordering the report and with other interested parties (licensing authority, insurance company, mortgage/loan provider and the like) before the inspection was carried out.
6. Some operational limitations such as inability to gain access to parts of the installation or an item of equipment may have been encountered during the inspection. The inspector should have noted these in Section D.
7. For items classified in Section K as
C1 ("Danger Present"), the safety of those using the installation is at risk
It is recommended that a skilled person or persons competent in electrical installation work undertakes the necessary remedial work as a matter of urgency.
8. For items classified in Section K as
C1 ("Potentially Dangerous"), the safety of those using the installation may be at risk
It is recommended that a skilled person or persons competent in electrical installation work undertakes the necessary remedial work as a matter of urgency.
9. Where it has been stated in Section K that an observation requires further investigation code F1 the inspection has revealed an apparent deficiency which may result in a code C1 or C2 could not, due to the extent or limitations of this inspection, be fully identified. Such observations should be investigated as soon as possible. A further examination of the installation will be necessary, to determine the nature and extent of the apparent deficiency (see Section F).
10. For safety reasons, the electrical installation should be re-inspected at appropriate intervals by a skilled person or persons competent in such work. The recommended date by which the next inspection is due is stated in Section F of the Report under 'Recommendations' and on a label at or near to the consumer unit / distribution board.



Mobile / Transportable Unit Electrical Installation Condition Report

Requirements for Electrical Installations
BS 7671:2018 (IET Wiring Regulations 18th Edition)

NAV 2 7 7 6 9 0 0 0 0 1 1 5 6
MTU.EICR



A Details of the Installation

Client	James Shakespeare	Unit Description	Catering
Address	The Bridge Catering Company LTD [Redacted]	Unit Model	Concession Trailer
		Unit Registration No.	N/A
		V.I.N.	29227
		Manufacturer	Concession
Postcode	[Redacted]	Year Manufactured	2009

B Reason for producing this report *This form is to be used only for reporting on the condition of an existing installation.*

Change of ownership

Date(s) on which the inspection and testing were carried out 18/08/2021 to 18/08/2021

C Details of installation which is the subject of this report

Description of premises Commercial Industrial Other (please specify)

Estimated age of the wiring system 12 years

Evidence of alterations or addition Yes No Not apparent if 'Yes', estimated years

Records of installation available Yes No Records held by

Date of last inspection Not Known Electrical Installation Certificate No. or previous Inspection Report No.

D Extent of electrical installation covered by this report:

Agreed Limitations and Operational Limitations (Regulations 653.2)
DB1 N/A

Operational limitations including the reasons see page no 1 Agreed with:

The inspection and testing detailed within this report and accompanying schedule has been carried out in accordance with BS 7671: 2018 amended to
It should be noted that cables concealed within trunkings and conduits, under floors, in roof spaces and generally within the fabric of the building or underground have not been inspected unless specifically agreed between the client and inspector prior to the inspection. An inspection should be made within an accessible roof space housing other electrical equipment.

E Summary of the condition of the installation

General conditions of the installation (in terms of safety)
Satisfactory

Overall assessment of the installation in terms of its suitability for continued use **SATISFACTORY** ***UNSATISFACTORY**
*An UNSATISFACTORY assessment indicates that dangerous (code C1), or potentially dangerous (code C2), Further investigation (code F1) conditions have been identified

F Recommendations

Where the overall assessment of the suitability of the installation for continued use above is stated as UNSATISFACTORY I/we recommend that any observations classified as 'Danger present' (code C1) or 'Potential dangerous' (code C2) are acted upon as a matter of urgency. Investigation without delay is recommended for observations identified as 'Further investigation required' (code F1). Observations classified as 'Improvement recommended' (code C3) should be given due consideration. Subject to the necessary remedial action being taken, I/we recommend that the installation is further inspected and tested by 18/08/2026 (date)

G Declaration

I/we being the person(s) responsible for the inspection and the testing of the electrical installation (as indicated by my/our signatures below), particulars of which are described above, having exercised reasonable skill and care when carrying out the inspection and testing hereby declare that the information in this report, including the observations and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent and limitations in section D of this report.

Company	J.P Electrical Services	Inspected and tested by	Authorised for issue by
Membership No.	27769	Name: Jordan Perry	Jordan Perry
Address	[Redacted]	Signature:	
Postcode	[Redacted]	Position: Director	Director
		Date: 18/08/2021	18/08/2021

H Schedule(s)

1 schedule(s) of inspection and 1 schedule(s) of test results are attached.

The attached schedule(s) are part of this document and this report is valid only when they are attached to it.



Mobile / Transportable Unit Electrical Installation Condition Report
 Requirements for Electrical Installations
 BS 7671:2018 (IET Wiring Regulations 18th Edition)

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 MTU.EICR Page 3 of 6

I Supply characteristics and earthing arrangements

Supply Arrangements Integral Generator External Supply/Generator Simple Separation
 Earthing Arrangements TN-S TT TN-C-S Supervised TN-C-S Earthing Confirmed
 Number & Type of live conductors AC DC No. of phases 1 No. of wires 2
 Nature of Supply Parameters (Note: ⁽¹⁾ by enquiry, ⁽²⁾ by enquiry or by measurement)
 Nominal voltage, U/U₀ ⁽¹⁾ 230 v Nominal frequency, f ⁽¹⁾ 50 Hz Confirmation of polarity
 Prospective fault current, I_p ⁽²⁾ 8 kA Supply loop impedance, Z_s, Z_s ⁽²⁾ 29.7 Ω Or Z_s Source of Circuit 29.7
 Supply Protective Device BS (EN) 61008 Type 1 Rated Current 40 A
 Other Sources of Supply (as detailed on attached schedule) N/A

J Particulars of installation referred to in this certificate

Details of method of confirmation Certificate Name of Competent Person James Shakespeare
 Supply Conductors Plug/Socket Outlet: Cable Type H07RN-F Cable CSA (mm²) 4
 Details of installation Earth Electrode (where applicable) Type (e.g. rod(s), tape etc) Plate Means of Earthing
 Location Chassis Legs Electrode resistance to earth 29.7 Ω Distributors facility Installation Earth Electrode
 Main Protective Conductors Material csa (✓) or Value (Ω) Maximum Demand (load) 40
 To Unit Structure Copper 16 Connection / Continuity (✓) or Value (Ω) (✓) or Value (Ω)
 To Antenna Water installation To structural steel
 To External Stairs Gas installation pipes To lightning protection
 Oil installation pipes Other
 Main Switch Location DB1
 Fuse/device rating or setting 40 A Voltage rating 230 V BS(EN) 61008 No. of Poles 2 Current Rating 40 A
 If RCD main switch: Rated residual operating current I_{Δn} 30 mA Measured operating trip time 8.8 ms

K Observations

Referring to the attached schedule of inspection and test results, and subject to the limitations at Section D.

- No remedial work required
- The following observations are made

Explanation of codes

C1	Danger present. Risk of Injury. Immediate remedial action required.
C2	Potentially dangerous. Urgent remedial action required.
C3	Improvement recommended.
F1	Further Investigation required without delay

Item No. Observations

Code

One of the above codes, as appropriate, has been allocated to each of the observations made above and/or any attached observation sheets to indicate to the person(s) responsible for the installation the degree of urgency for remedial action.

C1	Danger present. Risk of Injury. Immediate remedial action required.
C2	Potentially dangerous. Urgent remedial action required.
C3	Improvement recommended.
F1	Further Investigation required without delay



Mobile / Transportable Unit Electrical Installation Condition Report
Schedule of Inspections

Requirements for Electrical Installations - BS 7671:2018 (IET Wiring Regulations 18th Edition) All items inspections to confirm as appropriate, compliance with the relevant clauses in BS 7671:2018

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Outcomes

Acceptable condition: 	Unacceptable condition: State C1 or C2	Improvement recommended: C3	Further Investigation: FI	Not Verified: 	Limitation: 	Not Applicable: NA
---------------------------	---	--------------------------------	------------------------------	-------------------	-----------------	-----------------------

In the outcome column use the codes above. Provide additional comment where appropriate. C1/C2/C3 and FI coded items to be recorded in section K of the condition report.

Item No.	Description	Outcome
1.0 Methods of protection against electric shock: Basic protection		
1.1	SELV (717.415.1)	
1.2	PELV (717.415.1)	
1.3	Double insulation (412.1.2)	
1.4	Meter tails	
1.5	Metering equipment	
1.6	Isolator (where present)	
2.0 Fault protection Automatic disconnection of supply		
2.1	Presence of Earthing Conductor (411.3.1.1)	
2.2	Presence of circuit protective conductors (411.3.1.1)	
2.3	Provision of protective bonding conductors finely stranded (717.411.3.1.2)	
2.4	Presence of earthing arrangements for other sources where applicable (542.1.1)	
2.5	Presence of earthing arrangements for combined protective and functional purposes (543.5.1)	
2.6	Choice and setting of protective and monitoring devices (for fault and/or overcurrent protection) (411.6.3)	
2.7	Provided for one item of current-using equipment (413.1.2)	
2.8	Provided for more than one item of current-using equipment (418.3)	
2.9	Earth Electrode (Where Applicable) (717.313)	
2.10	Where supplied by a plug and socket, flexible cable is 2.5mm Minimum (717.52.1)	
2.11	Condition of enclosure(s) in terms of IP rating etc (416.2)	
3.0 Additional protection		
3.1	Presence of residual current device(s) (717.411.1)	
3.2	Presence of supplementary bonding conductors (415.2)	
4.0 Prevention mutual detrimental influences		
4.1	Proximity to non-electrical services and other influences (717.528.3.4)	
4.2	Segregation of Band I and Band II circuits or use of Band II insulation (528.1)	
4.3	Segregation of safety circuits (560.7.1)	
5.0 Identification and Notices		
5.1	Presence of diagrams, instructions, circuit charts and similar information Including:	
5.2	a) Types of supply (717.514)	
5.3	b) Voltage rating (717.514)	
5.4	c) No. of supplies / phases (717.514)	
5.5	d) On board Earthing Arrangement (717.514)	
5.6	e) Maximum Demand (717.514)	
5.7	f) Presence of danger notices and other warning notices (514.1.1)	
5.8	g) Labelling of protective devices, switches and terminals (514.1.1)	
5.9	h) Identification of conductors (514.3.1)	
6.0 Cables and Conductors		
6.1	Selection of conductors for current-carrying capacity and voltage drop (Section 523)	
6.2	Erection methods (GN1)	
6.3	Routing of cables in prescribed zones (522.6.202)	
6.4	Cables incorporating earthed armour or sheath, or run within an earthed wiring system, or otherwise adequately protected against nails, screws and the like (522.6.204)	
6.5	Additional protection provided by 30 mA RCD for cables concealed in walls (where required in premises not under the supervision of a skilled or instructed person) (522.6.204)	
6.6	Connection of conductors (526.1)	
6.7	Presence of fire barriers, suitable seals and protection against thermal effects (Section 527)	
7.0 General		
7.1	Presence and correct location of appropriate devices for isolation and switching (537.3.1.1)	
7.2	Adequacy of access to switchgear and other equipment (132.12 + 513.1)	
7.3	Particular protective measures for special installations and locations (Section 7)	
7.4	Connection of single-pole devices for protection or switching in line conductors only	
7.5	Correct connection of accessories and equipment (530.3.2)	
7.6	Presence of undervoltage protective devices (445.1)	
7.7	Selection of equipment and protective measures appropriate to external influences (512.2)	
7.8	Selection or appropriate functional switching devices (537.5.1.1)	

WORCESTERSHIRE REGULATORY SERVICES
 Condition Report
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Mobile / Transportable Unit Electrical Installation

