



**Riverside, 4 Canning Road, Lowestoft, Suffolk,  
NR33 0EQ**

# Full Council

**Members: All Councillors**

Members are invited to a **Meeting of the Full Council**  
to be held in the Conference Room, Riverside,  
on **Wednesday, 24 November 2021 at 6.30pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead  
at <https://youtu.be/aAPslhisa4>

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to [democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk), of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the

Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

## **Part One – Open to the Public**

### **Pages**

---

<b>1</b>	<b>Apologies for Absence</b> To receive apologies for absence, if any.	
<b>2</b>	<b>Declarations of Interest</b> Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Announcements</b> To receive any announcements from the Chairman, the Leader of the Council, members of the Cabinet, or the Chief Executive, in accordance with Council Procedure Rule 5.1(e).	
<b>4a</b>	<b>Minutes - March 2021</b> To confirm as a correct record the Minutes of the Meeting held on 24 March 2021	<b>1 - 17</b>
<b>4b</b>	<b>Minutes - July 2021</b> To confirm as a correct record the Minutes of the Meeting held on 28 July 2021	<b>18 - 37</b>
<b>4c</b>	<b>Minutes - September 2021</b> To confirm as a correct record the Minutes of the Meeting held on 22 September 2021	<b>38 - 51</b>
<b>5</b>	<b>Questions from the Public</b> No questions have been submitted by the electorate as provided by Council Procedure Rule 8.	

## 6 Questions from Members

The following question(s) from Members has/have been submitted in pursuance of Council Procedure Rule 9:

(a) Question from Councillor Tom Daly to the Deputy Leader and Cabinet Member with responsibility for Economic Development:

East Suffolk is projected to possibly host up to 30% of the UK's electricity with the growth in off shore wind, interconnectors and possibly new nuclear build coming to our area. In hosting this electricity infrastructure, the communities I represent feel let down as they foresee the industrialisation of their local countryside amplified by what appears to be a total lack of a national strategic policy for coordinating projects and the requirement for collaboration between projects to reduce impacts. With the current consultation on the draft National Policy Statements for Energy and the recent non statutory consultation on the Nautilus Interconnector project can I be assured that ESC will commit to continue to argue the merits of a forward looking, strategic, coordinated approach to the East Coast energy projects that avoids duplication, and limits on-shore social and environmental costs. For example through pooling infrastructure and exploring integrated energy hubs?

(b) Question from Councillor Byatt to the Cabinet Member with responsibility for Planning and Coastal Management

In his recent Conference speech in October, Boris Johnson maintained that houses should not be built on green fields but on previously developed brownfield sites. Michael Gove, Minister for Levelling-Up, Housing and Communities reiterated the same ambition this month with a pledge to protect the cherished countryside against development.

We have a large brownfield site in Lowestoft along the southern bank of Lake Lothing, the Kirkley Waterfront site, once home to factories, timber yards and world- famous shipbuilders.

We are aware that efforts have been made to attract developers to this site but that nothing of note has succeeded as yet, so can we look again at what East Suffolk Council itself can do to part of the site to kick-start its development?

Can we perhaps use the Recommendations to Government from the recent Richard Bacon MP's 'Review of Self-Build and Custom Housebuilding' to secure an area for a show park where those who are priced out of home ownership could have access to serviced and permissioned plots, and where innovative house-building ideas can thrive?

(c) Question from Councillor Craig to the Cabinet Member with responsibility for Communities, Leisure and Tourism

There has been recent news coverage of the Government continuing to allow the discharge of treated effluent and overflows of untreated effluent and storm water into our rivers and the sea. Incidents of this nature occur in East Suffolk.

The Rivers Trust maps such incidents from north to south along the crown jewels of our tourist coast at Corton, Lowestoft, Kessingland, Southwold,

Dunwich, Thorpness, Aldeburgh, Orford and Felixstowe and into the Rivers Deben, Blyth and Alde and various small creeks. In addition, this issue also affects water quality in the Broads National Park.

What interaction has there been with water companies and the Environment Agency in relation to the potential damage to the tourist industry in East Suffolk and to the overall well-being of residents?

d) Question from Councillor Gandy to the Deputy Leader and Cabinet Member with responsibility for Economic Development.

On October 14th I happened to be in Lowestoft High Street and was pleased to see our Chief Executive and other Officers escorting Commissioners from Historic England on a guided walk of the area.

It was reassuring to note that the importance of Lowestoft's heritage was recognised by the presence of Historic England's Chief Executive, Duncan Wilson, on this tour.

I understand that they also visited other areas of the town, including the old Post Office on London Road North as well as other sites within both of Lowestoft's Heritage Action Zones.

What has been the outcome of this visit?

## **7 Petitions**

No petitions have been received as provided by Council Procedure Rule 10.



## 8 Notices of Motion

The following Motions have been submitted in pursuance of Council Procedure Rule 11:

a) Motion submitted by Councillor Smith-Lyte

This Council commits to implementing a change in decision-making governance arrangements, comprising the cessation of the current leader and cabinet model of governance and the implementation of a full committee model of governance. This will be developed during 2021/22 with a view to the arrangements taking effect from the beginning of the 2022/23 municipal year, subject to a legally and constitutionally robust process, led by the council's Audit and Governance committee and agreed by Council.

b) Motion submitted by Councillor Topping

This Council recognises:

1. The East Suffolk Staff Travel Allowance offers members and officers an allowance of £0.45 per mile for the first 10,000 miles. They can also claim 5p per mile for every passenger that they carry. This applies to petrol, diesel and electric cars. Cyclists are offered £0.20 a mile.
2. Incentivising shared travel, reducing emissions and lessening reliance on car-based transport is a vital step towards tackling the climate emergency which this Council declared in 2019.
3. Since March 2020, Council staff have saved almost 5 million miles of home to work commute driving, through remote working. There has been a 66% decrease in tonnes of CO2 equivalent arising from commuting and place of work. Increasing car-sharing and use of public transport could be a way to make sure emissions do not rise back to their pre-COVID levels.
4. Reducing the use of cars offers a way for staff, members, and the Council itself to save money, as well as reducing our carbon footprint and the impact of driving on local air quality and traffic congestion.

This Council resolves:

1. All Ward Members and Officers are encouraged to car-share or use public transport whenever possible in order to reduce unnecessary car journeys, particularly Members travelling from two-Member Wards or staff travelling to the same meeting. This will include an internal communications campaign that will offer information on the benefits of car sharing and using public transport.
2. Where appropriate Members, Officers and groups should be encouraged to use technology (Zoom/Teams) for meetings. Consolidate multiple in person meetings taking place in a particular geographical area in order to minimise travel miles. Utilize electric pool cars and take advantage of cycling racks provided.

c) Motion submitted by Councillor Beavan

This Council urges the government to finally and promptly close the iniquitous loophole that allows second home owners to evade both council tax and rates by pretending to be a holiday let business, even though they do not have to actually let at all.

<b>9</b>	<b>Review of Gambling Act 2005 Statement of Principles ES/0952</b> Report of the Cabinet Member with responsibility for Community Health	<b>52 - 106</b>
<b>10</b>	<b>East Suffolk Council Food and Health and Safety Service Plan 2021-2023 ES/0958</b> Report of the Cabinet Member with responsibility for Community Health	<b>107 - 212</b>
<b>11</b>	<b>Cabinet Members Report and Outside Bodies Representatives Reports to Council ES/0953</b> Report of the Leader of the Council	<b>213 - 240</b>
<b>12</b>	<b>Exempt/Confidential Items</b> It is recommended that under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act.	

## Part Two – Exempt/Confidential

<b>13a</b>	<b>Exempt Minutes - July 2021</b> <ul style="list-style-type: none"> <li>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</li> </ul>	
<b>13b</b>	<b>Exempt Minutes - September 2021</b> <ul style="list-style-type: none"> <li>Information relating to any individual.</li> <li>Information that is likely to reveal the identity of an individual.</li> <li>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</li> </ul>	
<b>14</b>	<b>East Point Pavilion Construction Contract Update</b> <ul style="list-style-type: none"> <li>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</li> </ul>	

Close



Stephen Baker, Chief Executive

## **Filming, Videoing, Photography and Audio Recording at Council Meetings**

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email:

[democraticservices@eastsoffolk.gov.uk](mailto:democraticservices@eastsoffolk.gov.uk)



**The national Charter and Charter Plus Awards for Elected Member Development**  
East Suffolk Council is committed to achieving excellence in elected member development

[www.local.gov.uk/Community-Leadership](http://www.local.gov.uk/Community-Leadership)

<p><b>Unconfirmed</b></p>
---------------------------



Minutes of a Meeting of **Full Council** held remotely via Zoom on **Wednesday 24 March 2021** at **6.30pm**

**Members present:**

Councillor Paul Ashdown, Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Elfrede Brambley-Crawshaw, Councillor Norman Brooks, Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Alison Cackett, Councillor Jenny Ceresa, Councillor Judy Cloke, Councillor Maurice Cook, Councillor Linda Coulam, Councillor Janet Craig, Councillor Mike Deacon, Councillor John Fisher, Councillor Tony Fryatt, Councillor Steve Gallant, Councillor Tess Gandy, Councillor Andree Gee, Councillor Tony Goldson, Councillor Louise Gooch, Councillor Tracey Green, Councillor TJ Haworth-Culf, Councillor Colin Hedgley, Councillor Ray Herring, Councillor Mark Jepson, Councillor Richard Kerry, Councillor Stuart Lawson, Councillor Geoff Lynch, Councillor James Mallinder, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Keith Patience, Councillor Malcolm Pitchers, Councillor Carol Poulter, Councillor David Ritchie, Councillor Craig Rivett, Councillor Keith Robinson, Councillor Mary Rudd, Councillor Letitia Smith, Councillor Rachel Smith-Lyte, Councillor Ed Thompson, Councillor Caroline Topping, Councillor Steve Wiles

**Officers present:**

Katherine Abbott (Democratic Services Officer), Stephen Baker (Chief Executive), Helen Buckingham (Regulatory Consultant – Environmental Services & Port Health), Sarah Davis (Democratic Services Officer), Shannon English (Political Group Support Officer (GLI)), Andy Jarvis (Strategic Director), Matt Makin (Democratic Services Officer), Paul Mackie (Strategic Funding Manager), Sue Meeken (Political Group Support Officer (Labour)), Agnes Ogundiran (Conservative Political Group Support Officer), Mark Purvis (ICT Service Desk Team Leader), Hilary Slater (Head of Legal and Democratic Services), Karen Staples (Regeneration and Growth Manager), Paul Wood (Head of Economic Development & Regeneration)

**1 Apologies for Absence**

Apologies for absence were received from Councillors Melissa Allen, Chris Mapey, Frank Mortimer, Trish Mortimer and Kay Yule.

**2 Declarations of Interest**

No declarations of interest were made.

**3 Announcements**

**The Chairman of the Council**

The Chairman announced, with sadness, that Nicky Yeo and Cyril Webb, former members of Suffolk Coastal District Council who had also both served as Chairman, had recently passed away. The Chairman invited Councillor Hedgley to pay tribute to Nicky Yeo and Councillor Deacon to pay tribute to Cyril Webb.

The Chairman asked Council to observe a short silence to pay respect to former colleagues and their work for local residents.

#### **The Leader of the Council**

Councillor Gallant said he wished to reflect on the anniversary of the first lockdown, the events of the past year and the impact there had been on communities. Councillor Gallant said his thoughts were with those who had lost loved ones in the pandemic, those who had suffered considerable illness, and those who had worked extremely hard to support everyone during unprecedented and difficult times. Councillor Gallant recognised that it had been an obviously difficult year for everyone and he wished to formally thank everyone in East Suffolk for their efforts and sacrifices in the last year and adhering to the guidance in order to keep one another safe. Councillor Gallant paid tribute to the Council's Officers and the volunteers who had delivered the services the district's businesses and communities had relied upon. However, he said it was of equal importance to look to the future. Councillor Gallant referred to the anticipated and welcomed easing of Covid restrictions but wished to remind everyone that there remained the need to adhere to the guidelines so that the virus did not take control once more and to minimise risk. Councillor Gallant referred to the need to utilise the data to decide the safe time to end lockdown, not the dates. Councillor Gallant said that we would be living with the virus for many months, if not years, and that we all needed to 'do our bit' by following the guidelines. There was, he said, nevertheless a genuine sense of hope, renewal and optimism for better times and in summing up he thanked everyone again for everything they had done during the last year.

#### **Cabinet Member for Economic Development**

Councillor Rivett referred to the successful bid for Freeport East which would offer a unique opportunity to build a global trade hub that, in time, would accelerate opportunities for the green energy agenda and help to level up the economy.

#### **Cabinet Member for Resources**

Councillor Cook referred to a question at Full Council in January 2021 regarding the possibility of some second home owners registering that home as holiday let businesses and paying business rates rather than Council Tax. This, he said, could potentially result in those homeowners claiming business rate relief and therefore not paying business rates, nor Council Tax nor renting their second homes out for income. In January, Councillor Cook had explained to Council that he was aware of the problem and that the Council, following a media article in March 2020, had made representations to the LGA and MHCLG to see if this could be investigated. He was delighted to report those representations had been successful and HM Treasury had announced that the Government would legislate to change the criteria to determine

whether a holiday let was valued for business rates. Further details of the change and implementation would be provided shortly in the MHCLG in their response to the consultation on business rates treatment of self-catering accommodation.

#### **Cabinet Member for Community Health**

Councillor Rudd wished to remind all those aged 50 years and above to get their first Covid vaccines.

#### **Cabinet Member for Transport**

Councillor Brooks advised that work on the Gull Wing Bridge had commenced on 22 March 2021. It was expected to take two years to complete. Councillor Brooks wished to formally thank Councillor Hicks, Leader of Suffolk County Council, for the substantial financial support given to the scheme.

#### **Chief Executive Officer**

Mr Baker, the Chief Executive, announced that the Head of Environmental Services and Port Health, Phil Gore, would retire in April due to unforeseen circumstances. The Chief Executive referred to Mr Gore's years of service with the Council, and its predecessor Councils, and of the vast amount of experience he had brought to a role of incredible breadth in that time. He said Mr Gore had approached a challenging and varied role with calmness and tenacity, a quiet yet determined demeanour, and had gained the respect of all those he had worked with. The CEO said Mr Gore was a terrific public servant and consummate professional. He read out a text message from Mr Gore in response who was unable to be present. In addition, Councillor Rudd, as a Cabinet Member who had worked with Mr Gore, wished to fully endorse the Chief Executive's comments and, on behalf of all the Council, thanked Mr Gore for his excellent work always and wished him all the very best on his retirement

Graham Elliott, who had recently resigned as an East Suffolk Councillor for Beccles and Worlingham, made a short statement. He referred to his fourteen years as a Councillor, to the community projects he had helped, and hoped the model of community ownership would remain a vital and key aspect. He welcomed the collaborative style of working at the Council which Councillor Gallant had encouraged.

### **4 Questions from the Public**

The Chairman introduced two Questions which had been received from members of the public pursuant to Council Procedure Rule 8. Both members of the public were present and were invited by the Chairman to read their questions.

#### **(a) Question from Ms T Smith to the Cabinet Member with responsibility for The Environment**

*East Suffolk Council has declared a climate emergency, and as part of that pledge has committed to work with Government to a) deliver its 25 year Environmental Plan and b) increase the powers and resources available to local authorities in order to make the 2030 target easier to achieve. Does the Council agree that the Climate and Ecological*

*Emergency Bill provides a suitable framework to achieve both the Council's and the government's aims with the required urgency and scale of response?*

**Response from Councillor Mallinder**

Councillor Mallinder thanked Ms Smith for her question and engagement with an important issue. East Suffolk had, he said, a strong environmental vision, not only being developed but delivered, and he suggested that the environment was at the heart of all the Council did and a key principle of the Strategic Plan. The declaration of a climate emergency had, he said, reinforced the Council's commitment and this message and, through the Council's Environment Task Group, the Council had lobbied Government to articulate the concerns of its residents and our vision. Councillor Mallinder agreed with Ms Smith that there was a need to have stronger legislation to give powers to local authorities so that they had resources to support their environmental vision and, ultimately, residents. The Climate and Ecological Emergency Bill highlighted mutual concerns and, he said, the suggested actions were incorrect for dealing with them - he did not consider there to be a need for Citizens' Assemblies which would be an extra layer of bureaucracy. Instead, as a society, he suggested more ambition to make business, politics and the environment work together to best effect, to act and not talk, to implement meaningful environmental policies.

**(b) Question from Mr J Valentine to the Cabinet Member with responsibility for The Environment**

*The Climate and Ecological Emergency Bill provides the opportunity to assess and account for all Climate and Ecological costs now and into the future, and invites us to start the work of repairing the damage that's been done, and preventing further damage. Does the Council consider that the proposals and innovations contained within the CEE Bill will contribute towards improving the quality of life for current and future generations of East Suffolk residents, or does the Council think they would prefer for us to delay starting work on this necessary and inevitable task, in case something better comes along?*

**Response from Councillor Mallinder**

Councillor Mallinder thanked Mr Valentine for his question and said that, again, it was very welcome to see a member of the public engaging with the democratic process; he made reference to the earlier answer. He said that East Suffolk had already had successes in repairing its environment. The Council was, he said, making sure that frontline services were fit for today and tomorrow. He repeated that he did not agree with the suggested methods of dealing with these concerns as referenced in the Bill which he considered to by-pass democracy and public scrutiny altogether. He added that Citizens' Assemblies, in his opinion, would add another layer of egos and a lack of accountability so rather than being part of the decision-making process, the local authority would become an external force. He said that obstacles and bureaucracy needed to be removed, not added, so that action could be taken to make a real and lasting change.

The Chairman thanked the two members of the public for their questions.

**Questions from Members**

The Chairman advised that two questions had been submitted by Members pursuant to Council Procedure Rule 9.

**(a) Question from Councillor Janet Craig to the Deputy Leader and Cabinet Member with responsibility for Economic Development**

The Chairman confirmed with Councillor Craig that she was content that her question, as set out in the published agenda, be taken as read.

**Response from Councillor Rivett**

The Town Investment Plan sets out ambitious plans for development and investment in Lowestoft over the next 10 years. It covers the wider area of Lowestoft and has been created locally with partners and stakeholders to ensure it focuses on the priorities that will drive real change through long term economic productivity and growth. The Towns Fund grant and the 5 project areas that have been identified are capital projects, investing in land use and economic assets. These projects will be developed to maximise opportunities to ensure inclusive growth. The methodology that was used to prioritise these projects assessed how each of the capital projects could create social value, as well as economic value, in respect of increasing skills and education opportunities, providing mentoring opportunities and apprenticeships and engaging and improving the wellbeing all members of the community.

The economic and social value will be measured throughout the development of the business case and project delivery. The Regeneration team are currently working with officials in central Government to create a monitoring plan for the Towns Fund projects to ensure that their contribution to delivering economic and social is monitored and achieved.

A key part of delivering the Town Investment Plan through the Lowestoft Place Board is to ensure that we are linking with key public and private sector organisations to ensure that the plan links to all of the other work that is taking place to support all members of the community. This includes Lowestoft Rising, Lowestoft Community Partnership, DWP, SCC, East Coast College, the LEP, Access Community Trust etc.

Councillor Craig thanked Councillor Rivett for his response and asked how improvements to people's lives in the area would be measured. Councillor Rivett referred to outputs required by the Heads of Terms and the ambitions that the projects must deliver and noted that the government had added very few conditions to the bid. Councillor Rivett said that the number of stakeholders involved would ensure the benefits of the projects would be measured to demonstrate their outcomes had been achieved.

**(b) Question from Councillor Louise Gooch to the Deputy Leader and Cabinet Member with responsibility for Economic Development**



The Chairman confirmed with Councillor Gooch that she was content that her question, as set out in the published agenda, be taken as read.

### **Response from Councillor Rivett**

A key requirement of the Towns Fund grant and the Town Investment Plan from central Government is that engaging stakeholders and community is at the core of our plans. A key part of the assessment process of the bid was how we engaged and how we plan to engage moving forward. As a minimum this requires a stakeholder engagement plan and communications plan for the projects within the Towns Fund. However, I am pleased to say that these requirements have been exceeded as we have been developing our Lowestoft Placemaking work alongside the creation of the TIP and we are in the position where we can be confident that we will ensure we maximise our engagement opportunities.

The Lowestoft Placemaking work is a key part of the TIP, it started before our bid to the Towns Fund and originated from the “Making Waves Together” cultural project. The aim was to engage the community to tell a story of the Place and what it is about the place that the community members identified with. Our ambition to have a Place Board rather than a “Towns Fund Board” is part of this placemaking approach and this direction was taken to ensure our engagement was as inclusive as possible.

The Place Making work also includes our Ambassador events programme, which will involve holding events throughout the business case development and delivery phases, providing information on the projects as they are developed and providing the opportunity for people to feedback and influence the nature of the project. Alongside the Place Board we have also created a group of 11 Lead Ambassadors representing different parts of the community (Access Community Trust, Lowestoft Rising, Faith Groups, Schools & Colleges, business (tourism, retail, ports, energy), environmental charity, young people). The role of these Lead Ambassadors is to help promote messages and information into the areas in which they work. They have all risen to that challenge and supported us in ambassador events and in helping to shape projects. We are also supporting our young people’s ambassador who has recently launched the “Life of Lowestoft Podcast – voices from the community”, which we see as a great tool to reach younger generations.

We are also in the final stages of designing the “Lowestoft” place website, all the town’s regeneration projects will be available on this site as well as further information about other developments taking place. There will also be film and social media content on the site to provide the local community with as much information as possible. We are also exploring interactive online tools connected to the site to provide a further route for community feedback.

We believe this placemaking work is a key tool for ensuring comprehensive and inclusive engagement in the TIP and the Towns Fund projects. I am pleased to confirm that this has been recognised at a national level with the team have been nominated as finalists in the IESE Public Sector Transformation Awards for the innovative approach to engagement we have taken.

We are also acutely aware of the need to continue traditional and more formal routes of engagement. We have identified the use of the Post Office as a space for engagement, once Covid restrictions have been lifted. This is an ideal space for engaging on the Towns Fund projects but also the other projects within the Town Investment Plan (Gullwing, LFRMP, Full Fibre) including the Heritage Action Zones projects, since the Post Office is a key building within the HAZ initiative.

Within the stakeholder engagement plan we identify engagement of local ward councillors and parish councillors as key to helping us inform and engage the community. They are invited to all of the ambassador events and they are represented on the Place Board, however the team will also be arranging sessions to specifically engage with councillors.

As part of the Town Fund monitoring process we will also be providing a regular updates on the progress of the development of the Towns Fund projects to Full Council.

Councillor Gooch thanked Councillor Rivett for his response and asked how town and parish councils from the wider Lowestoft area would be engaged. Councillor Rivett explained that there was a parishes representative on the Place Board who acted as a conduit between the Place Board and the parishes in the area. Councillor Rivett highlighted the significant engagement with a variety of stakeholders during the formulation of the masterplan.

## **6 Petitions**

The Chairman announced that no petitions had been received as provided for by Council Procedure Rule 10.

## **7 Notices of Motion**

The Chairman advised that one Motion had been submitted by Councillor Rachel Smith-Lyte pursuant to Council Procedure Rule 11. In accordance with the Council Procedure Rules set out in the East Suffolk Council Constitution, the Chairman sought a proposer and seconder on discussing the Motion immediately.

On the proposition of Councillor Gallant, seconded by Councillor Brambley-Crawshaw it was by a unanimous vote

### **RESOLVED**

That the Motion be discussed immediately.

The Chairman invited Councillor Smith-Lyte to propose her Motion.

When introducing her motion, Councillor Smith-Lyte highlighted that the global temperature had already risen by 1% from pre-industrial levels and that without more significant action the world would exceed a 1.5% increase in contravention of the Paris Climate Change Agreement, and that the harm from a 2% rise would be

significant. Councillor Smith-Lyte considered the government's target to achieve net zero by 2050 was too late.

Councillor Smith-Lyte said that the overexploitation of resources and poor land management risked a mass extinction of species and loss of habitat, and that ambitious action was needed to limit global temperature rise to 1.5%. Councillor Smith-Lyte stated that the Climate and Ecological Emergency Bill (referred to hereafter as the Bill) was a Private Members' Bill formed by cross-party support of 12 Members of Parliament (MPs) and was co-sponsored by several different organisations.

The Bill had received its first reading on 22 September 2020 and was awaiting its second reading, and Councillor Smith-Lyte advised that it was supported by 103 MPs and 20 county, district and town/parish councils. Councillor Smith-Lyte highlighted that several town and parish councils in East Suffolk had pledged to support the Bill and had written to Dr Therese Coffey MP to seek her support for the bill.

Councillor Smith-Lyte referred to the declaration of a climate change emergency made by the Council in 2019 and highlighted the work undertaken since then to tackle this issue, but considered the Council needed to go even further to address climate change.

Councillor Smith-Lyte proposed that

*Council notes that*

- i. This council has declared a climate and ecological emergency;*
- ii. Many local authorities have established Citizens' Assemblies that are playing an important role in assisting them in their plans to achieve net zero by 2030 or before; and that*
- iii. There is a Bill before Parliament - the Climate and Ecological Emergency Bill (published as the "Climate and Ecology Bill") - according to which the Government must develop an emergency strategy that:*
  - a. requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures;*
  - b. ensures that all the UK's consumption emissions are accounted for;*
  - c. includes emissions from aviation and shipping;*
  - d. protects and restores biodiverse habitats along overseas supply chains;*
  - e. restores and regenerates the UK's depleted soils, wildlife habitats and species populations to healthy and robust states, maximising their capacity to absorb CO2 and their resistance to climate heating;*
  - f. sets up an independent Citizens' Assembly, representative of the UK's population, to engage with Parliament and Government and help develop the emergency strategy.*

*Council therefore resolves to:*

- i. Support the Climate and Ecological Emergency Bill*
- ii. Inform the local media of this decision;*

*iii. Write to local MPs, asking them to support the Bill; and*

*iv. Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk).*

The Motion was seconded by Councillor Brambley-Crawshaw, who reserved her right to speak.

The Chairman invited the Council to debate the proposed Motion.

Councillor Mallinder opened debate and proposed that the Motion be amended to read as follows:

*This Council accordingly resolves to:*

*Refer this matter to the Environmental Task Group for it to investigate the aims of the Bill and to in turn action the Council's response.*

Councillor Mallinder expressed his great respect for his Green Party colleagues but was disappointed with the original Motion, as it should be specifically relevant to the Council and its residents. Councillor Mallinder acknowledged that some aspects of the Motion were important but considered it to be a wasted opportunity to encourage collaborative working; he stated that his proposed amendment was to allow for cross-party support in responding to the Bill.

Councillor Mallinder considered that the Administration was leading the way on environmental policy in Suffolk through actions, due to the commitment of the entire Cabinet who understand the importance of the environment. Councillor Mallinder highlighted that the environment was a key point of the Council's Strategic Plan and that key changes had already been made to how the Council delivered its services.

Councillor Mallinder agreed that the urgency of addressing climate change was undisputed and was of the view that the Council was taking action on this week by week, and as it moved towards the goals of reducing emissions and increasing biodiversity it was protecting skilled jobs, developing the economy supporting residents and digitally transforming communities.

Councillor Mallinder acknowledged that the Bill highlighted the importance of the climate change emergency but did not agree with its proposed implementations needed further consideration, as the environment should not be an external issue to be dealt with separately and considered the Environment Task Group the best place for this to happen.