Schedule of Inspections

Requirements for Electrical Installations - BS 7671:2018 (IET Wiring Regulations 18th Edition) All items inspections to confirm as appropriate, compliance with the relevant clauses in BS 7671:2018

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7.9 Adequate arrangements where a Generating set is used as an alternative to a Public Supply (551.6)

7.10 Other comments / Inspections

7.10 List all other comments or Inspections

8.0 Schedule of Tests Results to be recorded on Schedule of Test Results

8.1 External earth loop impedance, Z _e <input checked="" type="checkbox"/>	8.9 Insulation Resistance between Live Conductors <input checked="" type="checkbox"/>
8.2 Installation earth electrode <input checked="" type="checkbox"/>	8.10 Insulation Resistance between Live Conductors & Earth <input checked="" type="checkbox"/>
8.3 Prospective fault current, I _{pf} <input checked="" type="checkbox"/>	8.11 Polarity (prior to energisation) <input checked="" type="checkbox"/>
8.4 Continuity of Earth Conductors <input checked="" type="checkbox"/>	8.12 Polarity (after energisation) including phase sequence <input checked="" type="checkbox"/>
8.5 Continuity of Circuit Protective Conductors <input checked="" type="checkbox"/>	8.13 Earth Fault Loop Impedance <input checked="" type="checkbox"/>
8.6 Continuity of ring final circuit <input checked="" type="checkbox"/>	8.14 RCDs / RCBOs including selectivity <input checked="" type="checkbox"/>
8.7 Continuity of Protective Bonding Conductors <input checked="" type="checkbox"/>	8.15 Functional testing of RCD devices <input checked="" type="checkbox"/>
8.8 Volt drop verified <input checked="" type="checkbox"/>	8.16 Functional testing of AFDD(s) devices <input checked="" type="checkbox"/>

Inspector's Name: Jordan Perry

Signature:

Date: 18/08/2021



Mobile / Transportable Unit Electrical Installation Condition Report

Schedule of Tests

Requirements for Electrical Installations
BS 7671:2018 (IET Wiring Regulations 18th Edition)

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Client James Shakespeare

Distribution board details - Complete in every case

Location Trailer
Designation DB1
Num. of ways 2

Installation Address

Complete only if the distribution board is not connected directly to the origin of the installation

Overcurrent protective device for the distribution circuit

No. of phases 1
Nominal Voltage
Supply polarity confirmed Phase sequence confirmed

Supply to distribution board is from

Type Rating BS(EN)
Characteristics at this distribution board
Associated RCD (if any): BS (EN)
61008

Above 30mA ms (if applicable)
Operating at 1 Δ n B
30mA or below ms
Operating at 5 Δ n 6

Postcodes

Test instrument serial number(s)

Loop impedance 101248041
Insulation resistance 101248041
Continuity 101248041
RCD 101248041

CIRCUIT DETAILS

Circuit No. and Line No.	Distribution board Designation	Circuit designation	Sockets	Ref. method	No. of points	Type of wiring	Circuit conductors csa (mm ²)	L / N	CPC	Maximum disconnection	BS EN Number	Overcurrent protective devices	Type No.	Rating (A)	Breaking capacity (kA)	RCD operating (mA)	BS 7671 Max. permitted Zs Other (Ω)	Circuit impedance Ω				Fig 8 check	All circuits to be completed using R1+R2 or R2, not both	Insulation resistance (Record lower reading)			Max. Measured Zs (Ω)	Polarity	RCD testing Above 30mA Δ n ms Below 30mA Δ n ms	Manual test button operation	
																		r1	m	r2	R1 + R2			R1	L/L	L/N				M(Ω)	L/E, N/E
1	DB1	Sockets	4	C	4	1	2.5	1.5	0.4	60898	B	16	6	30	2.18	(✓)	0.18	0.10	0.10	500	500	999	999	29.8	(✓)	6	6	(✓)	(✓)		
2	DB1	Lighting	5	C	5	1	1	0.4	60898	B	6	6	30	5.82	(✓)	0.18	0.10	0.10	500	500	999	999	29.3	(✓)	6	6	(✓)	(✓)			

TEST RESULTS

WORCESTERSHIRE REGULATORY SERVICES
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Details of circuits and/or installed equipment vulnerable to damage when testing 19/08/2021 To 18/08/2021 Date(s) live testing 18/08/2021 To 18/08/2021

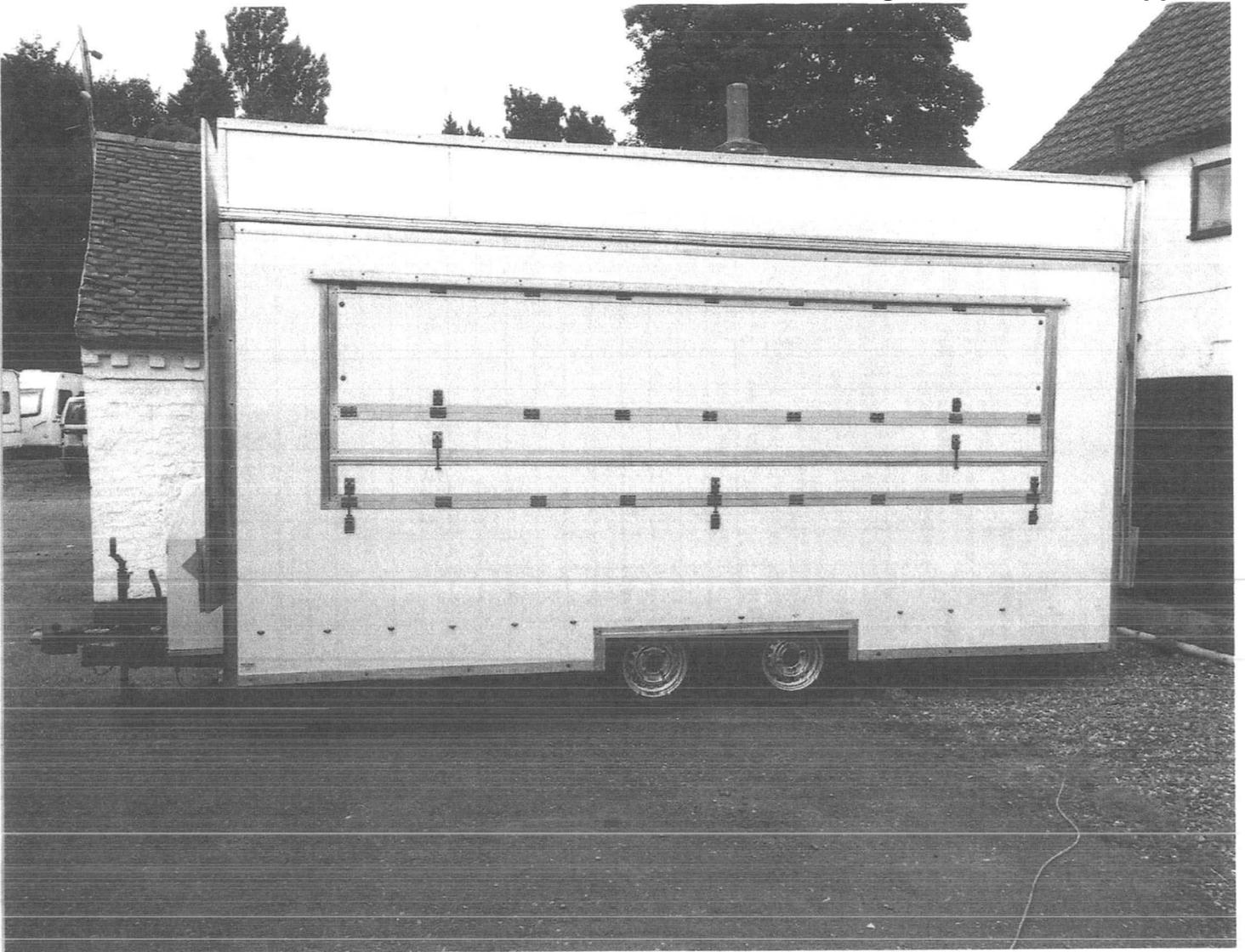
Signature Date Not Specified

Tested by: Name (capital letters) JORDAN PERRY Position Director

Wiring Types: 1 PVC/PVC 2 Single insulated in Conduit or Trunking 3 Mineral Insulated 4 SWA / XPLE 5 FP200 6 Other

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4th Floor, Mill 3, Plesley Vale Business Park, Mansfield, Nottinghamshire NG19 8RL



WORCESTERSHIRE REGULATORY
SERVICES
24 AUG 2021



Registered Business/Engineer details can be checked at www.gassaferegister.co.uk or calling 0800 408 5500

WORCESTERSHIRE REGULATORY SERVICES

24 AUG 2021

Commercial Catering Inspection Record



Reference number: CCIR001 Date: 09/06/2021

627935

Contractor Details
 Company name: Blue Flame Energy
 Phone: 0771251527
 Contractor name: Zak Senior
 Gas Safe License Number: 4917771

9 Oakwood Park
 Penley
 Wrexham
 Clwyd
 LL13 0NE

Installation Address
 Gary Powell



Client Address

Gary Powell
 Powells Creative Catering



Gas Installation Details

Is an Emergency Control Valve installed in Catering area?	Yes
- If Yes: Is the location of ECV satisfactory?	N/A
Is the ECV accessible?	N/A
Is the appropriate valve type installed?	N/A
Is the valve handle securely attached?	N/A
Is a Gas Emergency Notice present on site?	Yes
Is gas isolation provided via an auto electric system?	No
- If yes: Is the system fitted with automatic pressure proving?	N/A
Do all appliance burners have flame safeguards?	N/A
Alternatively, is the system manually reset?	N/A
- If yes, is there a notice attached regarding resetting?	N/A
Is there any evidence of corrosion of gas pipework?	No
- If yes, detail any action required	N/A
Has the gas installation been tested for tightness?	Yes
Was the gas tightness satisfactory?	Yes
Remedial work required on Page 2	Yes

Catering Area Pipework

Are the correct materials in use?	Yes
Is the pipework correctly labelled?	Yes
Is the pipework correctly supported?	Yes
Are any pipe sleeves extended beyond walls/floors etc?	No
Are suitable purge points fitted?	Yes
Are suitable test points fitted?	Yes
Is electrical protective bonding fitted where required?	Yes
Remedial work required on Page 2	Yes

Safety Information

Has a Warning Notice been issued?	No
Have Warning Labels been affixed?	No
Has a responsible person been advised?	Yes
Classification	N/A
Serial Number	

Ventilation & Air Quality Systems

Is a canopy system installed?	No
- If yes, is the canopy overhang correct?	N/A
Type of Filtration?	
Filtration adequately maintained?	N/A
Is mechanical exhaust provided?	No
- If yes, is the flow rate adequate?	N/A
Is mechanical ventilation provided?	No
- If yes, is the flow rate adequate?	N/A
Is Exhaust/Ventilation Lock provided?	No
- If yes, interlock working correctly?	N/A
Is natural ventilation provided? (permanent)	Yes
- If yes, is the area adequate?	Yes

Risk Analysis of Kitchen Ventilation/Air Quality Systems

Has risk assessment been applied in accordance with ISEM/UP/19?	N/A
If applicable, what is the outcome of the Risk Assessment?	

Atmosphere Monitoring/Sampling

Is automated detection of CO provided?	No
Is automated detection of CO2 provided?	No
Maximum recorded CO at visit (refer to DW/172)	
Maximum recorded CO2 at visit (refer to DW/172)	

Catering Area Air Quality Test (in accordance with ISEM/UP/19):

First CO2 Reading	
Second CO2 Reading	
Third CO2 Reading	
Average of 3 Readings	0.00 PPM
Results of Air Quality Test	Acceptable
Details of CO2 recording instrument:	
Make/Model	Kane 250
Calibration Date	15/01/2022

Declaration of Gas Safety

I confirm that this record is a true and accurate representation of the gas work carried out on the day of inspection. Relevant duty holders are required to ensure the gas appliances, pipework, ventilation and extraction systems are maintained in a safe condition so as to prevent the risk of injury to any person.

Engineer name	Zak
Signature	
Date	09/06/2021



Type of Appliance	Appliance Make	Appliance Model	Manufacturer's instructions available?	Operating Pressure(mbar) and/or Heat Input(kW)	FSD fitted to all burners?	All appliance safety devices (including FSDs) operating correctly?	Adequate ventilation arrangement?	Adequate Extractor/Flueing arrangement?	Appliance Gas isolation valve or self-sealing plug and socket fitted?	Movable appliances fitted with appropriate gas hose with restraint fitted correctly?	Appliance pipework gas tight?	Appliance safe to use?
Hob CKR1	Chrome griddle	Hot plate	No	36.3 mbar	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Water Heater CENWATT1	Water heater	N/A	No	35.9 mbar	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Frier	Hobart	N/A	No		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Oven	Pickwicks	N/A	No		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Griddle	N/A	N/A	No		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Additional Works Deemed Necessary

Overall Risk Analysis of Kitchen (ventilation, flue/chimney, and/or extractor systems)
 Has risk assessment been applied in accordance with IGE/M/UP/19? N/A

Declaration

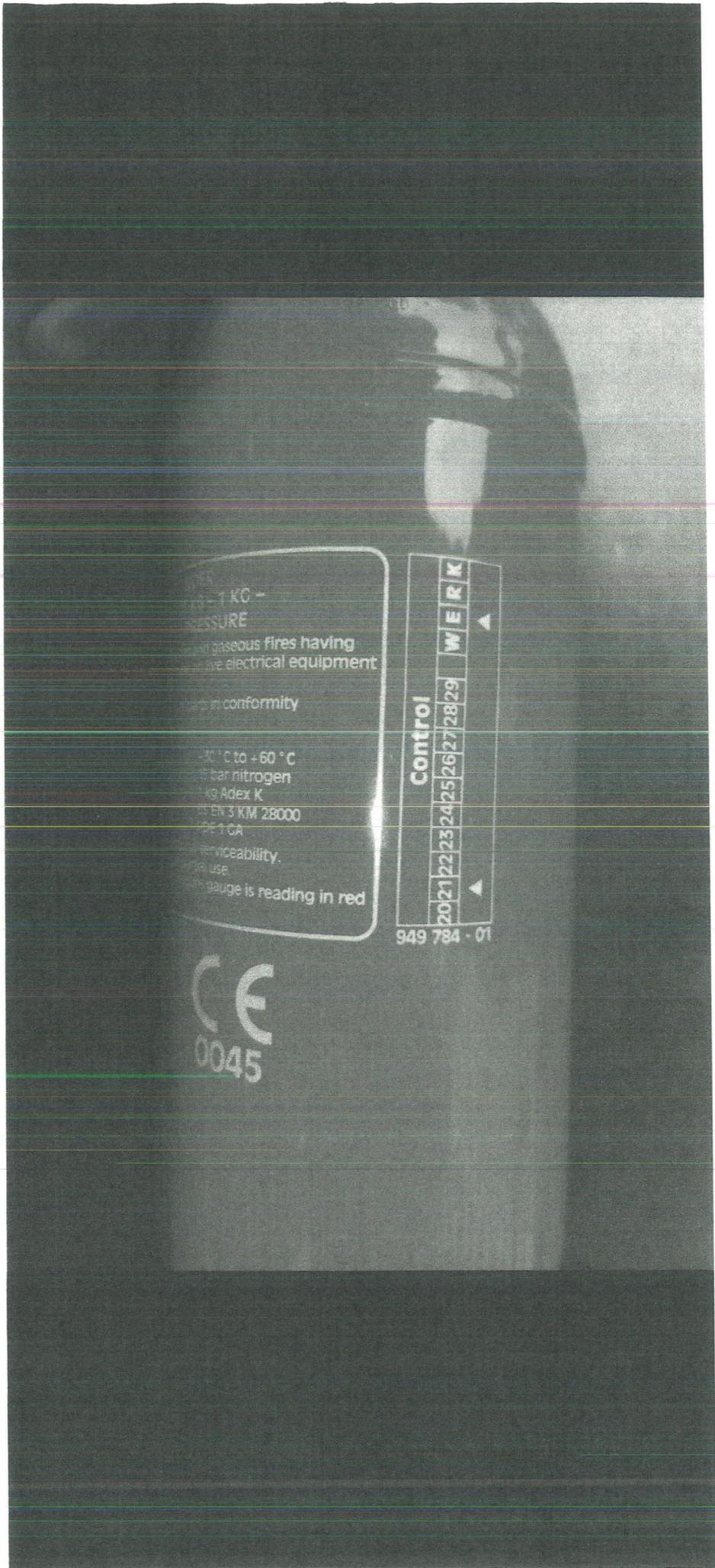
This inspection Record confirms the adequacy (or otherwise) of the Commercial Catering Gas Installation at the establishment detailed at the address on Page 1 of this record.

Engineer name Zak Senior

Signature 

Date 09/06/2021

WORCESTERSHIRE REGULATORY
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2147483647.pdf



INVOICE

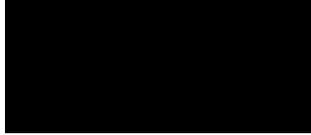
Delivery Address

JAMES SHAKESPEARE



Billing Address

JAMES SHAKESPEARE



Invoice Number	Invoice Date	Order Reference	Order date
2147483647	30/09/2021	2140490106	30/09/2021

Reference	Product	Tax Rate	Unit Price (Tax excl.)	Qty	Total (Tax excl.)
L967	1995 Food Act Cook Chl Guidelines Sign	20%	£4.14	1	£4.14
Nov FASMI	Box Catering First Aid Kit Small (Blue Box)	20%	£30.68	1	£30.68
GH257	Deb Hand Sanitiser Cartridge 1Ltr	20%	£14.51	1	£14.51
GG224	Deb Sanitiser Dispenser	20%	£7.97	1	£7.97
Nov FB12	Fire Blanket 1.2 X 1.2M	20%	£20.93	1	£20.93
W226	Fire Extinguisher Symbol Sign	20%	£3.10	2	£6.20
CF796	Jantex C Fold White Hand Towels 2Ply 100 Sheets Pack of 24	20%	£15.29	1	£15.29
G0849	Jantex Hand Towel Dispenser	20%	£11.63	1	£11.63
L445	Kidde Fire Extinguisher Mult Purpose (A,B C and electrical fire)	20%	£25.91	2	£51.82
GG995	Large White Corner Bags	20%	£20.73	1	£20.73
P176	Plastic Cutlery Basket Round	20%	£3.10	1	£3.10
J258	Professional Catering 6 Chopping Boards Colour Set Low Density with Rack	20%	£28.34	1	£28.34
L964	Square No Smoking Symbol Sign	20%	£1.77	1	£1.77
ST LSD350W	Stalwart Liquid Soap Dispenser 350ml Wall Mounted	20%	£22.95	1	£22.95
D720	Vogue Magnetic Knife Rack	20%	£14.21	1	£14.21
L957	Vogue Now Wash Your Hands Symbol Sign	20%	£3.22	1	£3.22

Tax Detail	Tax Rate	Base price	Total Tax
Products	20.000%	£257.49	£51.50

Total Products	£257.49
Shipping Costs	Free Shipping
Total (Tax excl.)	£257.49

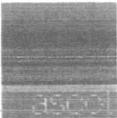
WORCESTERSHIRE REGULATORY SERVICES
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INVOICE

Payment Method	Pay with Visa Card	£108.99
Carrier	Standard Delivery	

Total Tax	£51.50
Total	£308.99



Certificate of Public Liability Insurance

This certificate does not form part of the policyholder's contract with insurers. This is a summary of cover only; full details of the cover provided are included in the policyholder's schedule and policy wording.

This certificate is furnished in accordance with, and in all respects is subject to all terms, conditions and exclusions of the policy.

Insured: The Bridge Catering Company Ltd

Correspondence Address: [Redacted]

Policy Number: MGI/149/2782

Business Description: Catering Van

Period of Insurance:

From: 16:12 hours on 18/08/2021

To: 24:00 hours on 17/08/2022

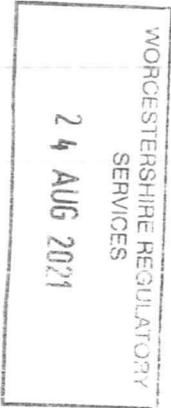
Limit of Liability: £ 5,000,000

Any one occurrence, or series of occurrences arising from one event and unlimited in the aggregate in the Period of Insurance

Dated: 18/08/2021

Signed on behalf of: MG Insurance Consultants trading as MG Underwriting (being The Coverholder)

Acting on behalf of: Syndicate 1414 at Lloyd's (being The Insurer)



Signature [Redacted]

The Coverholder:

MG Insurance Consultants Ltd trading as MG Underwriting

[Redacted]

[Redacted]

The Insurer:

Syndicate 1414 at Lloyd's is managed by Ascot Underwriting Limited which is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority. Registered in England and Wales (No.04098461). Registered Office: 20 Fenchurch Street, London, United Kingdom EC3M 3BY.

TENANCY AT WILL

This agreement dated

The landlord Bridge boat yard ltd



The occupier Bridge catering company ltd

date 01/05/2021

Property let is

The toll house car park dunley road Stourport worcs dy130aa

Rent payable each month £350.00 due on the first of each month

Deposit to be payed £500.00 refundable at termination

- 1.1 car park have restricted use for a mobile snack bar serving hot and cold food with this tenancy agreement and no other uses.
- 1.2 to avoid any misunderstanding the agreement shall not give any rights to occupier as a lease
- 1.3 the occupier shall use the premises in conjunction to his business
- 1.4 No alterations or work to be done on property with out written permission from owners.

- 1.5 The occupiers are responsible for their own waste removal.
- 1.6 All rights under this agreement are personal and none assignable to sub letting
- 1.7 No storage outside of property allowed

Signed by landlord



Date

01/05/21

Signed by occupiers



Date

1/5/21

Objection from Stourport Town Council

From: Sue Saunders
Sent: 06 October 2021 12:29
To: Emma Rhodes
Subject: Notification of an application for street trading consent

Good Afternoon Emma

Further to the Town Council meeting last night (5th October 2021), I write to advise you that Council discussed the below application for the grant of a street trading consent and after a discussion, the decision was to refuse the application. This was on grounds of highway safety/traffic issues – near a pedestrian crossing/bus stop/the new medical centre.

Kind regards

Sue

From: Annette Phillips
Sent: 08 October 2021 10:12
To: Emma Rhodes
Cc: Sue Saunders
Subject: RE: Notification of an application for street trading consent

Good Morning Emma

I have spoken to Cllr Tim Berry who has worded this for me:

The main concerns were around increased traffic either stopping on Dunley Road or turning into and out of Harold Davis Drive when the road is already very busy.

New Medical centre will also impact on exactly the same piece of road when it is open.

The combination of these issues was sufficiently concerning for a majority of councillors to vote against the proposal.

Kind regards

Annette



Street Trading in Wyre Forest District

Guidance Notes and Application Form

Wyre Forest District Council, Wyre Forest House, Kidderminster, DY11 7WF

Guidance on street trading in Wyre Forest

What is a Street Trader?