At this point, Councillor Brambley-Crawshaw raised a point of order; she considered that Councillor Mallinder's proposed amendment was so significant it constituted a new Motion and negated the original Motion, and sought the advice of the Council's Monitoring Officer. Mrs Slater, the Monitoring Officer, considered that the amendment was taking words out of the original Motion and replacing them with new ones, and was a valid amendment.

Councillor Mallinder continued his speech and said that the Environment Task Group was a cross-party group and the centre of the Council's environmental discussion and was a key part of formulating environmental policy.

Councillor Mallinder's proposed amendment was seconded by Councillor Cloke, who reserved her right to speak.

The Chairman invited the Council to debate the proposed amendment to the Motion.

Councillor Topping was disappointed with the proposed amendment. She expressed her respect for the Environment Task Group but was concerned that as it only met once a quarter, it would not be able to address the Bill in sufficient time. Councillor Topping asked that the Council take the original matter seriously and do not refer it on to the Environment Task Group. Councillor Topping took the opportunity to thank the expert contributors who had helped draft the Bill and cited the importance of the Citizen Assemblies it proposed.

Councillor Brambley-Crawshaw objected to some of the language that had been used by Councillor Mallinder in respect of the original Motion; she reminded Members that the opposition was entitled to submit a Motion to Council and it was an important part of the democratic process. Councillor Brambley-Crawshaw considered that the Bill should be discussed by the Council in the public domain.

It was acknowledged by Councillor Brambley-Crawshaw that Councillor Mallinder had been consulted on the original Motion before its submission, and had asked for the matter to be referred to the Environment Task Group, but the GLI Group had been of the view that it was more appropriate for the matter to be debated by the Council.

Councillor Brambley-Crawshaw said there was nothing to fear from Citizen Assemblies and considered them to be an incredible way to work through complex issues, as seen in Ireland with issues such as abortion.

Councillor Gallant considered that the Environment Task Group was the best forum to consider the Bill as it was already embedded in delivering the Council's environmental agenda. Councillor Gallant said that Councillor Mallinder was not following a political agenda with his amendment but an environmental one. Councillor Gallant said it was important to look at whether the Bill provided what was best for residents, which he considered to be actions and not words. Councillor Gallant said he was not afraid of engagement and cited the establishment of the Community Partnerships as an example of this.

Councillor Gooch stated that she was in support of the Bill and considered it right that the Council be seen as a forum to discuss issues that affect both a local and national level. Councillor Gooch said she trusted the judgement of those who had drafted the Bill as a lot of research had gone into it. Councillor Gooch admitted that she had some reservations about Citizen Assemblies but remained of an open mind on the subject, concluding that if the matter was referred to the Environment Task Group, she would work with her colleagues on that Task Group to ascertain how to take the best sentiments of the Bill forward.

Councillor Byatt concurred with Councillor Brambley-Crawshaw's earlier comments about the amendment constituting a new Motion; he wanted to debate the original Motion given the sense of urgency on the issue and said it was important that any representations were made as soon as possible, before the Bill's second reading.

Councillor Blundell highlighted that significant work to address environmental issues had been completed by volunteers throughout East Suffolk, funded by Community Partnerships. Councillor Blundell considered that the Council should not wait on words as action was taking place.

Councillor Wiles considered that the Council was renowned for its environmental aspirations and efforts and supported the amendment made by Councillor Mallinder, stating that change only happened when everyone worked together. Councillor Mallinder said he supported the work of the Environment Task Group and supported the proposed amendment.

Councillor Smith-Lyte stated that her original Motion did not imply action was not already taking place; she asked Members not to become too focussed on Citizen Assemblies as it was only one part of the Motion. Councillor Smith-Lyte reminded the Council that the Bill had been put together by experts as well as a cross-party group of MPs and makes the point that more speed on the issue is needed. Councillor Smith-Lyte said she did not accept Councillor Mallinder's amendment.

Councillor Cloke concluded the debate on the proposed amendment by stating that she did not see the need for Citizen Assemblies, as there was already elected representatives to represent the views of residents. Councillor Cloke noted that she had recently attended the Greenprint Forum and from this and other experiences knew how much Councillor Mallinder was committed to tackling environmental issues and making real and sustainable differences.

There being no further debate the Chairman moved to the vote on the proposed amendment which was by a majority vote **CARRIED**. The proposed amendment therefore became the substantive Motion.

The Chairman invited the Council to debate the substantive Motion.

Councillor Mallinder considered that the Environment Task Group was the most appropriate place to discuss the matter and drill down to see how it can support residents' goals and the ambitions of the Council.

Councillor Byatt reiterated that the Environment Task Group needed to review the Bill as soon as possible to ensure that representations were made within its parliamentary timetable and suggested that it prioritise the issue and meets more frequently. Councillor Byatt expressed some reservations about Citizen Assemblies and considered if another layer of democracy was needed.

Councillor Brambley-Crawshaw acknowledged the concerns raised about Citizen Assemblies and noted that researching the concept had shown her how effective they could be, as they would enable the Council to bring the community with it when

addressing such issues, rather than imposing a solution. Councillor Brambley-Crawshaw sought clarity on when the Environment Task Group would hear the issue.

Councillor Gallant was of the view that had the original Motion remained, the Council would not have been able to fully understand the implications of what it was being asked to debate. Councillor Gallant considered that the Environment Task Group was best placed to debate the merits of the Bill and suggested that its prioritisation needed to be in line with the current parliamentary timetable for the Bill.

Councillor Bird was pleased the original Motion had been amended and said he could support it in this form. Councillor Bird enforced the earlier comments made stating that actions speak louder than words and highlighted work undertaken by Suffolk County Council to plant 200,000 trees in Suffolk, funded by the Suffolk Fund, with 100,000 trees having been planted in the first five months of the project.

Councillor Kerry supported the amended motion and highlighted the steps already been taking by the Council's Housing service to tackle environmental issues, including developing housing with the latest energy saving devices and air or ground source heat pumps.

Councillor Haworth-Culf was of the view that East Suffolk Council led the way on various matters and said this was evident with the establishment of the Environment Task Group and the actions the Council had taken to address climate change such as the grass roof at East Suffolk House, changing to electric vehicles, installing electric vehicle charging points and working to reduce the use of single-use plastic. Councillor Haworth-Culf highlighted that a school in her Ward was having the environment as its theme in April 2021 and this was a result of influence of Leiston Together and the net zero project for the town.

Councillor Brooks outlined the launch of quiet lanes in Suffolk last week and highlighted that a significant number of these lanes were located within East Suffolk. Councillor Brooks said that the Council was one of the leading districts in the region, and possibly the country, on environmental issues.

Councillor Topping said she was delighted to hear of so many positive actions across the district and detailed her own personal actions for a number of years, stating that everyone had to contribute to addressing climate change. Councillor Topping directed Members to the website for the Bill, where they could find an executive summary of changes and a list of the recent environmental disasters to have occurred. Councillor Topping suggested that the Bill be included on the Environment Task Group's agenda for its meeting on 14 April 2021.

Councillor Gooch considered that words and actions were not separate and said she would have been happy to support the original Motion. Councillor Gooch said that a co-operative approach was needed to address climate change in a comprehensive way.

Councillor Byatt raised a point of order, suggesting that the debate was returning to the original Motion, and asked that the Council move to the vote on the substantive Motion.

There being no further debate it was by a majority vote

## **RESOLVED**

This Council accordingly resolves to:

Refer this matter to the Environmental Task Group for it to investigate the aims of the Bill and to in turn action the Council's response.

*Following the conclusion of this item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 8.12pm and was reconvened at 8.20pm. During this adjournment, Councillor T-J Haworth-Culf left the meeting and Councillor Ray Herring joined the meeting.*

### **8 Appointment of Chief Finance Officer and Section 151 Officer**

The Council received report **ES/0702** of Councillor Maurice Cook, the Cabinet Member with responsibility for Resources.

Councillor Cook introduced the report and referred to the ill health retirement of the Council's Chief Finance Officer and Section 151 Officer, Mr Simon Taylor-Buglione, in October 2020 and to the temporary appointment of Mr Brian Mew to the position pending a formal recruitment process.

Councillor Cook stated that local authorities were required to in place certain statutory officers, one of which was the Chief Finance Officer and Section 151 Officer, to undertake a range of specific statutory duties and key financial responsibilities. In the case of the Chief Finance Officer and Section 151 Officer this included the proper administration of the financial affairs of the Council, ensuring the lawfulness and financial prudence of the Council's decision-making, a contribution to the corporate management of the Council and, the provision of financial information and advice.

Councillor Cook confirmed that a formal recruitment process had begun in January 2021 with an Appointments Committee being held on 1 March 2021; that Committee had unanimously recommended the appointment of Mr Brian Mew on a permanent basis. Councillor Cook advised that Mr Mew had accepted the appointment to take effect from 1 April 2021. Councillor Cook referred to Mr Mew's qualifications and impressive record of work experience and achievements.

Councillor Cook proposed that the formal appointment of Mr Brian Mew as the Chief Finance Officer and Section 151 Officer for East Suffolk Council from 1 April 2021 be noted. This was seconded by Councillor Lynch, as Chairman of the Audit and Governance Committee, who spoke of his positive experience of working with Mr Mew during his time as the Interim Chief Finance Officer and Section 151 Officer.

The Chairman invited the Committee to debate the proposed recommendation.

Councillor Gallant commended Mr Mew for his work and the attributes he would bring to the role. These sentiments were echoed by Councillor Byatt.



*Councillor David Beavan left the meeting at this point (8.24pm).*

There being no further debate, it was by a unanimous vote

## **RESOLVED**

That the formal appointment of Mr Brian Mew as the Chief Finance Officer and Section 151 Officer for East Suffolk Council from 1 April 2021 be noted.

## **9 Towns Fund - Lowestoft**

The Council received report **ES/0703** of Councillor Craig Rivett, Deputy Leader and Cabinet Member with responsibility for Economic Development.

Councillor Rivett introduced the report and set out that Full Council was asked to accept £24.9m from the Towns Fund subject to the successful completion of project business cases and to revise the Capital Programme to incorporate these projects.

Councillor Rivett said that he was proud of the hard work and collaboration of all involved to put together the successful bid document, detailing the input from many areas of Lowestoft to manifest the town's aspirations. Councillor Rivett outlined the various projects already taking place in Lowestoft such as the construction of the Gull Wing Bridge, work on the Lowestoft Flood Barrier and work on upgrading the town's broadband infrastructure. Councillor Rivett considered that the funding would progress the Town Investment Plan.

Councillor Rivett confirmed that the Place Board would be responsible for the development and delivery of the Town Investment Plan and the Council would be the responsible authority as per the Heads of Terms. Five projects had been given priority, following work by the Place Board to design and agree a scoring matrix that was applied to the plethora of projects considered.

Business cases for these projects now needed to be worked up and submitted in the next 12 months and Councillor Rivett said it was important that the Place Board be supported to achieve this by strengthening staffing levels, to take what was a once in a lifetime opportunity.

Councillor Rivett proposed the recommendations as set out in the report. Councillor Rivett also highlighted to Members a typographical error in the second recommendation of the report, which should read "business cases" and not "businesses cases" as published.

The Chairman invited questions to Councillor Rivett.

Councillor Byatt asked if boosting the resources of the Council's procurement team had been considered, to ensure that social value is embedded during the procurement process; he added that he would like to see the Council use its own resources and not consultants. Councillor Rivett stated that consultants would only be used where necessary and appropriate and gave an example of this happening during the

formulation of the masterplan. Councillor Rivett said that the proposed resourcing was considered to meet what would be required.

There being no further questions to Councillor Rivett, the Chairman sought a seconder to the proposal. The proposal was seconded by Councillor Gallant, who reserved his right to speak.

The Chairman invited the Council to debate the proposal.

Councillor Rudd said this was an exciting opportunity for Lowestoft and looked forward to how the town centre could be improved and people encouraged to start using it again.

Councillor Ashdown highlighted that Appendix C of the report did not list the Lowestoft and northern parishes Community Partnership seat on the Place Board but noted he had been assured this was an inadvertent omission. Councillor Ashdown, as Chair of that Community Partnership, said that the Community Partnership supported the work of the Place Board and the recommendations in the report.

Councillor Gallant thanked both Councillor Rivett and the officer team for their hard work to reach this stage. Councillor Gooch echoed this thanks and asked that this opportunity be used to make Lowestoft an all year round destination.

Councillor Wiles considered that public engagement was key to this project and noted the national interest it had received, showing how active engagement can be used to move projects forward.

*Councillor Tess Gandy left the meeting at this point (8.42pm).*

There being no further debate, it was by a unanimous vote

## **RESOLVED**

1. That it be agreed to accept the Towns Fund grant of the £24.9m external funding from Government asset out in the Heads of Terms attached as Appendix A.
2. That delegated authority be provided to the Cabinet to oversee and approve the development of business cases for each of the Towns Fund projects.
3. That the growth in the Council's General Fund budget shown in paragraph 6.1 be approved.
4. That the revised Economic Development and Regeneration Capital Programme attached as Appendix B, including a net addition to the Capital Programme of £500k, be approved.

## **10 Proposed Changes to the East Suffolk Council Constitution**

Full Council received report **ES/0711** of Councillor Steve Gallant, the Leader of the Council.

Councillor Gallant introduced the report and summarised the first of the two proposed changes to the East Suffolk Council Constitution (referred to hereafter as the Constitution), this being a reduction in the number of Members to sit on the Appointments Committee from six to three. Councillor Gallant detailed these being the Leader or Deputy Leader of the Council, the Cabinet Member for the service area concerned, or another Cabinet Member in their absence, and one member of the Opposition. The second proposed change being a correction to the inaccurate naming of an Appointments Panel to refer instead to an Appointments Committee. The full details of both proposed changes were provided in full in Appendices A and B to the report.