A Street Trader is someone who:-

- i. Trades on any road, footways, highways, and other adjacent areas to which the public have access without payment. Traders must obtain land owners' permission when trading on private land.
- ii. Sells or exposes or offers for sale any article, whether food or non-food, including a living thing, whether with or without a stall or vehicle.
- iii. Trades from a fixed location.

Does the Control apply to all Traders?

No, there are various exemptions to the requirement to hold a Street Trading Consent:-

- i. Trading as a pedlar with a valid Pedlar's certificate issued under the Pedlars Act 1871. A pedlar is a person who travels and trades on foot and goes from town to town or from house to house carrying goods to sell. A pedlar cannot trade from a fixed spot. Pedlar's certificates are obtained from any main Police Station. Further guidance on pedlars is available from the Council.
- ii. A roundsman, who is a person who delivers orders to the customer's door. This is a trader who calls by prior arrangement with the customer and sells at the customer's premises. Ice cream sellers or mobile food sellers are not deemed to be "roundsmen" and require a licence to trade in the street.
- iii. News vendors selling only newspapers and periodicals, unless the stall exceeds one metre in length or width, or two metres in height.
- iv. Trading from the forecourt of a petrol filling station.
- v. Trading from a stall outside a shop as an extension of that business.

How is Street Trading Controlled in Wyre Forest?

Wyre Forest District Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 so that it can effectively control street trading.

- i. All streets within Wyre Forest have been designated as consented streets apart from those specifically prohibited (see Appendix A of the Council's Street Trading Policy).
- ii. This means that it is an offence to trade without a Consent in any street, road, footway, highway, or adjacent area to which the public have access without payment, other than those prohibited where no trading at all can take place.
- iii. Trading without consent may result in prosecution.
- iv. If a trader has been granted a consent the Council has the right to vary or revoke the Consent at any time if the trader fails to comply with the conditions attached to the Consent.
- v. If you wish to trade outside of the Wyre Forest District you should contact the appropriate District Council for that area. Please note that different Councils may have different procedures and rules regarding street trading.
- vi. If you wish to trade within the Wyre Forest area an application should be made to the Wyre Forest District Council, Licensing Section, Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire, DY11 7WF.

How do I Apply for a Consent?

- i. Complete the appropriate application form – for a "static trader" if you wish to trade from a pitch, or for a "mobile" trader if you sell from street to street.
- ii. Attach to the application form the required documents, as listed on the application form.
- iii. Post or bring to the Council Offices at Wyre Forest House the completed application form, and original copies of any supporting documents (these will be copied and returned to you).

What Are the Fees Payable for a Consent?

- i. Fees are payable for each unit or site.
- ii. Fees may be payable in instalments, by agreement with the Council.
- iii. Fees are reviewed annually and are applicable from 1st April each year.
- iv. Current fees will be published on the Council's website or are available on request.

How Long Does a Consent Last for?

- i. A Consent can be issued for any period up to a maximum of 12 months but will expire on 31st March next, unless surrendered earlier.
- ii. Renewals will take place on receipt of a completed renewal application form and payment of the appropriate fee.

Are Consents Transferable?

- i. No, they are not.
- ii. The Consent holder is entitled to a refund of part of the fee paid if the Consent is surrendered part way through the year.
- iii. Refunds may be made on a pro rata basis, subject to an administration charge of £25.
- iv. If you do not renew the Consent on the expiry date or surrender it before then, then any other person will be able to apply to trade from the same site.

What are the Responsibilities of a person granted consent?

Such a person is responsible for ensuring that:-

- i. The consent conditions are complied with.
- ii. All relevant certificates are produced to the Council with any application for a Consent.
- iii. The vehicle or stall is registered with the Council if selling food of any description.
- iv. The Council will not be held responsible for any acts or omissions arising from the grant of a Consent.
- v. Where trading is on private land, to which the public has access without restriction, permission to trade must be obtained from the owner/occupier as well as the Council

Does the Grant of a Consent by the Council give any other entitlement?

- i. No - It only permits trading within the terms of the Consent as specified. The Consent does not override any parking restriction or other traffic regulation.
- ii. The Consent to trade does not imply approval from any other person or authority.

Consideration and Determination of your Application

- i. When received by the Licensing Section your application form will be checked. Provided there are no queries arising from the application form, your application will be acknowledged in writing within 5 working days of receipt. If there is a query then you will be contacted in writing and/or by telephone and given the opportunity to respond.
- ii. The complete application form will be copied for comment to various parties. Usually these are the Police, Worcestershire County Council Highways Partnership Unit Manager, Ward Councillors, the Parish or Town Council, Economic Regeneration & Tourism Manager, Development Control Manager, Operational Services Manager and local businesses within the vicinity of the proposed site of operation.
- iii. We aim to complete this process within 20 working days.
- iv. If queries are raised at this stage then you will be contacted in writing and/or by telephone and given the opportunity to address them.
- v. Having received all comments/recommendations and taking into account the Council's adopted Street Trading Policy, the Head of Planning, Health & Environment or one of his nominated officers, under the Council's Scheme of Delegation, may then determine applications where there are no objections and where the application is to be granted. Where your application cannot be granted, or where objections are received, your application will be referred to the Council's Licensing & Environmental Committee for consideration and determination.

- vi. You will be informed in writing of the recommendation to the Licensing & Environmental Committee and the date of the meeting to which you will also be invited to attend.
- vii. If your application is granted, you will be requested to pay the fee. The Consent will be issued upon payment of the fee, together with a copy of the Standard Conditions applicable to street trading Consents plus any Special Conditions deemed necessary by the Council.
- viii. If the Committee refuses your application you will be notified in writing of the reasons for refusal.
- ix. There is no right of appeal in the case of refusals or against the application of conditions.

Is there an Independent Body which represents Street Traders?

There is a body which offers advice on all aspects of outside catering. This body is called NCASS (The Nationwide Caterers' Association) and is located at:-

180 Britannic Gardens

Lifford Lane

Birmingham

B30 3NU

Tel 0121 603 2524

Website <https://www.ncass.org.uk/>

STREET TRADING - POLICY STATEMENT

UNDERLYING PRINCIPLES

1. Street Trading is regarded as an acceptable activity in Wyre Forest within the consented areas (Appendix A), provided that it is located where it can make a positive contribution to add interest, vibrancy, and diversity to the area and does not give rise to problems associated with Crime and Disorder.
2. The Council is the responsible authority for granting Street Trading Consents in Wyre Forest and will ensure that traders operate in accordance with conditions attached to such Consents (Appendix B).
3. The Council accepts that Wyre Forest comprises distinct areas with differing historic and commercial characters, and varying streetscape qualities, which should be individually developed and promoted, and therefore the Council has identified suitable locations (consented areas) for street trading in consultation with the Police, and other consultees.
4. The Crime and Disorder Act (1998) stresses the need to take positive action to combat crime and the fear of crime. Therefore, prior to granting any Street Trading Consent the Council will pay particular attention to any potential crime and disorder arising directly or indirectly from the Consent and will give significant weight to the views of the Police and Community Safety Officer.
5. The Council may issue a Consent for up to one year or a lesser period where appropriate if the trading activity is seasonal or of a temporary nature.
6. Applications will only be considered where an applicant has completed an application form and will not be granted unless an applicant has paid the appropriate Consent fee.
7. Applications for a Street Trading Consent will be considered and determined under the Council's Scheme of Delegation by the Head of Planning Health and Environment, or otherwise by the Council's Licensing & Environmental Committee.
8. Where more than one trader applies for a Consent to trade from an approved site, the applications will be referred to the Council's Licensing & Environmental Committee.

CRITERIA FOR CONSIDERING APPLICATIONS FOR STREET TRADING CONSENTS

When considering an application for a Street Trading Consent, the Council will take into account the following matters when reaching its decision:

1. Responses from Consultees and other interested parties.
2. The proposed siting and design of the street trading vehicle and whether it enhances the vitality of the shopping area within the immediate vicinity.
3. Any potential obstruction to the free flow of pedestrians or of vehicles in the street, with special regard for the visually impaired.
4. Road safety, either arising from the siting of the street trading vehicle or as a result of customer visiting or leaving the site, including existing traffic orders and waiting restrictions.
5. The nature of the proposed goods to be traded and whether this will create conflict with the trade of adjacent, established shops.
6. Whether the proposed siting of the street trading vehicle obstructs the frontage of adjacent established shops.
7. The numbers, distribution and location of existing street trading consents.
8. The likelihood of excessive noise, odour and litter being generated.
9. Whether the proposal would conflict with any other policies of the Council.

CONSENTED STREETS	PROHIBITED STREETS
<p>ALL STREETS WITHIN WYRE FOREST DISTRICT EXCEPT THOSE DESIGNATED AS PROHIBITED STREETS</p>	<p>BEWDLEY TOWN CENTRE Severn Side North Severn Side South Lax Lane High Street Dog Lane</p> <p>KIDDERMINSTER TOWN CENTRE Pitts Lane Crown Lane (formerly the rear service road to Vicar Street) Orchard Street Church Street Blackwell Street (between the Ring Road and Coventry Street) Coventry Street (between Blackwell Street and the Inner Ring Road) Lion Street Lion Square Worcester Street rear service road (referred to as Prospect Terrace) Prospect Hill Prospect Lane New Road Green Street Dixon Street Castle Road Island Drive Pump Street Tram Street Corporation Street Exchange Street Rowland Hill Centre service road Bromsgrove Street Callows Lane Bridge Street Waterloo Street The length of Mill Street, Kidderminster Commencing at its junction with St Mary's Ringway and terminating at its junction with Pitts Lane.</p> <p>STOURPORT-ON-SEVERN TOWN CENTRE No Street Trading</p>

WYRE FOREST DISTRICT COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 STREET TRADING - STANDARD CONDITIONS

1. Wyre Forest District Council (“the Council”), pursuant to Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) have resolved that Schedule 4 to the Act, to control street trading in the district should come into force from 1982.
2. The Council has resolved that every street within the area of the district of Wyre Forest is to be designated as a Consent Street” under the Act, (except those shown at Appendix One and nominated as Prohibited Streets) which means a street in which street trading is prohibited without a Consent issued by the Council.
3. A street trading Consent is issued by the Council subject to the following conditions, insofar as they do not conflict with or are amended by any specific conditions imposed on the grant of the Consent:-
 - (a) The Consent is valid for the period shown on the Consent
 - (b) The Consentee shall pay a fee to the Council in accordance with the approved list of fees.
 - (c) The Consent may be surrendered by the Consentee at any time, providing that the Council shall repay to the Consentee that part of the fee considered by the Council appropriate for the unexpired period of the licence, less £25 for administrative expenses, the exception being the day rate.
 - (d) The Consent holder must at all times while trading display in a conspicuous position the Consent issued by the Council.
 - (e) The Consentee shall not carry on his/her trade in such a way as to cause obstruction of any part of the street in which he/she is trading, or danger to persons using the street.
 - (f) The Consentee shall not carry on his/her trade in such a way as to cause a nuisance or annoyance to persons using the street or to occupiers in the vicinity.
 - (g) The Consentee shall not sell any type of food, goods or merchandise other than that specified in the Licence.
 - (h) The Consentee shall provide and maintain, where appropriate, adequate facilities for the collection of litter resulting from his/her trading and at the close of each trading day shall remove any litter resulting from his/her trading from the street. The Consentee shall be responsible for any damage to the highway or otherwise resulting from the trading activity.
 - (i) The Consentee shall make such provision as is necessary to prevent the deposit in any street of solid or liquid refuse occurring from the trading activity and shall not discharge any waste water to the street surface or to the surface water drains.
 - (j) The Consentee shall not use any television, tape recorder or other device for the reproduction of sound while trading without the express permission of the Council.
 - (k) The Consentee shall not trade outside the times and days permitted by the Consent
 - (l) The Consentee shall not trade in any location other than the location permitted by the Consent
 - (m) Any vehicle, stall or container used by the Consentee in the course of street trading shall be constructed and maintained to the satisfaction of the Council and shall comply with legislation in force at the time or any relevant British Standard.
 - (n) The use and storage of liquid petroleum gas shall comply with the Code of Practice or requirements of the Fire Officer.
 - (o) The Consent shall not operate for any other purpose than to permit the Consentee to trade in a Consent street in accordance with the conditions imposed. The Consentee must ensure that he/she has obtained any other approval or registration required under any other statutory provisions relevant to his/her trade.
 - (p) The Consentee must be 18 years of age or over and shall be responsible at all times for control of the stall. Any persons assisting on the stall shall be 18 years of age or over.
 - (q) The Consent is personal to the Consent holder and shall not be assigned or transferred to any other person or company.
 - (r) The Consent holder or his employee must move his vehicle/stall or vacate the site immediately upon the instruction of a Police Officer or Authorised Officer of the Council.

Application for a Street Trading Consent - continued

- (s) Nothing herein contained shall prejudice the rights, powers, duties and obligations of the Council or any other enforcing authority under any public or private statutes, orders, regulations or byelaws.
- (t) The Consent holder shall at all times maintain a valid Third Party Public Liability Insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon the request.
- (u) Nothing contained in these conditions shall relieve or excuse the Licence holder or his/her employee or agent from any legal duty or liability and the Consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from trading.
- (v) The conditions attached to the Consent may be varied by the Council at any time.
- (w) Any breach of these conditions may lead to the Consent being suspended or revoked.
- (x) In these conditions "the Consent" means a Consent issued under Section 3 of and Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. Consentee means the person named on the Consent issued by the Council and includes any employee, servant or agent of the licence holder and "the Council" means Wyre Forest District Council.

Food and Safety Requirements for Food Traders

The Food Hygiene (England) Regulations 2006

As a food business operator you must put in place a document a Food Safety Management System. The Food Standards Agency have produced a catering pack Safer Food Better Business SFBB to assist you. Please contact the Food Safety Team on 01905 822799 for further information.

All food businesses need to be registered with the Local Authority. See Food Registration on the Council Website www.wyreforestdc.gov.uk/ccm/content/planning/environmental-health-services/food-and-safety/register-your-food-business.en

Or alternatively contact the Food Team on 01905 822799.

The mobile unit must be in good condition and be able to be kept clean.

The Unit must have an adequate supply of hot and/or cold potable water. The unit must be fitted with a wash hand basin which is solely for food handlers to wash their hands. It must be provided with soap and paper towels or a clean hand towel.

All food handlers must wear suitable, clean protective clothing.

All food handlers must have sufficient training commensurate with their duties.

www.wyreforestdc.gov.uk/ccm/content/planning/environmental-health-services/food-and-safety/food-safety-legislation.en

All high risk food should be kept stored below 8°C or above 63°C during hot holding.

Health and Safety

All gas bottled must be caged to prevent tampering there should be the proper connectors with flash back arrestors. All LPG Installations should be installed and checked by a competent person who is corgi registered.

All electrical equipment must be suitably protected from mechanical, physical damage and adverse weather. Generators must be checked by a competent person. They should be enclosed and segregated from the public with adequate warning sign.

Advice to Mobile Ice Cream Traders

Under the provisions of the Control of Pollution Act 1971:

- it is an offence to sound your chimes before 12 noon or after 7.00 p.m.
- it is an offence to sound your chimes at anytime in a way which gives reasonable cause for annoyance.

A mobile ice cream trader may sound chimes, but not:-

- for longer than 4 seconds at a time
- more often than once every 3 minutes
- when the vehicle is stationary
- when in sight of another vehicle which is trading
- when within 50 metres of schools (during School Hours), hospitals and places of worship (On Sundays and other recognised days of Worship)
- more often than once every 2 hours in the same length of street
- with the volume too loud, i.e. more than 80db(A)



APPLICATION FOR A STREET TRADING CONSENT

Type of Application	
Grant of a new Street Trading Consent <input type="checkbox"/>	Renewal of an existing Street Trading Consent <input type="checkbox"/>
Static (from a single site) <input type="checkbox"/>	Mobile (moving from one site to another) <input type="checkbox"/>

Applicant Details
Name:
Address:
Telephone Number:
Email:
I am registered as a Food Business Operator Yes <input type="checkbox"/> Name of registering Council: No <input type="checkbox"/>

When you want to trade
Hours (indicate the start and end of the hours you wish to trade):
Days (indicate the days of the week you wish to trade):

What you want to trade
Describe the articles you intend to sell

Where you want to trade
Describe the location you wish to trade from. If this is a single site, you should include a map or plan of the site indicating the location. If you are applying for a mobile consent, you should indicate the streets and/or areas where you wish to operate.

Details of your vehicle, stall and/or container
Describe the unit you will be using, including any registration number where appropriate, and its dimensions
The vehicle is kept at the following address when not trading:

I have enclosed the following documents	Please tick ✓
(a) A colour photograph of the vehicle or unit	<input type="checkbox"/>
(b) Food Hygiene Training Certificates (for food retailers)	<input type="checkbox"/>
(c) Certificate of Inspection for Fire Extinguishers	<input type="checkbox"/>
(d) Certificate to show electrical installations have been tested and are safe	<input type="checkbox"/>
(e) Proof of Public Liability Insurance to 5 million pounds	<input type="checkbox"/>
(f) Consent fee (Cheque payable to Wyre Forest District Council)	<input type="checkbox"/>
<p>I understand that any vehicle should be inspected prior to the start of trading. I am aware of the provisions of The Local Government (Miscellaneous Provisions) Act 1982 concerning street trading. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief. I understand that the Council is under a duty to protect the public funds it administers and to this end may use the information I have provided on this form within this Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds, solely for these purposes.</p>	
SIGNATURE	DATE

Please return to
 Licensing Section, Wyre Forest House, Wyre Forest District Council, Finepoint Way, Kidderminster, DY11 7WF
 Telephone 01905 822799

**WYRE FOREST DISTRICT COUNCIL
LICENSING AND ENVIRONMENT COMMITTEE**

6TH DECEMBER 2021

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

CONSIDERATION OF THE GRANT OF A STREET TRADING CONSENT

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Emma Rhodes Technical Licensing Officer 01905822799 Emma.rhodes@worcsregservices.gov.uk
Ward(s) affected:	Blakebrook And Habberley South
Appendices:	Appendix 1 – Application Form and supporting documents Appendix 2 – Email from Jane Berry Appendix 3 – Representation from Mr Hashmeet S. Grover, Deals Network Ltd Appendix 4 – Guidance Notes on Street Trading In Wyre Forest

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for street trading consent to trade from the following site:

Adjacent To Lower Entrance

Swan Centre

Kidderminster

Worcestershire

(Being a site that has not been designated a prohibited street for the purposes of street trading consent)

2. BACKGROUND

- 2.1 On 16 September 2021 an application was received from John Searle, T/A Continental Flower Stand, for the grant of consent to sell fresh flowers, plants & sundries from a stall, Monday to Saturday between the hours of 08:30 and 17:30.
- 2.2 Once outstanding elements of the application had been received, details of the application were sent out on the 16 September 2021 to required consultees which are: Police, Worcestershire County Council Highways Partnership Unit Manager, Ward Councillors, the Parish or Town Council, Economic Regeneration & Tourism Manager, Development Control Manager, Operational Services Manager. Local businesses within the vicinity of the proposed site of operation were notified by post.
- 2.3 Confirmation to show the public notice was displayed accordingly was received on 23rd September 2021.
- 2.4 A Street Trading Consent for the flower stall under different ownership was issued previously for a site on the corner of Vicar Street. After the regeneration of the Town Centre in 2014/15 and the addition of new public seating areas, this pitch was relocated to it's current position outside the Swan Centre.
- 2.5 Licensing records indicate Mr John Searle held Street Trading Consent for the current site from April 2014 to March 2017. The consent was not renewed by the applicant.
- 2.6 This application was made following recommendation from WRS that should Mr Searle wish to continue to trade, permission for Street Consent should be sought. The applicant has been advised that he cannot trade until a Consent has been granted.

3. REPRESENTATIONS

- 3.1 Two responses to consultation on the application were received via email.
- 3.2 Jane Berry, Regeneration and Implementation Officer for the North Worcestershire Economic Development and Regeneration responded in support of the application.
- 3.3 A representation was received from the new landlord/owner of Swan Shopping Centre in Kidderminster, Mr Hashmeet S. Grover, of Deals Network Ltd.
- 3.4 In the email representation, Mr Grover states that the stall is located directly in front of the Shopping Centre entrance and the items for sale are spread out across a wide area.
- 3.5 If consent were to be granted Mr Grover highlights that due to the location of the stall, visibility and accessibility of the centre could be directly affected. The negative impacts could include:

- a reduction in footfall for businesses within the Shopping Centre,
- affect the ability of the disabled and elderly to use the easy access entrance,
- the vacant unit on the ground floor is partially blocked by the stall potentially affecting the ability to rent this unit out to new business.

3.6 Mr Grover did not accept a counter proposal for the trader to have a smaller stall in the same location.

4. LOCAL POLICY CONSIDERATIONS

4.1 The Committee should have regard to the Council's Policy Statement on Street Trading (this is included in the Council's Guidance Notes on Street Trading in Wyre Forest, attached as Appendix 7).

4.2 The Council's Policy Statement on Street Trading is available to download from the Council's website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email wrsenquiries@worcsregservices.gov.uk

5. LEGAL IMPLICATIONS

5.1 The Committee is obliged to determine this application in accordance with the Local Government (Miscellaneous Provisions) Act, 1982.

5.2 In making its decision, the Committee is obliged to have regard to the underlying principles as set out in the street trading policy adopted by The Council.

5.3 The Committee must also consider the representations made and the evidence it hears.

5.4 The Committee should also have regard to the criteria for considering applications for street trading consents as set out in the street policy.

5.5 The Committee must take such of the following steps as it considers appropriate:

- (a) Allow the consent to be granted
- (b) Grant the consent with special conditions
- (c) Refuse the application

5.6 The Committee may attach such conditions to it as they consider reasonably necessary, in order to prevent the following:

- (a) obstruction of the street or danger to persons using it; or
- (b) nuisance or annoyance (whether to persons using the street or otherwise).

5.7 A street trading consent shall not be granted:

- (a) to a person under the age of 17 years; or

(b) for any trading in a highway to which a control order under section 7 of the Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply.

- 5.8 All parties to the hearing will be notified of the Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.9 There is no right of appeal in the case of refusals or against the application of conditions.
- 5.10 The hearing should be conducted in accordance with the agreed procedure.

6. FOR DECISION

- 6.1 The Committee must consider whether to grant or refuse the application made by the applicants.