Councillor Gallant highlighted that the current composition of the Appointments Committee reflected the arrangements for the appointment of shared Heads of Service to the former Suffolk Coastal and Waveney District Councils; he noted that it was considered that having six Members, plus CMT and HR representatives, meant that the panel could be daunting or oppressive for candidates. In formulating the proposed changes, Councillor Gallant said that an Appointments Committee of four had been considered but was disregarded as this would increase the need for a Chairman's casting vote.

Councillor Gallant concluded that the proposed changes would make the Constitution more suitable for good recruitment. The proposed changes had been considered by the Audit and Governance Committee at its meeting on 15 March 2021; that Committee had supported the proposed changes unanimously with no particular comments or queries being raised. Councillor Gallant proposed the recommendations as set out in the report.

Councillor Lynch, Chairman of the Audit and Governance Committee, seconded the proposal; he stated that the Audit and Governance Committee had looked at the proposed changes in detail and had considered the reduced size of the Appointments Committee to be more appropriate going forward.

There being no questions, the Chairman invited the Council to debate the proposal.

Councillor Topping referred to the reduction in numbers sitting on the Appointments Committee and suggested that for an appointment as a Head of Service and above, a panel of six people or more should not be overly daunting for the candidates. Councillor Topping also suggested that it would be appropriate if those sitting on the Appointments Committee could be as diverse as possible, for example, some female members.

Councillor Herring supported the proposed changes and asked if Councillor Gallant would agree with him that additional support from Members should be put in place when recruiting to the Head of Paid Service and Strategic Director positions. Councillor Gallant concurred with this suggestion and said that a wider pool of Members should be able to meet candidates for those senior positions and give their thoughts to the Appointments Committee.

There being no further debate, it was by a majority vote

## RESOLVED

That the proposed changes to the Constitution as set out in Appendix A and Appendix B to report ES/0711 be approved.

*Following the conclusion of this item, Councillor Keith Patience left the meeting.*

### **11 Cabinet Members' Report and Outside Bodies Representatives' Report to Council**

The Council received report **ES/0701** of Councillor Steve Gallant, the Leader of the Council.

Councillor Gallant introduced the report, which provided brief reports by Cabinet Members and representatives on various Outside Bodies for the information of all members. It was agreed that the report's contents would be taken as read and not summarised further.

The Chairman invited questions.

Councillor Topping referred to the Cabinet Member for the Environment's report and his chairmanship of the Suffolk Waste Partnership; she said that the Partnership's Joint Municipal Waste Strategy stated that it had been "recently reviewed in 2013" and had ended in 2020 and asked if there was a more up-to-date version now available. Councillor Mallinder said he would look into this and respond outside the meeting.

The report was received for information.

The meeting concluded at 8.57pm

.....  
Chairman

<p><b>Unconfirmed</b></p>
---------------------------



Minutes of a Meeting of the **Full Council** held in the High Lodge, Haw Wood, Hinton, nr Saxmundham, IP17 3QT, on **Wednesday, 28 July 2021 at 6:30 PM**

**Members present:**

Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Elfrede Brambley-Crawshaw, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Judy Cloke, Councillor Maurice Cook, Councillor Linda Coulam, Councillor Janet Craig, Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Steve Gallant, Councillor Andree Gee, Councillor Louise Gooch, Councillor Tracey Green, Councillor Colin Hedgley, Councillor Ray Herring, Councillor Stuart Lawson, Councillor Geoff Lynch, Councillor James Mallinder, Councillor Chris Mapey, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Carol Poulter, Councillor Russ Rainger, Councillor Keith Robinson, Councillor Mary Rudd, Councillor Letitia Smith, Councillor Ed Thompson, Councillor Caroline Topping, Councillor Steve Wiles, Councillor Kay Yule

**Officers present:** Stephen Baker (Chief Executive), Chris Bing (Head of Legal and Democratic Services), Helen Buckingham (Regulatory Consultant – Environmental Services & Port Health), Karen Cook (Democratic Services Manager), Shannon English (Political Group Support Officer (GLI)), Andy Jarvis (Strategic Director), Matt Makin (Democratic Services Officer), Siobhan Martin (Head of Internal Audit Services), Sue Meeken (Political Group Support Officer (Labour)), Agnes Ogundiran (Conservative Political Group Support Officer), Tim Snook (Leisure Development Partnership Manager)

**1 Apologies for Absence**

Apologies for absence were received from Councillors Ashdown, Burroughes, Byatt, Cackett, Cooper, Freeman, Fryatt, Gandy, Goldson, Jepson, Kerry, F Mortimer, T Mortimer, Patience, Ritchie, Rivett and Smith-Lyte.

**2 Declarations of Interest**

There were no declarations of interest.

**3 Announcements**

The Chairman of the Council referred to recent by-elections and welcomed all newly elected members to East Suffolk Council.

The Chairman announced that, since the last Full Council meeting, he had attended two events, and he gave details of both, firstly Suffolk Day 2021 celebrations at Clare, and secondly the opening of the new Community Centre in Bungay.

The Chairman then announced the recent very sad passing of Len Jacklin, a Councillor of many years. The Chairman referred to himself and Mr Jacklin having stood against each other on two occasions but, despite that, they had had great respect for each other and had also formed a friendship. The Chairman then invited Councillor Deacon to speak. Councillor Deacon, speaking on behalf of the East Suffolk Labour Group, expressed the Group's appreciation of Mr Jacklin's commitment when he was a Waveney District Councillor; Councillor Deacon referred to Mr Jacklin being dedicated to his community and being approachable at all times. Councillor Deacon also referred to Mr Jacklin's wise words, common sense and support for the Labour Group, which was always welcomed. In conclusion, Councillor Deacon stated that Mr Jacklin would be missed by all who knew him.

The Leader of the Council stated that the Covid pandemic remained a significant risk for East Suffolk residents and, as such, the Council must continue to do all that it could to minimise the risk of spreading infection whilst balancing this with the need to get the Country back up and running. The Leader referred to staff continuing to work with residents, community groups and employers to offer support and guidance and he emphasised the need to continue to encourage the take up of the vaccines, regular testing and self-isolation when required to do so.

The Leader then reminded members that, along with colleagues at Great Yarmouth Borough Council, ESC had entered a joint bid for UK City of Culture 2025; a decision on whether the long list had been reached would be known in September 2021. Between times, a programme of communication and community engagement work would take place throughout the summer to encourage support for the bid from residents, businesses and creative organisations. The bid to become UK City of Culture 2025 gave the opportunity to showcase a hugely important part of the East Suffolk community, the cultural and creative sector. Following changes to the entry criteria, the Leader reported, groups of towns could now join together and apply for the title to be awarded to their local area. Previous holders of City of Culture status had attracted significant investment and growth, whilst highlighting the diversity of culture available to their communities. The City of Culture scheme would enable areas outside of London to put culture at the heart of their plans for post-Covid recovery. The East Suffolk and Great Yarmouth bid had, the Leader stated, the potential to be transformational for the area, strengthening communities, building a sense of pride, celebrating and boosting local arts and culture sector, and attracting new investment and tourism with all the benefits this economic uplift would bring.

The bid demonstrated how culture would be used to drive future growth, bring communities together and celebrate local heritage. Working with the cultural and creative sector, it was hoped to create a groundswell of enthusiastic support and engagement which would play a key role in the efforts to overcome the challenges faced in communities, helping them to recover from the effects of the pandemic and opening up yet more opportunities, especially for young people.

The bid, regardless of the outcome, the Leader stated, would enable the rich culture and heritage to be showcased to the rest of the UK, highlighting the creativity of people and the beauty of landscapes, enabling the district to be enjoyed by all and creating a cultural legacy for future generations.

The Leader reported that he had a number of changes to advise members of in respect of Appointments to Outside Bodies; using the delegations given to him by Full Council and Cabinet, respectively, and with immediate effect, the following changes were reported:

- Alde and Ore Community Partnership (one vacancy following former Cllr Haworth-Culf's resignation) - replacement - Councillor Russ Rainger.
- Leiston Town Athletic Sports Ground Executive Committee (one vacancy following former Councillor Bond's resignation) - replacement - Councillor Russ Rainger.
- Leiston Together (one vacancy following former Councillor Haworth-Culf's resignation) – replacement - Councillor Russ Rainger.
- Suffolk Police and Crime Panel (one vacancy following Councillor Debbie McCallum's request to step down) - replacement – Councillor Tracey Green.
- Suffolk Coast Forum (one vacancy following former Councillor Allen's resignation) – replacement - Councillor Russ Rainger.

In concluding his announcements, and turning to Community Partnerships and in particular the chairmanship of the Carlton Colville, Kessingland, Southwold and Villages Community Partnership, the Leader stated that following Councillor Jenny Ceresa's request to step down as Chair, Councillor Norman Brooks would take over as Chair from 1 November 2021.

In the unavoidable absence of the Deputy Leader and Cabinet Member with responsibility for Economic Development, the Assistant Cabinet Member with responsibility for Economic Development made an announcement on his behalf, advising that a public consultation had been launched related to the South Lowestoft and Kirkley Conservation Area Appraisal and Management Plan; there would be a six week period of public consultation running from 15 July 2021. Two drop-in sessions would also be held, on 5 August 2021, and the Assistant Cabinet Member provided details.

The Cabinet Member with responsibility for the Environment gave an environmentally friendly welcome to the newly elected councillors, stating that he looked forward to working with them, particularly on environmental matters. Councillor Mallinder also reminded councillors that maps were available that illustrated the land within all wards that might be available for tree planting and he suggested that they may wish to discuss this with their respective town/parish councils and communities to see if they wished to engage with tree planting projects.

The Chief Executive, after referring to agenda item 9, Appointment of Monitoring Officer, welcomed Christopher Bing as ESC's new Monitoring Officer. The Chief Executive also advised members that a new Head of Housing, Heather Tucker, had recently been appointed.

## **RESOLVED**

That the minutes of the meeting held on 24 February 2021 be agreed as a correct record and signed by the Chairman.

### **5 Minutes - May 2021**

## **RESOLVED**

That the minutes of the meeting held on 5 May 2021 be agreed as a correct record and signed by the Chairman.

### **6 Questions from the Public**

No questions had been submitted by the electorate as provided by Council Procedure Rule 8.

### **7 Questions from Members**

#### a) Question from Councillor Caroline Topping to the Leader of the Council

"Does this Council support the proposal that voter photo ID will be made compulsory to be able to vote? For those with no drivers licence, passport or suitable ID, what measures can we as a District Council take to support and enable them to exercise their right to vote as this policy is introduced?"

#### Response from the Leader of the Council

"I am sure that all members in this Chamber believe that ensuring that all those that are eligible to vote can do so and that we as a society are as satisfied as we can be that the system is free from fraud and abuse. The Elections Bill 2021 is currently being considered in Parliament, and this Bill includes new legislation requiring voters to show an approved form of photographic ID in a polling station before collecting their ballot paper. If agreed by Parliament, all returning officers will have to comply with this new legislative requirement. A broad range of documents will be accepted as a photographic form of ID, including passports, driving licences, concessionary travel passes and photocard parking permits issued as part of the Blue Badge scheme. Any voter who does not have an approved form of identification will be able to apply for a free, local Voter Card from their local authority; this is something that the Electoral Services Team will be expected to provide, on request. Every effort will be made to make this process as accessible and straightforward as possible. The details of this proposed new requirement, such as around the funding of this new burden, and application deadlines within the electoral timetable, are yet to be published but the Electoral Commission has committed to ensuring that it is introduced within manageable timescales and supported by proper funding. It is worth noting that electors in Northern Ireland have been required to produce personal identification in polling stations since 1985, with photographic identification being required since 2003."



Councillor Topping stated that Government research had showed that those with disabilities, the unemployed, people without qualifications, and those that had never voted before, were unlikely to hold any form of photo ID, and the elderly and those on low incomes were less likely to drive or go on holidays abroad, meaning that they were also less likely to have photo ID. Councillor Topping stated that, at the recent Aldeburgh and Leiston by-election there had only been a 26% turnout; Councillor Topping also stated the need for people to engage and to increase the voting population, not disenfranchise and reduce those voting. Councillor Topping also referred to information that she had received from an officer, who had worked within the Elections Team for five years, who advised that, in those five years, there had never been a reported case of voter ID fraud. Councillor Topping asked if the Leader would commit to writing to Government, registering ESC's serious concerns about the implementation of this new law before the Bill's second reading, as well as exploring what frameworks could be put in place to help East Suffolk residents easily secure a form of photo ID if the law was brought into place.

In response, the Leader stated that he would not commit to that; he added that he had faith in the processes in place in Central Government to establish a process that would ensure that there was no voter fraud happening. The Leader acknowledged that there was probably not voter fraud connected to the recent by-election, but he added that he could not say that, with any confidence, for the rest of the UK. The Leader stated that there could not be a position where there were different rules in place for different areas and he stated that he felt unqualified to make an assessment as to what was the likely level of voter fraud in the UK; he trusted the fact that this was being looked at and he did not believe that Central Government would be wasting parliamentary time on something that it did not think needed to be addressed. The Leader stated that the Electoral Services Team would work closely with everybody to ensure that they had good access to photo ID. In conclusion, the Leader referred to the 26% turnout at the recent by-election and he stated that he would like to see a much higher turnout at local elections.

#### b) Question from Councillor Caroline Topping to the Leader of the Council

"Fairs still use fish as prizes, however it is not an activity that is generally licensed, as they aren't "sold" as such rather won. ESC's land hire terms and conditions do not allow the giving away of live animals as prizes on our land. However, how is this policy enforced, is there a suitable reporting mechanism to report this activity and what are the consequences we impose on those found to be breaking our policy?"