APPLICATION FOR A STREET TRADING CONSENT

Type of Application	
Grant of a new Street Trading Consent <input type="checkbox"/>	Renewal of an existing Street Trading Consent <input type="checkbox"/>
Static (from a single site) <input type="checkbox"/>	Mobile (moving from one site to another) <input type="checkbox"/>

Applicant Details	
Name:	John Searle
Address:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]
I am registered as a Food Business Operator	
Yes <input type="checkbox"/>	Name of registering Council:
No <input type="checkbox"/>	

When you want to trade	
Hours (indicate the start and end of the hours you wish to trade):	
8.30-5.30	
Days (indicate the days of the week you wish to trade):	
Monday - Saturday	

What you want to trade	
Describe the articles you intend to sell	
Fresh flowers, plants & sundries	

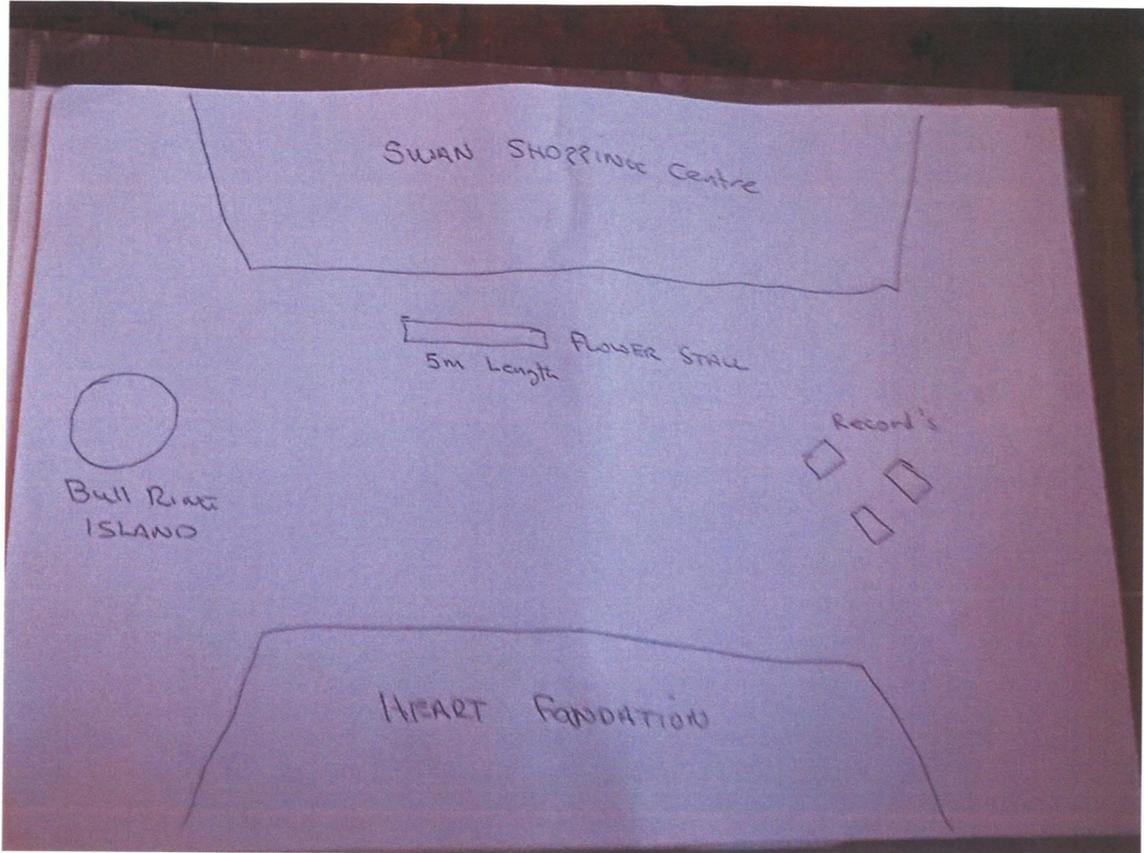
Application for a Street Trading Consent - continued

Where you want to trade
Describe the location you wish to trade from. If this is a single site, you should include a map or plan of the site indicating the location. If you are applying for a mobile consent, you should indicate the streets and/or areas where you wish to operate.
Outside the Swan shopping centre

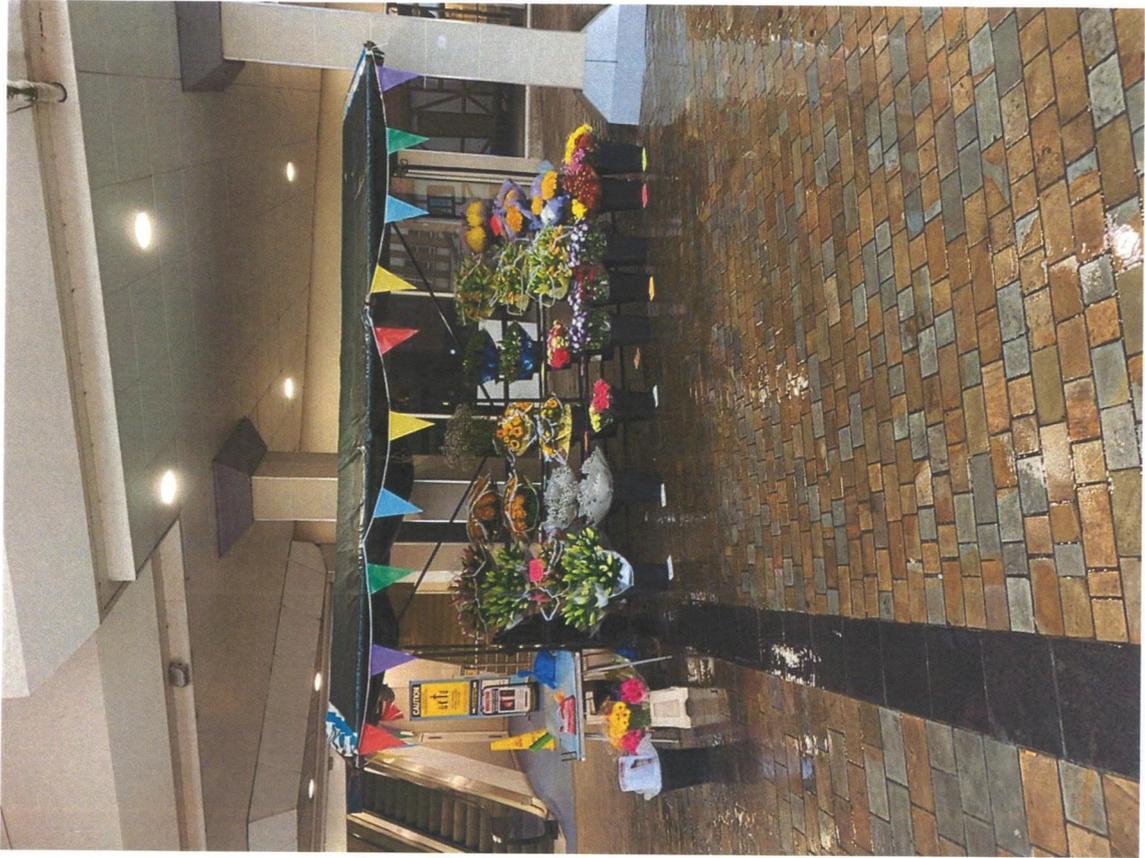
Details of your vehicle, stall and/or container
Describe the unit you will be using, including any registration number where appropriate, and its dimensions
Continental flower stand
The vehicle is kept at the following address when not trading:
New Meeting Church, Church Street
Text

I have enclosed the following documents	Please tick ✓
(a) A colour photograph of the vehicle or unit	
(b) Food Hygiene Training Certificates (for food retailers)	
(c) Certificate of Inspection for Fire Extinguishers	
(d) Certificate to show electrical installations have been tested and are safe	
(e) Proof of Public Liability Insurance to 5 million pounds	X
(f) Consent fee (Cheque payable to Wyre Forest District Council)	
<p>I understand that any vehicle should be inspected prior to the start of trading. I am aware of the provisions of The Local Government (Miscellaneous Provisions) Act 1982 concerning street trading. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief. I understand that the Council is under a duty to protect the public funds it administers and to this end may use the information I have provided on this form within this Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds, solely for these purposes.</p>	
SIGNATURE	ATE
	2/9/2021

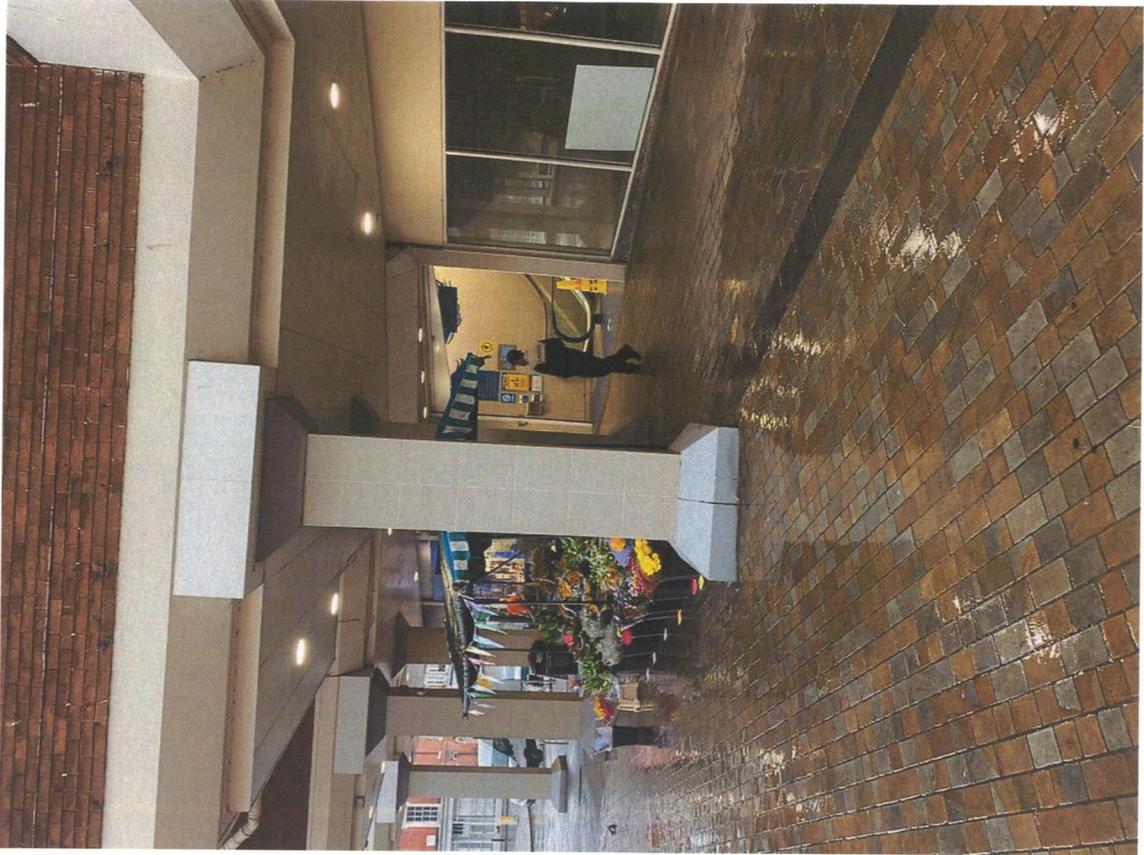
Please return to
 Licensing Section, Wyre Forest House, Wyre Forest District Council, Finepoint Way, Kidderminster, DY11 7WF
 Telephone 01905 822799













19:06



< 60 Digital Certificate f... ^ v

Set up an annual direct debit and receive a £5 discount on renewal!

Safeguarding the industry

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NAME: John Searle
MEMBERSHIP NUMBER: [REDACTED]
MEMBERSHIP EXPIRY DATE: 31/07/2022



This certificate is your proof of membership, valid until the expiry date above.
 You can find out about all that the NMTF can offer, just click [here](#).
 Please take care of this document, which includes below the details of the liabilities cover included with your membership. Use this as proof of that cover when necessary to markets and events organisers.
 If you lose this document you can download a duplicate by visiting the NMTF website's Members Area members.nmtf.co.uk.
 Membership is not transferable.

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www.nmtf.co.uk
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LIABILITIES COVER (this information has been provided by Aviva)	
CLIENT	Members of the NMTF
INSURER	Aviva Insurance Limited
POLICY NUMBER	100592051CLP
START DATE	31.12.2020
END DATE	30.12.2021
POLICY FORM	Corporate & Speciality Risks Combined Liability
BUSINESS DESCRIPTION	Market Traders
COVER:	
EMPLOYERS LIABILITY	Limit of indemnity - £10,000,000
PUBLIC/PRODUCTS LIABILITY	Limit of indemnity - £10,000,000
<i>This protection is for any market, on any day, anywhere in the United Kingdom and Europe</i>	

Extended Definition of Market Traders
 It is hereby noted that the meaning of Market Trading extends to include:
 1: Aisles of shopping centres and the like
 2: Hospitals 5: Exhibitions/Trade fairs
 3: Single shows, eg Fetes and Concerts 6: Piers
 4: Stalls/Stands outside stations, football grounds 7: Kiosks, including those at shopping centres
 And similar locations, provided the member is trading from a stall and the nature of the business is the same as a Market Trader, retailing from a stall not a shop, except for shops in indoor markets.

Note to members: any incident that could possibly result in a claim being made against you should be reported immediately by calling the NMTF on 01226 749021. If possible, take photographs of the incident.

I confirm that, subject to membership being current, this person is a bona fide member of the NMTF and enjoys all the benefits, including liabilities protection.



JOE HARRISON
 Chief Executive
 NMTF Ltd



From: Jane Berry
Sent: 22 September 2021 14:47
To: Emma Rhodes
Subject: FW: Wyre Forest Street Trading consent - Application John Searle

Hello Emma, this trader has been in the Town for a number of years. We are happy to see him continue to trade in the proposed location.

Thanks

Jane



Jane Berry
Regeneration and Implementation Officer
North Worcestershire Economic Development and Regeneration
01562
Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire, DY11 7WF
Jane.Berry
Please note my workdays are Monday, Tuesday, Wednesday, Thursday.

From: Deals Network
Sent: 26 September 2021 13:43
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Application Reference: 21/03748/STRETR

Dear Sir/Madam,

I hope this email finds you well. I write to you in regards to the application:-
Reference Number: 21/03748/STRETR

To introduce myself, My name is Hashmeet and I am the new landlord/owner of Swan Shopping Centre in Kidderminster, DY10 2BA. The application (reference number above) which has been put through to the council affects us directly and I would like to explain in a bit more detail.

We are very involved in the progression of the Kidderminster Town Centre and do everything in our utmost power to increase the footfall by improving Swan Centre. As you are aware the recent pandemic has caused a lot of issues to business', and stores in our Centre have not been immune to this. Many works are being planned to be carried out around the Centre. We are once again revitalising the iconic Swan Centre and bringing a better change for the Population of Kidderminster (We now accommodate the Kidderminster Foodbank as of 15th September 2021). These are changes which will also allow surrounding retailers to benefit from which I hope we can work alongside our local council to do this.

The applicant is a retailer of flowers who places his market-type stand immediately at the entrance of the Centre. They are quite widely spread out and do not allow the public to comfortably enter or acknowledge that there is an entrance to the Centre on this side. Therefore, reducing footfall and drastically affecting the business which are situated within the Centre.

There are 3 entrances to the centre in total allowed for the public, so it may even be a matter of an elderly trying to go from Bull Ring to Blackwell Street and they will have easy access through the Centre (In from the entrance situated on Bull Ring and out on Blackwell Street) instead of having to circulate around the whole place, which can be difficult to some as the other route up Worcester Street goes uphill and can be quite steep to some. We offer escalators for this ease of access as well as allowing the elderly and disabled to easily make their way to a store named 'Easy Living Mobility' within our Centre where they can purchase items to aid their disabilities and day to day living using their mobility allowance. As you can understand for a person who is less able it can be sometimes difficult to see things from a distance, meaning they may miss the entrance (made for their ease) especially if it is blocked by lots of flowers and products.

The placement of the applicant is also in front of a vacant unit which I can now see why we are struggling to fill. If any store was to open here, their face would be blocked by flowers! A large retailer in that store (previously a pharmacy) would have a better benefit on the town than one individual I am sure. I have attached some images of the applicant to give a better idea.

We as landlords are spending lots of money and having new screens put up (find attached a render just for your reference, still to be finalised before the application is submitted), as well as lighting around entrances to draw in footfall and provide easy navigation for the public. A lot of efforts are going behind this and it is futile if the public can not even see the entrance to the Centre clearly. In addition to this we have other future plans coming into effect, but we would very highly appreciate the cooperation of our council to help us boost the town in whichever effective way we can.

Thank you for taking your time to consider the objection and I hope I have been able to explain myself as well as possible. If you may have any further queries or would like to discuss anything further, please do not hesitate to contact me at any time. I look forward to hearing from you.

Kind Regards

Mr. Hashmeet S Grover

Deals Network Ltd

Subsidiaries: **Swan Shopping Centre Ltd / One Real Estate Ltd**















Street Trading in Wyre Forest District

Guidance Notes and Application Form

Wyre Forest District Council, Wyre Forest House, Kidderminster, DY11 7WF

Guidance on street trading in Wyre Forest

What is a Street Trader?

A Street Trader is someone who:-

- i. Trades on any road, footways, highways, and other adjacent areas to which the public have access without payment. Traders must obtain land owners' permission when trading on private land.
- ii. Sells or exposes or offers for sale any article, whether food or non-food, including a living thing, whether with or without a stall or vehicle.
- iii. Trades from a fixed location.

Does the Control apply to all Traders?

No, there are various exemptions to the requirement to hold a Street Trading Consent:-

- i. Trading as a pedlar with a valid Pedlar's certificate issued under the Pedlars Act 1871. A pedlar is a person who travels and trades on foot and goes from town to town or from house to house carrying goods to sell. A pedlar cannot trade from a fixed spot. Pedlar's certificates are obtained from any main Police Station. Further guidance on pedlars is available from the Council.
- ii. A roundsman, who is a person who delivers orders to the customer's door. This is a trader who calls by prior arrangement with the customer and sells at the customer's premises. Ice cream sellers or mobile food sellers are not deemed to be "roundsmen" and require a licence to trade in the street.
- iii. News vendors selling only newspapers and periodicals, unless the stall exceeds one metre in length or width, or two metres in height.
- iv. Trading from the forecourt of a petrol filling station.
- v. Trading from a stall outside a shop as an extension of that business.

How is Street Trading Controlled in Wyre Forest?

Wyre Forest District Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 so that it can effectively control street trading.

- i. All streets within Wyre Forest have been designated as consented streets apart from those specifically prohibited (see Appendix A of the Council's Street Trading Policy).
- ii. This means that it is an offence to trade without a Consent in any street, road, footway, highway, or adjacent area to which the public have access without payment, other than those prohibited where no trading at all can take place.
- iii. Trading without consent may result in prosecution.
- iv. If a trader has been granted a consent the Council has the right to vary or revoke the Consent at any time if the trader fails to comply with the conditions attached to the Consent.
- v. If you wish to trade outside of the Wyre Forest District you should contact the appropriate District Council for that area. Please note that different Councils may have different procedures and rules regarding street trading.
- vi. If you wish to trade within the Wyre Forest area an application should be made to the Wyre Forest District Council, Licensing Section, Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire, DY11 7WF.

How do I Apply for a Consent?

- i. Complete the appropriate application form – for a "static trader" if you wish to trade from a pitch, or for a "mobile" trader if you sell from street to street.
- ii. Attach to the application form the required documents, as listed on the application form.
- iii. Post or bring to the Council Offices at Wyre Forest House the completed application form, and original copies of any supporting documents (these will be copied and returned to you).

What Are the Fees Payable for a Consent?

- i. Fees are payable for each unit or site.
- ii. Fees may be payable in instalments, by agreement with the Council.
- iii. Fees are reviewed annually and are applicable from 1st April each year.
- iv. Current fees will be published on the Council's website or are available on request.

How Long Does a Consent Last for?

- i. A Consent can be issued for any period up to a maximum of 12 months but will expire on 31st March next, unless surrendered earlier.
- ii. Renewals will take place on receipt of a completed renewal application form and payment of the appropriate fee.

Are Consents Transferable?

- i. No, they are not.
- ii. The Consent holder is entitled to a refund of part of the fee paid if the Consent is surrendered part way through the year.
- iii. Refunds may be made on a pro rata basis, subject to an administration charge of £25.
- iv. If you do not renew the Consent on the expiry date or surrender it before then, then any other person will be able to apply to trade from the same site.

What are the Responsibilities of a person granted consent?

Such a person is responsible for ensuring that:-

- i. The consent conditions are complied with.
- ii. All relevant certificates are produced to the Council with any application for a Consent.
- iii. The vehicle or stall is registered with the Council if selling food of any description.
- iv. The Council will not be held responsible for any acts or omissions arising from the grant of a Consent.
- v. Where trading is on private land, to which the public has access without restriction, permission to trade must be obtained from the owner/occupier as well as the Council

Does the Grant of a Consent by the Council give any other entitlement?

- i. No - It only permits trading within the terms of the Consent as specified. The Consent does not override any parking restriction or other traffic regulation.
- ii. The Consent to trade does not imply approval from any other person or authority.

Consideration and Determination of your Application

- i. When received by the Licensing Section your application form will be checked. Provided there are no queries arising from the application form, your application will be acknowledged in writing within 5 working days of receipt. If there is a query then you will be contacted in writing and/or by telephone and given the opportunity to respond.
- ii. The complete application form will be copied for comment to various parties. Usually these are the Police, Worcestershire County Council Highways Partnership Unit Manager, Ward Councillors, the Parish or Town Council, Economic Regeneration & Tourism Manager, Development Control Manager, Operational Services Manager and local businesses within the vicinity of the proposed site of operation.
- iii. We aim to complete this process within 20 working days.
- iv. If queries are raised at this stage then you will be contacted in writing and/or by telephone and given the opportunity to address them.
- v. Having received all comments/recommendations and taking into account the Council's adopted Street Trading Policy, the Head of Planning, Health & Environment or one of his nominated officers, under the Council's Scheme of Delegation, may then determine applications where there are no objections and where the application is to be granted. Where your application cannot be granted, or where objections are received, your application will be referred to the Council's Licensing & Environmental Committee for consideration and determination.

- vi. You will be informed in writing of the recommendation to the Licensing & Environmental Committee and the date of the meeting to which you will also be invited to attend.
- vii. If your application is granted, you will be requested to pay the fee. The Consent will be issued upon payment of the fee, together with a copy of the Standard Conditions applicable to street trading Consents plus any Special Conditions deemed necessary by the Council.
- viii. If the Committee refuses your application you will be notified in writing of the reasons for refusal.
- ix. There is no right of appeal in the case of refusals or against the application of conditions.

Is there an Independent Body which represents Street Traders?