#### Response from the Leader of the Council

"Just before I turn to the subject matter, I just want to make sure that members understand where this question has come from. The RSPCA is a well-known and respected charity that seeks to improve the welfare and treatment of animals both here in the UK and overseas. Many of us are I suspect supporters and indeed potentially financial contributors to their activities. I am sure that this Council will continue to support its overall aims of the improved treatment and protection of domesticated animals, wildlife and animals destined for the food chain. However, it has over the last few years become normal practice for this charity and many others to

promote their aims and causes using self-generating emails which just require one click to submit. Just entering your name, email address and postcode generates a pre worded message which is automatically addressed and sent to their local Council or Member of Parliament. This practice can generate a large number of emails all worded exactly the same and all requiring, for the sake of politeness, an individual response. No check is carried out by the system as to what is and what is not already being done locally to address the subject matter, thus many of the responses we send simply say we already do that, or we already prohibit it. There are currently 20 such campaigns on the RSPCA website.

I ask you members, is this a good use of the time of both members and officers of this Council?

When you go on to multiply this across the whole of the UK you will start to see the impact to the system as a whole. If the RSPCA had posed the same question to this Council directly it would have had the same impact and response, as a reputable and professional organisation we would have taken their correspondence seriously, considered the evidence and the implications of their ask and responded accordingly. So why do the RSPCA and many many other charities now choose this method of engaging, well the cynic in me says it is because it drives membership numbers and retention. Making people feel involved adds to their coffers. Not a bad thing you may say, but the cost to the system in servicing this process should in my opinion also be a consideration for us all. They could of course change the system to allow people to report their support directly back to them, but this of course shifts the administrative burden from us to them. They could also target their efforts to local authorities that are failing to address the subject matter, again this would require more work and research on their part. I shall leave members to ponder the pros and cons of this process, I just wanted to highlight my concern around this process to you all.

Let me now turn to the subject of this question. It is many years since I personally have seen goldfish being offered as prizes at fetes and fairs, but that doesn't mean it has completely ceased. My busy schedule and full inbox precludes me from visiting them all.

All events on this Council's owned land require consent from the Council in its capacity as landlord for the area the event is being held. Once an event has been approved, the Council will issue a Condition of Hire agreement, which the hirer will be bound to adhere to. The Events Team monitors the large events to ensure compliance with the policy and the location hire agreement. This includes fairs and carnivals. Should a member of the public or indeed the RSPCA or similar animal welfare body wish to report a complaint, such as live fish being given away, this should be through the normal complaints system, which is then directed to the relevant department, in this case Economic Development. Such a breach of the Hire Agreement would mean that any further application to hold an event by a person or group would be rejected unless adequate reasons can be shown as to why the event should be approved. Approval will only be given at Director level. The standard conditions of our Hire Agreement include 22 conditions number eight states "The giving of goldfish or other live creatures as prizes is banned." And just to head off any similar questions Condition 9 States "No circuses with performing animals of any kind are permitted at any event."

So, although I thank Councillor Topping for the question a quick visit to our website would have provided the answer that she sought and saved members having to listen to my somewhat protracted response."

Councillor Topping did not have a supplementary question.

c) Question from Councillor Janet Craig to the Cabinet Member with responsibility for Communities, Leisure and Tourism

"We recognise that our Strategic Plan sets out ambitions for our communities that include a place based approach to tackling deprivation and an aim to help people reach their full potential so we welcome the advertised positions for twelve Apprentices this September. However, is there a reason why we do not offer degree level Higher Apprenticeship opportunities that would help root our brightest young people in their home towns?"

Response from the Cabinet Member with responsibility for Communities, Leisure and Tourism

"Since July 2018 ESC has recruited 37 new start apprentices, 25 of whom are still with the Council. 46 existing staff have also commenced apprenticeship qualifications during that period. These qualifications are in Business Admin; Team leading; Operational Management; Building Control; Procurement; Housing, at all levels; Finance – CIPFA; Public Management and Leadership; Building Trades – plumbing, construction, electrical; Planning.

Our Apprenticeship Strategy can be found at HR - East Suffolk Apprenticeship Strategy 2018 - 2022.pdf - All Documents (sharepoint.com)

ESC currently has one young person undertaking a degree level apprenticeship in Housing who will complete his qualification in early 2022. Other degree level apprenticeships are relatively new - e.g. in Planning and Environmental Services and we are working with managers to identify where opportunities may exist through their workforce plans. Higher level apprenticeships offer a great opportunity to "grow our own" and to give our local young people chances to upskill without having to go to university full time. As an example, there are plans for two or three Environmental Health Apprentices at Grade 7 (Masters level) from this September.

ESC is delighted to be working with the Leaving Care Team at Suffolk County Council (SCC) to offer two care leaver apprenticeships in the the Communities Team from September 2021, focussing on Covid support and Health and Wellbeing. The Council is also working with high schools and colleges across the district to promote apprenticeships in addition to the more traditional higher education pathways. Primarily these higher level apprenticeships are on a day release basis which, depending on the subject, can mean apprentices travelling to universities in London and beyond which can be both a logistical and a financial challenge. However apprenticeship qualifications at this level are relatively new and we expect additional opportunities to open up over the coming months and years.

In addition, the Council in partnership with SCC, New Anglia LEP and Suffolk Chamber of Commerce work directly with employers, sector groups and business representative organisations to promote the creation of more apprenticeship opportunities. There is a particular focus on encouraging apprenticeship roles in STEM (Science Technology Engineering and Maths) related occupations as this supports a number of our key growth sectors. An example of our approach is the joint work we undertake with SCC and EDF Energy to maximise the number of local apprenticeships that will be created during the construction of the proposed Sizewell C development.

The Council's internal and external approach to supporting the creation of apprenticeships directly supports two Strategic Plan priorities – Growing our Economy and Enabling our Communities. Furthermore, it directly contributes to the inclusive growth approach we have adopted which seeks to ensure all members of the East Suffolk community benefit from the economic growth."

Councillor Craig, in her supplementary question, after referring to the Communities theme within the Strategic Plan, and also the selection process for staff, asked how much weight ESC gave to factors such as whether candidates had an education, health or care plan, or if they came from a diverse or under-represented background, or if they lived in a deprived ward.

In response, the Cabinet Member with responsibility for Communities, Leisure and Tourism stated that ESC would follow the procedures that it had in place, to ensure that it treated everybody the same, and fairly, when they applied for any positions.

-  
d) Question from Councillor Louise Gooch to the Cabinet Member with responsibility for The Environment

"Following the Motion at Full Council in September 2020 in support of the Peter Aldous MP sponsored Local Electricity Bill, the Environmental Task Group examined community energy generation but recommended that the council should focus on encouraging energy efficiency.

However since that Report in June this year the Suffolk Climate Emergency Plan has been published and approved by Suffolk's Public Sector Leaders including Councillor Gallant. Amongst over a hundred actions that address our commitment to net zero carbon emissions the plan contains two from the list of twenty-five Priorities that relate to community energy, these being to:

- Host renewables installations on public buildings, as well as public land holdings and brownfield land. Establish a collaborative relationship and work with community energy groups to co- develop the schemes where possible.
- Deliver opportunities for on-site or near-site renewable schemes to serve large energy users, like hospitals, universities, and transport infrastructure. Work with community energy groups where possible.

Given that Suffolk County Council is already carrying out detailed feasibility studies of

its land for suitable sites for energy generation opportunities can we more than match the SCC Energy Opportunity Assessment by engaging the local government backed Energy Hub ourselves or other supportive community organisations and revisit this topic of community energy generation that can bring carbon savings, revenue generation for the council or our communities and improved network resilience?"  
Response from the Cabinet Member with responsibility for the Environment

"I want to reassure Councillor Gooch and all ward members that it is always important to make sure all stakeholders work together when we focus on the environment.

I absolutely welcome the principles of the Suffolk Climate Emergency Plan and it really does echo the priorities we have at East Suffolk.

I will of course be working closely with SCC to make sure we work together to support our communities and residents in the many suggestions the Plan makes.

And I would also encourage our neighbouring districts and SCC to look at adopting a number of our campaigns and it is proven working together we can really achieve a change and make sure the environment is a top priority for all of us. Here at East Suffolk, under the leadership of Councillor Gallant, we are building environmentally sustainable communities and by working together we can make sure that this is embedded across the whole of Suffolk."

Councillor Gooch referred to the report issued in May 2021 by Ricardo Energy and the Environment in relation to the Suffolk Climate Change Partnership, and geared towards SCC and its working relationship with the district councils, which she added included lots of useful comments. Councillor Gooch referred to the suggestion on page 34, in respect of a possible Suffolk Climate Emergency Fund. Councillor Gooch asked if ESC might consider establishing such a thing to lever community groups via an organisation like Community Energy East to explore solar and on-shore wind farms, the figures for the potential gains for these truly environmental and clean and green energies were splendid Councillor Gooch stated.

In response, Councillor Mallinder reported that he would be very happy to consider this, particularly through the Suffolk Public Sector Leaders' Group.

## **8 Petitions**

No petitions had been received as provided by Council Procedure Rule 10.

## **9 Notices of Motion**

The Chairman advised that two Motions had been received for this meeting and that each Motion would be considered individually; he moved to the first Motion and in accordance with the Council's Constitution it was proposed and seconded "That the Motion be discussed immediately". On it being put to the vote the Motion was carried and the Motion was therefore duly discussed.

Councillor Beavan stated that Southwold Harbour had been a war zone ever since Waveney District Council had taken it over in 1974; he thanked the Head of Operations

for the work that he had undertaken and then referred to the newly formed Harbour Management Committee which he said had accepted the Port's Good Governance Guidance but added that the Board and its Committees needed to have the appropriate balance of skills, experience, independence and knowledge. Councillor Beavan stated that he had persuaded local stakeholders to bury their hatchets and trust the Council. Councillor Beavan stated that he had offered his services as one of the five Council representatives; he did not feel that it was appropriate to take an Independent's place as he was a councillor. Councillor Beavan then referred to the ESC Cabinet Members who had been appointed to the Committee, and questioned their skills, suggesting that they had been appointed for their Cabinet positions and not their skills. Councillor Beavan stated that there was no room for anyone who knew about caravan sites, which was where the revenue came from, and no room for himself, the local ward member, who had maritime skills.

Councillor Beavan commented that it would have been so much better if everyone could have worked together, without party politics; he referred to Committees and the Community Partnership Board with Conservative members; Councillor Patience no longer being appointed to the Flood Board after 10 years, and the Scrutiny Committee which he said only appointed Conservative members.

Councillor Beavan quoted from the first speech of the Leader of the Council, to ESC, where he said "I recognise that we are all here to look after the interests of East Suffolk and when there is an opportunity for us to work together to achieve something I will not be afraid to grasp it." Councillor Beavan suggested that the Leader was not grasping opportunities for East Suffolk.

The Leader, in raising a point of order, commented that the Motion had not been formally proposed by Councillor Beavan.

Councillor Beavan formally proposed the Motion, which was seconded by Councillor Deacon - "We call on the Administration to use all the talents, enthusiasm and experience available from councillors across all political parties to effect the best governance for all the people of East Suffolk."

The Chairman invited the Council to debate the proposed Motion.

The Leader, at this point, submitted an amendment to the Motion, as follows - "Membership of the formal Committees and Sub Committees of East Suffolk Council is determined under the terms of the Local Government Committees and Political Groups Regulations 1990. For appointments where this does not apply East Suffolk Council will continue to be cognisant of and use all the talents, enthusiasm and experience available from all councillors to deliver against our Strategic Plan, thus realising the best outcomes for all residents of East Suffolk."

The amendment to the Motion was seconded by Councillor Cook.

It was suggested by Councillor Beavan that the amendment to the Motion negated his original Motion. The Monitoring Officer, after considering the amendment, stated that in his view it did not negate the original Motion.

The Council moved to the vote on the proposed amendment, which was by a majority vote carried. The proposed amendment therefore became the Substantive Motion.

The Chairman invited the Leader to speak to his Motion.

The Leader stated he was pleased to hear that Councillor Bevan had such confidence in his own skills and abilities and he hoped that his belief was shared by the ward members that he represented. It was however disappointing, the Leader added, to hear that Councillor Beavan had no such faith in the rest of the elected members being also able to use their skills and experience to good effect. The Leader reported that the members that had been allocated to the Southwold Harbour Management Committee were all cabinet members who were selected by himself to serve on Cabinet because they had the skills and experience necessary to understand and influence the various challenges in their individual portfolios. They sat on the management Committee as cabinet members, not Conservatives, and they were subjected to a rigorous skills audit and application process a process.

The Leader added that the Cabinet was of course formed by the controlling party and he added that in the 2019 local elections the Conservative Party was supported by over 52,000 electors; in comparison Councillor Beavan's own party received only 15,500 votes. The Conservatives returned 40 of the 55 seats whereas his party returned three. This, the Leader stated, indicated to him that the vast majority of the electorate had put their faith in this Administration and its ability to deliver outcomes that were both measured and sustainable. The cabinet members that sat on the Southwold Harbour Management Committee were not only cognisant of the work and ambitions of the Committee but were also well placed to fully understand and influence the wider work of the Council. They were ably supported by a group of independently appointed members who brought industry specialisms and local knowledge to the table. The Leader stated that Councillor Bevan was encouraged on more than one occasion to seek appointment to one of those positions but he had not done that.

At this point, the Cabinet Member with responsibility for Resources outlined the long and detailed process with regard to the formation of the HMC; he advised that work had been ongoing for many years and during that time there had been multiple joint meetings, negotiations and public consultations. In addition legal advice had been sought from experts in the field. Councillor Cook highlighted the skills assessment for the HMC, saying that it was both constructed and conducted with reference to Ashfords Solicitors and following public consultation on the skills audit and terms of reference for the Stakeholders' Advisory Group; all applicants for the co-opted member appointments were interviewed by a panel consisting of the Leader, Ian Bradbury of Southwold Town Council and an independent person recommended by Ashfords Solicitors, and Councillor Cook advised of the appointments made and their CVs/ experience. Councillor Cook advised that Councillor Beavan was not a member of the Cabinet and therefore did not qualify. In conclusion, it was confirmed that the Committee would continue to be cognisant of and use all of the extensive talents, enthusiasm and experience available in the many challenges that laid ahead.

Councillor Deacon referred to the speech made by the Leader, at ESC's first Full Council meeting, where he had spoken about his plans for the road ahead, saying that he

looked forward to working with all members and that he would not be afraid to grasp the opportunity to work together to achieve something. Councillor Deacon quoted from an email from the Leader, dated 13 June 2019, in which he said that he was determined to tap into the skills, experience and interests of all councillors and to maximise the impact that all members could make together as a Council. The Leader had also said that he would be welcoming input and contributions from all councillors irrespective of party alignment. Councillor Deacon referred to the skills audit form, which had been sent to all councillors, with just under 30 responses, which had been sent to the Member Development Steering Group. Councillor Deacon questioned the point of submitting those forms. Councillor Deacon acknowledged that committees had to be politically balanced, and that outside body places were the gift of the ruling party, but he suggested that the Council should be using the skills of all members. Councillor Deacon referred to his own many years of experience working at the Port of Felixstowe and added that he was pleased to represent ESC on the Local Authority Port of Felixstowe Liaison Group which he commented was a prime example of a member's skill being well used, and he hoped put to good use. On the other hand, Councillor Deacon commented, his Group Leader, who had combined experience of some 20 years as a Coastguard and a Special Constable, had not been asked to provide any informal input on public safety issues. Councillor Deacon suggested that now was the time to look at the ESC Constitution, and general practices, so that the current Administration could tap into all member skills for the benefit of the whole community, as hoped for by the Leader. Councillor Deacon also suggested that the Environmental Task Group should be expanded to include additional and informed opposition members; Councillor Deacon suggested that this should be the forum to exemplify cross-party co-operation on the most significant issue that affected everybody. In conclusion, Councillor Deacon suggested that this would be the perfect opportunity to lay down a benchmark to use the hidden skills of members.

In response, the Leader confirmed that he stood by everything that Councillor Deacon had relayed; he stated the importance of the skills of all members being used in the best way possible. The Leader, referring to the Environment Task Group, stated that it was a really good and efficient cross-party group that fed back into the Cabinet and provided a steer as to what was going on. The Leader referenced the legislation relating to the political balance of committees and commented that that was applied but it did not stop any member attending any committee and speaking to cabinet members who were always available.

The Leader, referring back to comments made earlier by Councillor Beavan, in respect of Councillor Patience no longer sitting on the Suffolk County Council Joint Flood Risk Management Scrutiny Panel, stated that he wished to clarify that the Appointments to Outside Bodies were set out in the ESC Constitution, and were generally carried out by Full Council for non Executive functions and by Cabinet for Executive functions. There were, the Leader stated, presently two exceptions to this, one being the Suffolk County Council Joint Flood Risk Management Scrutiny Panel and the other being the Suffolk County Council Health Scrutiny Committee. The appointments of these two outside bodies were carried out by the Scrutiny Committee, with the rationale for that being that members who sat on the Scrutiny Committee were given a great deal of training on how to effectively carry out the scrutiny function. The appointment to these outside bodies being decided by the Scrutiny Committee was therefore predicated with the expectation that it would be members of that Committee that



would be appointed. For clarity, the Leader added, Councillor Patience was not a member of the Scrutiny Committee.

Referring back to the comments made by Councillor Deacon, the Leader asked that if there were any members that thought that they had something to offer, that was not being used to good effect, could they contact the relevant Cabinet Member and offer their services.

Councillor Brambley-Crawshaw, after referring back to earlier comments by the Leader, stated that in the last East Suffolk election, the majority of people did not vote Conservative, it was, she added, a quirk of the electoral system that put the Conservative Group at the helm. Councillor Brambley-Crawshaw added that political proportionality on committees and other decision making groups was an important safeguard from dictatorship or even one party rule.

Councillor Gooch stated that she wished to make some comments, in support of the spirit of the original Motion and to echo the comments of Councillor Deacon, who spoke on behalf of the Labour Group. Councillor Gooch advised that she had served on the East Suffolk Travellers' Association, having been voted on by the former Waveney District Council; Councillor Gooch added that she continued to attend, when possible, even though she no longer sought nominations through ESC, because it seemed pointless. Councillor Gooch then referred to the City of Culture bid, and highlighted that she had several degrees which she considered to be relevant, and she would have happily contributed to the bid and substance, had she been given the opportunity. Referring back to the original Motion, Councillor Gooch commented that the substance of it was for it to be a more inclusive Council, so that the residents' needs could be served.

Councillor Bird, after endorsing the comments of the Leader in respect of the Scrutiny Committee and outside body representatives, and in referring to the amended Motion and using the talents of all councillors, commented that the Scrutiny Committee was a perfect example of that and he highlighted a recent training course for non members of the Scrutiny Committee and the two members who Councillor Bird asked to join him, in presenting, were Councillor Deacon, his Vice-Chairman, who he valued, and also Councillor Gooch, who he selected because she was a teacher. Councillor Bird referred to the one Task and Finish Group which had so far been set up by the Scrutiny Committee, and commented that the Chairman of that Group was Councillor Beavan. Councillor Bird also referred to a scoping form in respect of a full review of the Council's response to the Covid-19 crisis, which would be considered by the Scrutiny Committee at its next meeting, the author of which was Councillor Beavan. In conclusion, Councillor Bird was of the view, and he hoped that members agreed, that the Scrutiny Committee worked cross-party and, as Chairman, he valued all of the talents that the members brought.

The Leader, in his only closing remarks, commented on the points made by Councillor Gooch in respect of the City of Culture bid; he confirmed that, at this point, a bid had not been submitted, it was an expression of interest that had been submitted. The Leader stated that he was grateful for the information that Councillor Gooch had provided to officers, and the Leader gave a guarantee that he would be looking for all

members to input to the bid; their skills gained externally, and as ward members, would he said be vital.

There being no further debate it was by a majority vote

#### **RESOLVED**

"Membership of the formal Committees and Sub Committees of East Suffolk Council is determined under the terms of the Local Government Committees and Political Groups Regulations of 1990. For appointments where this does not apply East Suffolk Council will continue to be cognisant of and use all the talents, enthusiasm and experience available from all councillors to deliver against our Strategic Plan, thus realising the best outcomes for all residents of East Suffolk."

The Chairman moved to the section Motion "East Suffolk District Council recognises the importance of reducing its carbon emissions both to mitigate the worst effects of climate change and to build a strong low carbon economy to ensure a stable future for East Suffolk. Reducing our carbon emissions is in line with our own environmental policy, the UK government's Climate Change Act 2008 and the Paris Agreement. Without local government introducing carbon budgets and targets, the national government is unlikely to meet its targets to reduce overall carbon emissions. This Council recognises that having an open and transparent carbon budget will help us stay on target to reduce our carbon emissions. Therefore, this Council will include an annual carbon budget, setting out our target for reduced carbon emissions, alongside the council's revenue and capital budgets. The first carbon budget should be included within the final 2022/23 budget and be approved by full council at the same time as the financial budget."

In accordance with the Council's Constitution it was proposed by Councillor Topping and seconded by Councillor Gooch "That the Motion be discussed immediately". On it being put to the vote the Motion was lost.

The Leader, after referring to the vote being lost and the constitutional need for the Motion to now be referred to the Cabinet or the most relevant Committee, firstly commented that the members sitting opposite had failed to do their research; this Council was, he said, fully committed to its environmental agenda through its well respected and ambitious cross-party Environment Task Group, which continued to monitor and address carbon emissions; he added that the Chairman of the Task Group, Councillor Mallinder, was better placed to explain the intricacies of the monitoring process. The Leader added that he doubted many members, himself included, fully understood how a carbon budget was set and monitored, and that was why there was a well informed Task Group to act on the Council's behalf. The Leader concluded that, at this meeting, there was not the time or expertise to deal with this Motion, to fully understand what a carbon budget setting process would look like, what it would cost in terms of resources and officer time. The Leader added that the Motion did not provide any tangible benefit to ESC's stated aims and, as such, the Motion would be referred to the Cabinet which would then ask the Environment Task Group to continue to address these matters on the Council's behalf.

After Councillor Brambley-Crawshaw and Councillor Beavan asking if there was a right to reply after the Leader's speech, the Chief Executive and the Monitoring Officer advised that the matter was now closed. The Chief Executive advised that the opportunity for debate on this subject would be at the Environment Task Group.

## **10 Appointment of Monitoring Officer**

Full Council received report **ES/0842** by the Leader of the Council, who stated that the Monitoring Officer was a statutory appointment under Section 5 of the Local Government and Housing Act 1989, as amended by paragraph 24 of Schedule 5 of the Local Government Act 2000. The Monitoring Officer was one of three statutory Officers the Council was required to have in place, the others being the Head of Paid Service and the Section 151 Officer. These roles had specific statutory duties assigned to them and essentially the role of the Monitoring Officer was to report on matters they believed were, or were likely to be, illegal or amount to maladministration, to be responsible for matters relating to the conduct of members and officers and to be responsible for the operation of the Council's Constitution.

Council would, the Leader reported, recall receiving a report at its meeting on 5 May 2021 regarding the temporary appointment of Mr Christopher Bing as the Council's Monitoring Officer and Head of Legal and Democratic Services, following the retirement of Mrs Hilary Slater and pending formal recruitment to the post. The recruitment process was now complete and culminated in a meeting of the Appointments Committee on 22 June 2021 following which the Committee unanimously agreed to offer the post to Mr Christopher Bing on a permanent basis. Mr Bing has accepted the appointment.

Councillor Deacon, speaking on behalf of the Labour Group, and stating how much he looked forward to working with Mr Christopher Bing, congratulated him on his appointment.

There being no questions or further debate, the Chairman moved to a vote on the recommendation, as proposed by Councillor Gallant, and seconded by Councillor Blundell, it was

### **RESOLVED**

That the appointment of Mr Christopher Bing as the Council's permanent Monitoring Officer be approved.

## **11 Political Balance and Allocations of Seats on Committees 2021/22**

Full Council received report **ES/0840** by the Leader of the Council, who reported that membership of the Committees and Sub-Committees of ESC was determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990. Those provisions required the Authority to review the representation of political groups and individuals on the Committees, Sub-Committees, and other appropriate bodies to ensure that the seats on Committees were allocated by Group Leaders in proportion to the political groups' membership of the Council.

Since the political balance and allocation of seats on Committees for 2021/22 were agreed at the Annual Meeting of ESC on 5 May 2021, the Leader reported, the vacant seat in the Framlingham Ward and the vacant seat in the Beccles and Worlingham Ward had been filled by the respective by-elections held on 6 May 2021 with the results of those by-elections declared on 10 May 2021. Similarly, following the resignation of Councillor Jocelyn Bond (Aldeburgh and Leiston Ward) and Councillor T-J Haworth-Culf (Aldeburgh and Leiston Ward) from ESC with effect from 10 May 2021, a by-election for the two vacant seats in this ward was held on 8 July 2021 and the two vacant seats had been filled. The results of these by-elections had been considered in the report which contained a recommendation about the allocation of seats on the Council's Committees and Sub-Committees for the 2021/22 Municipal Year, that was until May 2022.

Members would have read, the Leader reported, within Appendix A to the report, that it was proposed that Councillor Tom Daly replace Councillor Fryatt on Planning Committee South and that Councillor Bird would be the Vice-Chairman of Planning Committee South. Appendix A also referenced a nomination being sought for the vacant Conservative seat on the Licensing Committee. The Leader's proposal was that Councillor Russ Rainger take this vacant seat.

Councillor Deacon, after referring back to earlier debate, suggested that perhaps now could be the time to extend the size of the Environment Task Group, to include an additional member from each of the opposition groups. Councillor Deacon suggested that this change would bring additional experience to support ESC's ambition to be zero carbon in nine year's time.

There being no further questions or debate, the Chairman moved to the recommendations, as proposed by Councillor Gallant, and seconded by Councillor Cook, it was

## **RESOLVED**

- 1) That, with effect from 28 July 2021, seats on Committees and Sub-Committees of the Council be allocated in accordance with the nominations by Group Leaders indicated within Appendix A to the report.
- 2) That Councillor Russ Rainger be appointed to the Licensing Committee.

## **12 Code of Corporate Governance**

Full Council received report **ES/0841** by the Cabinet Member with responsibility for Resources, who reported that the Chartered Institute of Public Finance and Accountancy (CIPFA) recommended an annual review of the Code of Corporate Governance, as directed in the CIPFA/SOLACE 2016 publication "Delivering Good Governance in Local Government". The Code of Corporate Governance was last reviewed in July 2018. The revised Code was reviewed by the Audit and Governance Committee at its meeting on 14 December 2020, in accordance with best practice and the Committee's responsibility, within its terms of reference. The Code was now before Full Council for approval.

Councillor Gooch, after referring to the possible creation by ESC of a carbon budget, asked if this was the kind of document that ESC could incorporate this fiscal responsibility into. The Cabinet Member with responsibility for Resources, in response, commented that carbon was not a financial aspect; however, he suggested, if such a budget was put in place in the future, it may well be subject to internal audit, alongside other operations of ESC.

There being no further questions or debate, the Chairman moved to a vote on the recommendation, as proposed by Councillor Cook, and seconded by Councillor Wiles, it was

## **RESOLVED**

That the revised Code of Corporate Governance at Appendix A to the report be adopted.

### **13 Cabinet Members' Report and Outside Bodies Representatives' Report to Council**

Full Council received report **ES/0843**, which was presented by the Leader of the Council, who stated that the report contained updates from cabinet members on their areas of responsibility, as well as updates from those members appointed to represent ESC on outside bodies. The report was for information purposes and the Leader invited questions to individual members.