There is a body which offers advice on all aspects of outside catering. This body is called NCASS (The Nationwide Caterers' Association) and is located at:-

180 Britannic Gardens

Lifford Lane

Birmingham

B30 3NU

Tel 0121 603 2524

Website <https://www.ncass.org.uk/>

STREET TRADING - POLICY STATEMENT

UNDERLYING PRINCIPLES

1. Street Trading is regarded as an acceptable activity in Wyre Forest within the consented areas (Appendix A), provided that it is located where it can make a positive contribution to add interest, vibrancy, and diversity to the area and does not give rise to problems associated with Crime and Disorder.
2. The Council is the responsible authority for granting Street Trading Consents in Wyre Forest and will ensure that traders operate in accordance with conditions attached to such Consents (Appendix B).
3. The Council accepts that Wyre Forest comprises distinct areas with differing historic and commercial characters, and varying streetscape qualities, which should be individually developed and promoted, and therefore the Council has identified suitable locations (consented areas) for street trading in consultation with the Police, and other consultees.
4. The Crime and Disorder Act (1998) stresses the need to take positive action to combat crime and the fear of crime. Therefore, prior to granting any Street Trading Consent the Council will pay particular attention to any potential crime and disorder arising directly or indirectly from the Consent and will give significant weight to the views of the Police and Community Safety Officer.
5. The Council may issue a Consent for up to one year or a lesser period where appropriate if the trading activity is seasonal or of a temporary nature.
6. Applications will only be considered where an applicant has completed an application form and will not be granted unless an applicant has paid the appropriate Consent fee.
7. Applications for a Street Trading Consent will be considered and determined under the Council's Scheme of Delegation by the Head of Planning Health and Environment, or otherwise by the Council's Licensing & Environmental Committee.
8. Where more than one trader applies for a Consent to trade from an approved site, the applications will be referred to the Council's Licensing & Environmental Committee.

CRITERIA FOR CONSIDERING APPLICATIONS FOR STREET TRADING CONSENTS

When considering an application for a Street Trading Consent, the Council will take into account the following matters when reaching its decision:

1. Responses from Consultees and other interested parties.
2. The proposed siting and design of the street trading vehicle and whether it enhances the vitality of the shopping area within the immediate vicinity.
3. Any potential obstruction to the free flow of pedestrians or of vehicles in the street, with special regard for the visually impaired.
4. Road safety, either arising from the siting of the street trading vehicle or as a result of customer visiting or leaving the site, including existing traffic orders and waiting restrictions.
5. The nature of the proposed goods to be traded and whether this will create conflict with the trade of adjacent, established shops.
6. Whether the proposed siting of the street trading vehicle obstructs the frontage of adjacent established shops.
7. The numbers, distribution and location of existing street trading consents.
8. The likelihood of excessive noise, odour and litter being generated.
9. Whether the proposal would conflict with any other policies of the Council.

CONSENTED STREETS	PROHIBITED STREETS
<p>ALL STREETS WITHIN WYRE FOREST DISTRICT EXCEPT THOSE DESIGNATED AS PROHIBITED STREETS</p>	<p>BEWDLEY TOWN CENTRE Severn Side North Severn Side South Lax Lane High Street Dog Lane</p> <p>KIDDERMINSTER TOWN CENTRE Pitts Lane Crown Lane (formerly the rear service road to Vicar Street) Orchard Street Church Street Blackwell Street (between the Ring Road and Coventry Street) Coventry Street (between Blackwell Street and the Inner Ring Road) Lion Street Lion Square Worcester Street rear service road (referred to as Prospect Terrace) Prospect Hill Prospect Lane New Road Green Street Dixon Street Castle Road Island Drive Pump Street Tram Street Corporation Street Exchange Street Rowland Hill Centre service road Bromsgrove Street Callows Lane Bridge Street Waterloo Street The length of Mill Street, Kidderminster Commencing at its junction with St Mary's Ringway and terminating at its junction with Pitts Lane.</p> <p>STOURPORT-ON-SEVERN TOWN CENTRE No Street Trading</p>

WYRE FOREST DISTRICT COUNCIL**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
STREET TRADING - STANDARD CONDITIONS**

1. Wyre Forest District Council ("the Council"), pursuant to Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("the Act") have resolved that Schedule 4 to the Act, to control street trading in the district should come into force from 1982.
2. The Council has resolved that every street within the area of the district of Wyre Forest is to be designated as a Consent Street" under the Act, (except those shown at Appendix One and nominated as Prohibited Streets) which means a street in which street trading is prohibited without a Consent issued by the Council.
3. A street trading Consent is issued by the Council subject to the following conditions, insofar as they do not conflict with or are amended by any specific conditions imposed on the grant of the Consent:-
 - (a) The Consent is valid for the period shown on the Consent
 - (b) The Consentee shall pay a fee to the Council in accordance with the approved list of fees.
 - (c) The Consent may be surrendered by the Consentee at any time, providing that the Council shall repay to the Consentee that part of the fee considered by the Council appropriate for the unexpired period of the licence, less £25 for administrative expenses, the exception being the day rate.
 - (d) The Consent holder must at all times while trading display in a conspicuous position the Consent issued by the Council.
 - (e) The Consentee shall not carry on his/her trade in such a way as to cause obstruction of any part of the street in which he/she is trading, or danger to persons using the street.
 - (f) The Consentee shall not carry on his/her trade in such a way as to cause a nuisance or annoyance to persons using the street or to occupiers in the vicinity.
 - (g) The Consentee shall not sell any type of food, goods or merchandise other than that specified in the Licence.
 - (h) The Consentee shall provide and maintain, where appropriate, adequate facilities for the collection of litter resulting from his/her trading and at the close of each trading day shall remove any litter resulting from his/her trading from the street. The Consentee shall be responsible for any damage to the highway or otherwise resulting from the trading activity.
 - (i) The Consentee shall make such provision as is necessary to prevent the deposit in any street of solid or liquid refuse occurring from the trading activity and shall not discharge any waste water to the street surface or to the surface water drains.
 - (j) The Consentee shall not use any television, tape recorder or other device for the reproduction of sound while trading without the express permission of the Council.
 - (k) The Consentee shall not trade outside the times and days permitted by the Consent
 - (l) The Consentee shall not trade in any location other than the location permitted by the Consent
 - (m) Any vehicle, stall or container used by the Consentee in the course of street trading shall be constructed and maintained to the satisfaction of the Council and shall comply with legislation in force at the time or any relevant British Standard.
 - (n) The use and storage of liquid petroleum gas shall comply with the Code of Practice or requirements of the Fire Officer.
 - (o) The Consent shall not operate for any other purpose than to permit the Consentee to trade in a Consent street in accordance with the conditions imposed. The Consentee must ensure that he/she has obtained any other approval or registration required under any other statutory provisions relevant to his/her trade.
 - (p) The Consentee must be 18 years of age or over and shall be responsible at all times for control of the stall. Any persons assisting on the stall shall be 18 years of age or over.
 - (q) The Consent is personal to the Consent holder and shall not be assigned or transferred to any other person or company.
 - (r) The Consent holder or his employee must move his vehicle/stall or vacate the site immediately upon the instruction of a Police Officer or Authorised Officer of the Council.

Application for a Street Trading Consent - continued

- (s) Nothing herein contained shall prejudice the rights, powers, duties and obligations of the Council or any other enforcing authority under any public or private statutes, orders, regulations or byelaws.
- (t) The Consent holder shall at all times maintain a valid Third Party Public Liability Insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon the request.
- (u) Nothing contained in these conditions shall relieve or excuse the Licence holder or his/her employee or agent from any legal duty or liability and the Consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from trading.
- (v) The conditions attached to the Consent may be varied by the Council at any time.
- (w) Any breach of these conditions may lead to the Consent being suspended or revoked.
- (x) In these conditions "the Consent" means a Consent issued under Section 3 of and Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. Consentee means the person named on the Consent issued by the Council and includes any employee, servant or agent of the licence holder and "the Council" means Wyre Forest District Council.

Food and Safety Requirements for Food Traders

The Food Hygiene (England) Regulations 2006

As a food business operator you must put in place a document a Food Safety Management System. The Food Standards Agency have produced a catering pack Safer Food Better Business SFBB to assist you. Please contact the Food Safety Team on 01905 822799 for further information.

All food businesses need to be registered with the Local Authority. See Food Registration on the Council Website www.wyreforestdc.gov.uk/ccm/content/planning/environmental-health-services/food-and-safety/register-your-food-business.en

Or alternatively contact the Food Team on 01905 822799.

The mobile unit must be in good condition and be able to be kept clean.

The Unit must have an adequate supply of hot and/or cold potable water. The unit must be fitted with a wash hand basin which is solely for food handlers to wash their hands. It must be provided with soap and paper towels or a clean hand towel.

All food handlers must wear suitable, clean protective clothing.

All food handlers must have sufficient training commensurate with their duties.

www.wyreforestdc.gov.uk/ccm/content/planning/environmental-health-services/food-and-safety/food-safety-legislation.en

All high risk food should be kept stored below 8°C or above 63°C during hot holding.

Health and Safety

All gas bottled must be caged to prevent tampering there should be the proper connectors with flash back arrestors. All LPG Installations should be installed and checked by a competent person who is corgi registered.

All electrical equipment must be suitably protected from mechanical, physical damage and adverse weather. Generators must be checked by a competent person. They should be enclosed and segregated from the public with adequate warning sign.

Advice to Mobile Ice Cream Traders

Under the provisions of the Control of Pollution Act 1971:

- it is an offence to sound your chimes before 12 noon or after 7.00 p.m.
- it is an offence to sound your chimes at anytime in a way which gives reasonable cause for annoyance.

A mobile ice cream trader may sound chimes, but not:-

- for longer than 4 seconds at a time
- more often than once every 3 minutes
- when the vehicle is stationary
- when in sight of another vehicle which is trading
- when within 50 metres of schools (during School Hours), hospitals and places of worship (On Sundays and other recognised days of Worship)
- more often than once every 2 hours in the same length of street
- with the volume too loud, i.e. more than 80db(A)



APPLICATION FOR A STREET TRADING CONSENT

Type of Application	
Grant of a new Street Trading Consent <input type="checkbox"/>	Renewal of an existing Street Trading Consent <input type="checkbox"/>
Static (from a single site) <input type="checkbox"/>	Mobile (moving from one site to another) <input type="checkbox"/>

Applicant Details
Name:
Address:
Telephone Number:
Email:
I am registered as a Food Business Operator Yes <input type="checkbox"/> Name of registering Council: No <input type="checkbox"/>

When you want to trade
Hours (indicate the start and end of the hours you wish to trade):
Days (indicate the days of the week you wish to trade):

What you want to trade
Describe the articles you intend to sell

Where you want to trade
Describe the location you wish to trade from. If this is a single site, you should include a map or plan of the site indicating the location. If you are applying for a mobile consent, you should indicate the streets and/or areas where you wish to operate.

Details of your vehicle, stall and/or container
Describe the unit you will be using, including any registration number where appropriate, and its dimensions
The vehicle is kept at the following address when not trading:

I have enclosed the following documents	Please tick ✓		
(a) A colour photograph of the vehicle or unit	<input type="checkbox"/>		
(b) Food Hygiene Training Certificates (for food retailers)	<input type="checkbox"/>		
(c) Certificate of Inspection for Fire Extinguishers	<input type="checkbox"/>		
(d) Certificate to show electrical installations have been tested and are safe	<input type="checkbox"/>		
(e) Proof of Public Liability Insurance to 5 million pounds	<input type="checkbox"/>		
(f) Consent fee (Cheque payable to Wyre Forest District Council)	<input type="checkbox"/>		
<p>I understand that any vehicle should be inspected prior to the start of trading. I am aware of the provisions of The Local Government (Miscellaneous Provisions) Act 1982 concerning street trading. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief. I understand that the Council is under a duty to protect the public funds it administers and to this end may use the information I have provided on this form within this Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds, solely for these purposes.</p>			
SIGNATURE		DATE	

Please return to
 Licensing Section, Wyre Forest House, Wyre Forest District Council, Finepoint Way, Kidderminster, DY11 7WF
 Telephone 01905 822799