Councillor Daly, after thanking the Chairman and the Cabinet Member with responsibility for the Environment for welcoming him to ESC, referred to the Cabinet Member with responsibility for Communities, Leisure and Tourism's report, and the reference to energy development mitigation proposals; Councillor Daly referred to new works, outside of the SSSI, and the call for the works to be stopped until the end of September and the breeding season for endangered species. Councillor Daly asked for ESC to support this call. The Leader, in response, stated that questions to individual members should be related to the content of the report.

Councillor Deacon, referring to the Deputy Leader's report, and related to Freeport East, asked what revenue per annum was expected by ESC from the Freeport; how much was received now from the Port in respect of Business Rates and when would the outline business case be available so that a better understanding could be gained of benefits to East Suffolk. Councillor Deacon also referred to the forthcoming Hydrogen Forum and asked if all councillors would be able to access the Forum to hear the plans for the economic benefits for ESC. In the unavoidable absence of the Deputy Leader, it was agreed that Councillor Deacon would forward his questions to him by email.

Councillor Deacon, referring to the Cabinet Member with responsibility for Resource's report, in respect of the Anglia Revenues Partnership (ARP), which covered the whole ARP area, asked how much of the activity was within East Suffolk. Councillor Deacon also asked for clarification in respect of the reference to the team having identified £2.3m in fraud and error; Councillor Deacon asked if this should be prevented. Councillor Deacon also referred to the comments within the report in respect of being on target to achieve similar values, and asked if this related to prevention, or

identification, or both. The Cabinet Member with responsibility for Resources responded that he did have a breakdown of the information and he would provide that; referring to the figure of £2.3m in fraud and error, Councillor Cook reported that unfortunately he did not have that information to hand; however, he would provide it following the meeting.

Councillor Deacon, referring to Councillor Bird's report in respect of the Landguard Partnership, asked if there were any links being established between the Landguard Fort and other historic sites across the district to encourage historical tourism across the whole of East Suffolk. In response, Councillor Bird asked that the question be put in writing to him and, following that, he would try to find the answer.

Following a question from Councillor Gooch regarding the signage for towns, as referred to in the Deputy Leader's report, regarding whether they would be legible, reader friendly, whether they would be screened for residents that might have dyslexia etc, and whether there might be multi lingual signs, the Cabinet Member with responsibility for Communities, Leisure and Tourism responded that she would liaise with the Deputy Leader and provide confirmation.

Councillor Pitchers referred to the report by the Cabinet Member with responsibility for Transport, and in particular the Gull Wing project, and the table on page 70 of the report. Councillor Pitchers also referred to the report considered by Cabinet at its meeting in July 2021, which would ensure that ESC would shortly be embarking on a similar journey to that of SCC to ensure that it gave due consideration to the wider impact, social, economic and environmental, of the goods and services commissioned by ESC. Councillor Pitchers also referred to the table on page 70 of the report, and enquired about monitoring of activity in relation to the capital spend from the Towns Fund. The Leader, in response, referred to the cross-party task and finish group that had been set up by Cabinet to look at the procurement processes and he confirmed that a process would be in place to not only consider value for money, but also social value.

Councillor Craig referred to the report by the Cabinet Member with responsibility for Transport and stated that she was disappointed to read about the verbal and physical assault on CPE Officers; however, she was pleased to see that they wore body cameras. Councillor Craig asked if the officers wore any other protective equipment such as stab proof vests, and Councillor Brooks confirmed that they did wear stab vests and they also carried mobile devices for emergency use etc.

Councillor Craig referred to the low usage numbers in respect of the RingGo system in some areas and asked if this was due to difficulties with phone signals in rural areas or just that some people still preferred to pay cash. In response, Councillor Brooks stated that the use of RingGo was variable across the district; all sites had been checked and had adequate signals for most mobile phone users; however, cash alternatives were available and that would be continued.

Councillor Topping applauded the work of the CPE officers; she did question whether or not they wore stab proof vests as referenced by Councillor Brooks; Councillor Topping referred to the 146 cases of verbal abuse and 10 physical assaults, of which 19 had been investigated by the Police, and asked why only 19 cases had been

investigated. Councillor Topping also referred to repeat offenders and asked if ESC had the ability to escalate sentences to them. In response, Councillor Brooks confirmed that he would doublecheck the issue regarding stab proof vests, he confirmed that he was of the view that officers should wear the vests. Councillor Brooks, referring firstly to the 19 only cases that had been investigated, confirmed that he would look into this and report back to Councillor Topping. Referring to the escalation of fines and sanctions etc, that was a matter for the Police and the Courts Councillor Brooks stated.

#### **14 Exempt/Confidential Items**

The Chairman reported that in exceptional circumstances, the Council may, by law, exclude members of the public from all, or part, of a decision-making meeting. There were various reasons that the Council, on occasions, had to do that and examples were because a report contained information relating to an individual, information relating to the financial or business affairs of a particular person, or information relating to any consultations or negotiations.

Tonight, the Chairman reported, Full Council would be considering one exempt matter which was outlined in agenda item 14 on the published agenda. This related to Waterlane Leisure Centre roof replacement and asked Full Council to consider approval for funding from the Capital Programme to undertake refurbishment work to replace one of the roof areas and repairs to a second section at the Waterlane Leisure Centre; both areas were leaking and had reached end of life. If approved, the investment would continue to provide a welcoming environment to the Council's leisure centres to provide the opportunity for everyone to lead a healthy and active life. By continuing to invest in its buildings, ESC was making the best use of its assets, ensuring that they continued to provide quality facilities across the district, were efficient and maximised the benefits for East Suffolk's communities. ESC was delivering a redevelopment programme for its leisure assets to ensure they provided quality facilities for the community, that they were well maintained and would become more financially sustainable.

The Chairman moved to a vote on the recommendation, as proposed by himself, and seconded by Councillor Gallant, it was

#### **RESOLVED**

That under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

#### **15 Waterlane Leisure Centre Roof Replacement**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting concluded at 8.28 pm.

.....  
Chairman



<p><b>Unconfirmed</b></p>
---------------------------



Minutes of a Meeting of the **Full Council** held in the Deben Conference Room, East Suffolk House, on **Wednesday, 22 September 2021 at 6:30 PM**

**Members present:**

Councillor Paul Ashdown, Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Norman Brooks, Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Maurice Cook, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Janet Craig, Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Lydia Freeman, Councillor Steve Gallant, Councillor Tess Gandy, Councillor Andree Gee, Councillor Louise Gooch, Councillor Mark Jepson, Councillor Stuart Lawson, Councillor Geoff Lynch, Councillor James Mallinder, Councillor Chris Mapey, Councillor Keith Patience, Councillor Malcolm Pitchers, Councillor Russ Rainger, Councillor Mick Richardson, Councillor Craig Rivett, Councillor Keith Robinson, Councillor Mary Rudd, Councillor Letitia Smith, Councillor Rachel Smith-Lyte, Councillor Ed Thompson, Councillor Caroline Topping

**Officers present:** Stephen Baker (Chief Executive), Chris Bing (Head of Legal and Democratic Services), Nick Khan (Strategic Director), Matt Makin (Democratic Services Officer), Sue Meeken (Political Group Support Officer (Labour)), Brian Mew (Chief Finance Officer & Section 151 Officer), Agnes Ogundiran (Conservative Political Group Support Officer), Tamzen Pope (Coastal Engineering and Operations Manager, CPE), Dickon Povey (Principal Planner (Policy and Delivery)), Julian Sturman (Senior Accountant), Karen Thomas (Head of Coastal Partnership East), Nicola Wotton (Deputy Democratic Services Manager)

---

**1 Apologies for Absence**

Apologies for Absence were received from Councillors E Brambley-Crawshaw, A Cackett, J Ceresa, J Cloke, T Fryatt, T Goldson, T Green, C Hedgley, R Kerry, D McCallum, F Mortimer, T Mortimer, M Newton, C Poulter, D Ritchie, S Wiles and K Yule.

**2 Declarations of Interest**

Councillor A Gee declared a Local Non Pecuniary Interest during the discussions relating to item 10, Beccles Neighbourhood Plan, as she was currently the Council's representative on the Broads Authority.

Councillor C Rivett declared a Local Non Pecuniary Interest in Item 13, Lowestoft Flood Risk Management Project - Tidal Barrier, as he was a representative on the Lowestoft Flood Risk Management Board.

Councillor C Topping declared a Local Non Pecuniary Interest in Item 10, Beccles Neighbourhood Plan, as she was a former Beccles Town Councillor.

### **3 Announcements**

The Chairman of the Council invited the Chief Executive to commence the announcements on this occasion.

- Chief Executive

The Chief Executive stated that he was sad to report the sudden passing of Steve Rock, a Senior Environmental Health Officer, within the Council's Environmental Health Team. Steve had been a valued, respected, dedicated and professional member of the team. He had enjoyed a long career in local government and had worked at several Councils in the region, prior to joining the former Waveney District Council in 2018. He had been involved in training and advising many Environmental Health Officers over the years and he was hugely respected by colleagues, businesses and communities. He was a truly dedicated public servant, who had helped many others to excel in the field of Environmental Health. Our thoughts are with his wife, sons, family and friends.

The Chief Executive then invited Councillor Mary Rudd, Cabinet Member with responsibility for Community Health, to say a few words.

Councillor Rudd, Cabinet Member with responsibility for Community Health

- Steve Rock had great energy, wisdom, over 40 years experience in his role and was a key member of the Food Safety Team. We can all take comfort from knowing that there are people, like Steve, with all his knowledge and experience, who are working hard every day to keep everyone safe. Councillor Rudd stated she was proud to announce the start of the public consultation on the new statutory Food and Safety Plan, which Steve had played a vital role in creating and we will be dedicating the Plan to his memory.

- The Chairman of the Council

- The Chairman advised that he had attended some Civic Engagements on behalf of the Council which included:

- \* Norfolk County Council's Annual Summer Reception
- \* The 999 Flag Day
- \* Freedom of the Town of Lowestoft Event, for the vessel Excelsior and the owner John Wilson
- \* Unfortunately, due to prior commitments, the Chairman had been unable to attend a royal visit at Sutton Hoo and the Chief Executive had attended on behalf of the Council instead.
- \* The Beccles and Southwold Royal Air Force Association Battle of Britain Service

The Leader of the Council

- The Leader of the Council took the opportunity to expand on the tributes from the Chief Executive and Councillor Rudd, regarding the passing of Steve Rock. The Leader

stated that he had known Steve, via a local walking group 'Walking for Pleasure' which met regularly in the south of the district. He paid tribute to Steve and his thoughts were with his friends and family.

The Leader then welcomed Councillor Mick Richardson and Councillor Lydia Freeman to their first Full Council meetings, following their recent by-elections. He invited all Members join him in wishing them well at their first Full Council meeting.

The Leader reported that Councillor Maurice Cook, Cabinet Member with responsibility for Resources, carried out his duties diligently and enthusiastically, and that his input into a number of key projects had been invaluable to the smooth and efficient running of the Council. In order to assist Councillor Cook with his increasing workload, the Leader announced that, with effect from 1 October 2021, he would be appointing Councillor Ed Back to the post of Assistant Cabinet Member, to provide him with some additional support.

The Leader stated that Councillor Back was currently the Vice Chairman of the Audit and Governance Committee, and to prevent any conflict of interest, it was therefore necessary for him to relinquish his membership of this committee to take up this new post. The Leader stated that he was pleased to announce that Councillor Mick Richardson was to be appointed to the Audit and Governance Committee, in place of Councillor Back, also with effect from 1 October 2021. Councillor Cooper, a current serving Member of the Audit and Governance Committee, would take on the role of Vice Chairman, which would be vacated by Councillor Back, also on 1 October 2021.

As part of his new role, the Leader confirmed that Councillor Back was to be appointed as the East Suffolk Executive Member of the Anglia Revenue Partnership, in place of Councillor Cook. Councillor Cook would remain as one of the two substitute members of ARP, together with the Leader. The Leader asked all Members to join him in wishing Councillor Back and Councillor Richardson well in their new roles.

The Leader advised that he had made one change regarding the Appointments to Working Groups. Using the delegations given to him by Full Council and Cabinet, respectively, and with immediate effect, Councillor Fryatt would be standing down from the Local Plan Working Group and Councillor Stuart Bird would be his replacement.

Finally, at the last Full Council meeting, the Leader had reported that Councillor Jenny Ceresa had requested to step down as Chairman of the Carlton Colville, Kessingland, Southwold and villages Community Partnership and that Councillor Norman Brooks would take over as Chairman from 1 November 2021. For various reasons, the Leader needed to revise that date and Councillor Brooks would now take over as Chairman of that Community Partnership with effect from 1 December 2021.

#### Members of the Cabinet

The Deputy Leader and Cabinet Member with responsibility for Economic Development reported that, earlier this month, the Regeneration Team were awarded the Bronze Award in the category of Asset Management and Regeneration at the 2021 AIESE Public Sector Transformation Awards. The award was in recognition of the

collaborative approach in the creation of the Town Investment Plan for Lowestoft. This innovative approach used place-making working with the communities to create a significant programme of regeneration which had already generated £30 million of public sector investment. The Lowestoft Place Board was formed and was made up of a mix of public and private sector partners, to oversee the Town Investment Plan. An Ambassadors Network was also created with key lead ambassadors to help promote the Town Investment Plan and the projects that all stakeholders were carrying out to make Lowestoft a better place to live. The total amount of investment in Lowestoft was over £300 million. Those present took the opportunity to thank and congratulate to the Regeneration Team for their Award and ongoing hard work.

The Deputy Leader and Cabinet Member with responsibility for Economic Development stated that, whilst the government offered numerous consultations throughout the year, in Councillor Ritchie's absence and in relation to his own Portfolio responsibilities, he announced the Consultation on the Energy National Policy Statements. It was noted that East Suffolk Council was now on its third nationally significant infrastructure energy examination of the year and, at one stage, all three examinations were overlapping. He then thanked all officers involved, particularly the Energy Team, for rising to the challenge to get the best deal for East Suffolk. This consultation would be another opportunity for the Council to influence the government, as these policy statements set out the policy for the delivery of energy infrastructure and the framework for NSIP planning decisions.

#### The Chief Executive

-  
There were no further announcements on this occasion.

#### **4 Questions from the Public**

No questions have been submitted by the electorate as provided by Council Procedure Rule 8.

#### **5 Questions from Members**

##### a) Question from Councillor David Beavan to the Cabinet Member with responsibility for Resources

How many "holiday let businesses" in Southwold Ward were refused a Covid grant application in 2020 and 2021, and are there any outstanding investigations? Further are they still allowed to escape council tax and rates by pretending to be a genuine business? I only need headline figures and do not require any personal information that may identify them.

##### Response from Councillor Maurice Cook:

-  
To date, no applications from businesses for Covid grants in Southwold have been refused, because all applicants were initially assessed as meeting the eligibility criteria. At this time, I cannot confirm or deny whether there are any outstanding Council investigations into potential fraud in relation to Covid grants. It would not be appropriate for me to release this information. However, I can reassure you, Councillor

Beavan, that East Suffolk Council has zero tolerance of fraud and the appropriate enforcement action was always taken to recover public funds and bring perpetrators to justice when fraud was identified.

The total number of self-catering holiday units in East Suffolk as at 1st September 2020 was 1422 and was currently 1523, an increase of 101 throughout the whole of the district.

Cllr Beavan did suggest to me, in separate correspondence, that holiday lets in his ward had doubled to 573 in the last year. However, in replicating his search it was found that this figure included all types of holiday opportunities and any property, in surrounding parishes, which included Southwold in an address line.

The correct figure for Southwold, Walberswick and Reydon parishes last year was 361 self-catering holiday units. (281 + 45 + 35). This year there are currently 378 (294 + 45 + 39) which represented an increase of 17 over the year.

It would be fair to say, therefore, that holiday lets have been on the rise for some time, due to low RV's on the properties and the ability to claim Small Business Rate Relief as a result, and that this had increased, as more people become aware of the opportunity to reduce their liabilities.

Members will be aware that in March 2021, I announced that, in response to our lobbying, HM Treasury were to introduce plans to legislate to change the law to strengthen the self-catering accommodation criteria for business rates, to account for actual days the property was rented. This would ensure that owners of properties cannot reduce their tax liability by declaring that a property was available for let, while making little or no actual effort to do so.

Upon recent enquiry of the Ministry of Housing, Communities and Local Government, we have now been advised that the regulations that will be necessary to deliver the requisite changes, will be taken forward over the autumn period. I'm sure Members across the Chamber will welcome the imminent closing of this apparent loophole, which was something that East Suffolk Council has actively sought for some time.

#### Supplementary Question from Councillor David Beavan

To be clear, there were no investigations and no grants were refused? I find it strange that you are not able to say if there are any investigations underway or outstanding.

#### Response from Councillor Cook

I cannot confirm or deny if there are any ongoing investigations, it would not be appropriate for me to release any information on this matter.

#### b) Question from Councillor Janet Craig to the Cabinet Member with responsibility for Community Health

The LGA is currently calling for a change to the Licensing Act to require operators to take public health into account in running their premises, alongside wider safety and

crime issues. Councils can only currently consider four issues when deciding whether to grant licences – the prevention of crime and disorder; public safety; prevention of public nuisance; and protection of children from harm.

The LGA maintains that giving councils the powers to consider the public health impact of licensing decisions is vital to protect communities from harm, reduce NHS costs and save lives.

It wants to see the Licensing Act updated to include a public health objective and allow for action where premises fail to protect the health of their communities, Councils also need greater access to NHS data, including hospital admissions and ambulance call-out details to assist decision making.

Excessive alcohol consumption is estimated to cost the NHS £3.2 billion a year, with additional costs falling to Social Services, Police and businesses.

The proposed change to the Licensing Act would place a legal requirement on businesses to think about public health issues and give councils long-term tools to act on public health risks. We are aware that this Council has twin duties, both to support local businesses with a vibrant economy and to protect our communities from harm, so what strategy is this Council implementing to monitor the impact on public health of the night-time economy in particular, as it re-opens post Covid?

Response from Councillor Rudd:

- East Suffolk Council, as the local licensing authority, regulates the sale of alcohol, the supply of alcohol, the provision of various forms of entertainment and the provision of late night refreshment in the district pursuant to the Licensing Act 2003.

Whilst public health was not currently a licensing objective, it was important to note that since 2013, Directors of Public Health in England have been included in the list of responsible authorities to be consulted by licensing authorities on licensing applications. Therefore, Directors of Public Health, like all Responsible Authorities, are entitled to object to and make representations on individual licensing applications and to trigger reviews of existing Premises Licences. Objections to applications for new premises licences and applications for reviews of existing premises licences from responsible authorities are determined by East Suffolk Council's Licensing Sub-Committees.

East Suffolk Council's Licensing Services and Suffolk Constabulary regulate and enforce the responsible sale and supply of alcohol by licensed premises. The sale of alcohol to a person who is drunk, or to a child, or proxy sales are criminal offences which would also be considered serious breaches of a Premises Licence and in such cases appropriate enforcement action would be taken by the licensing authority and/or the police against the Premises Licence, the Designated Premises Supervisor and/or the Premises Licence Holder.

Licensing Services has a welfare page on its website where it signposts persons seeking support with alcohol addiction to NHS and specialist support organisations.

East Suffolk Council also works closely with our public sector and Clinical Commissioning Group colleagues to address the wider determinants of health and their impact on individual health and wellbeing. For example, we are working on a project with Norfolk and Waveney CCG and partners around health inequalities in the north of the District, which includes a focus on preventable health conditions. Alcohol was one factor that contributes to the prevalence of preventable health conditions (along with smoking, poor diet and lack of activity) and we work (and will continue to work) with colleagues in public health to support those with substance abuse issues and support various tools, including social marketing, to encourage people to drink in moderation and understand the impact of alcohol on their body/health.

Supplementary Question from Councillor Janet Craig

- If the local statistics from the NHS and ambulance service were to indicate that consideration of the impact on public health would be beneficial in our consideration of licencing decisions, would this Council support this change to the Licensing Act?

Response from Councillor Mary Rudd

- Yes, I think the Council would. You may wish to suggest this as a matter to be referred to the Licensing Committee, in order that they can fully consider the matter and make recommendations in due course. It must also be noted that any changes to the Licensing Objectives would require the Licensing Act 2003 to be amended by Parliament.

c) Question from Councillor Tess Gandy to the Cabinet Member with responsibility for Resources

Given the significant number of recipients of Universal Credit across East Suffolk, what impact assessments have been undertaken, as a result of the planned cut to Universal Credit across our communities, to take into account the reduced ability of individuals and families to pay housing costs, including rent, Council Tax and increasing utility bills?

Response from Councillor Cook:

- There will be no cut, as such, to Universal Credit as this extra support was announced by the Chancellor as a temporary measure in March 2020 to support those likely to be facing the most financial disruption as a result of the public health emergency. Alongside the temporary increase to Universal Credit and Tax Credits, the Government has invested over £352bn in measures to create, support and protect jobs and businesses – as well as introduced measures such as mortgage holidays and additional support for renters, and has worked with energy suppliers to protect those struggling with energy bills.

On top of the planned uprating, it was very welcome that the Government extended the temporary £20 per week increase to the Universal Credit standard allowance until the end of September 2021, meaning that the additional support has remained in place well beyond the end of economic restrictions.

At a local level, the Local Council Tax Reduction Scheme (LCTRS) will continue to receive the same level of support towards their Council Tax when the UC uplift ceases, and there was consequently no need to complete an impact assessment in respect of this. More generally, the Council carried out Equality Impact Assessments each year when considering rent, council tax, and fee and charge levels. In carrying out these assessments, the Council takes into account the range of measures that exist to mitigate the impact of any increases.

In this respect, a number of measures have been introduced by the Council and Anglia Revenues Partnership (ARP) in the last two years, to both directly support customers in respect of the impact of the pandemic, and to improve the efficiency and effectiveness of dealing with all benefits.

In 2020/21 the Council administered a Council Tax Hardship Fund allocation of £1.917m, which was used to reduce the council tax liability of working age LCTRS customers. The Hardship Fund covered the amount of the council tax that LCTRS claimants were required to pay, typically 8.5% under the Council's scheme, up to a maximum of £150.

The Council obtained approval from MHCLG to utilise the remaining funding from this allocation the COVID Hardship Support Grant for working age LCTRS customers throughout the 2021/22 year, enabling a flat rate relief of £30 to be applied to their bills.

In addition to freezing its own element of the Council Tax for 2021/22, the Council also passed on £110,000 of Local Council Tax Support Grant to town and parish councils to enable them to also keep increases down this year.

Initiatives have been introduced to streamline customer experience and claiming requirements by utilising data share with DWP & HMRC. This means that customers are not required to make a separate claims to the Council to ask for help with their Council Tax and the burden of reporting changes in their circumstances has been reduced. In September, the Cabinet approved proposals to consult the public on further improvements to streamline the customer experience, from April 2022.

To help residents during the early part of last year the Council issued informal, soft reminders to residents who had not paid their Council Tax. The Council seeks every opportunity to engage with and help customers to pay their Council Tax, often spreading arrangements over an agreed and affordable period of time. ARP is about to launch smart use of technology to contact customers to remind them to pay before a formal reminder is issued.

Finally, LCTRS customers can also apply to the Council on the following link to request Exceptional Hardship help with their Council Tax. DHP and EHP Application  
- ([www.financialassessments.co.uk](http://www.financialassessments.co.uk))

Supplementary Question from Councillor Tess Gandy



- Since my question was submitted, the situation has deteriorated rapidly and there has been a wholesale increase in the cost of gas and electricity, which will disproportionately affect those on lower incomes. Last week in Parliament, our MP, Peter Aldous, was one of only 4 Conservative MPs to speak against the removal of the Universal Credit uplift. He stated that UC had been frozen for 4 years and that there was a responsibility to protect those on the lowest incomes and the most vulnerable, from falling into poverty and despair. I ask that letters be written to the 3 MPs whose constituencies fall within our district. The first, to Peter Aldous to thank him for supporting this cause so passionately, and two further letters to be sent to Dan Poulter and Therese Coffey asking why they were not able to demonstrate the same humanity as Peter Aldous.

#### Response from Councillor Maurice Cook

- The Labour Group are most welcome to contact the 3 MPs regarding this matter should they wish. This Council will not be writing to them on this occasion.

### **6 Petitions**

No petitions have been received as provided by Council Procedure Rule 10.

### **7 Notices of Motion**

No Notices of Motion have been made as provided by Council Procedure Rule 11.

### **8 Political balance and allocation of seats on Committees 2021/22**

Full Council received report **ES/0891** by the Leader of the Council. It was noted that the membership of the Committees and Sub-Committees of East Suffolk Council was determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990. Those provisions require the Authority to review the representation of political groups and individuals on the Committees, Sub-Committees, and other appropriate bodies to ensure that the seats on Committees are allocated by Group Leaders in proportion to the political groups' membership of the Council. The Leader stated that Councillor Melissa Allen (Orwell and Villages Ward) had resigned from East Suffolk Council with effect from 18 June 2021. A by-election for the vacant seat in this Ward was held on 12 August 2021 and Councillor Mick Richardson was elected.

The Leader drew Members' attention to Appendix A to the report, where it was proposed that Councillor Beavan would replace Councillor Brambley-Crawshaw on Planning Committee North.

The Leader had already updated Full Council during his Announcements, that Councillor Back would be replaced on the Audit and Governance Committee by Councillor Richardson on 1 October 2021. Councillor Tony Cooper would become Vice Chairman of the Audit and Governance Committee on 1 October 2021, replacing Councillor Edward Back.

The Leader advised that before an any councillor was to sit on a regulatory committee, ie Planning and Licensing, they must have undertaken the required training, and arrangements were in place for all newly elected members to receive this training. Councillor Bird offered his congratulations to Councillor Back on his new appointment and he queried how an Assistant Cabinet Member - Councillor Cooper - was able to hold the position of Vice Chairman of the Audit and Governance Committee, as advice from the previous Monitoring Officer had prohibited this. The Leader reported that there was no reason why an Assistant Cabinet Member could not sit on the Scrutiny Committee or the Audit and Governance Committee, as they were not statutory roles. The Monitoring Officer concurred with the Leader's statement.

There being no further questions or discussion it was moved and seconded and

## **RESOLVED**

1) That, with effect from 22 September 2021 seats on Committees and Sub-Committees of the Council be allocated in accordance with the nominations by Group Leaders indicated within Appendix A to this report.

2) That Councillor Elfrede Brambley-Crawshaw be replaced on Planning Committee North by Councillor David Beavan, with immediate effect.

3) That Councillor Edward Back be replaced on the Audit and Governance Committee by Councillor Mick Richardson, from 1 October 2021. Councillor Tony Cooper will take on the position of Vice Chairman of the Audit and Governance Committee from 1 October 2021, which was previously held by Councillor Edward Back.

## **9 Treasury Management Outturn 2020/21 and Mid-Year 2021/22 Report**

Full Council received report **ES/0892**, by the Cabinet Member for Resources, who stated that the Treasury Management Policy Statement required an annual report and mid-year report to be produced and noted by the Audit & Governance Committee and Full Council.

The report reviewed the performance of the Treasury Management Function of East Suffolk Council for the financial year 2020/21 and then looked at the first half of the financial year 2021/22.

Summary for 2020/21:

- Investments totalled £119.86m as at 31 March 2021, which was made up of £71m of short-term investments, £33.86m of long-term investments and £15m of liquidity investments.
- Interest received during the year totalled £1.15m, which exceeded the planned budget of £800k due to increased return on the Property and Multi Asset Fund Investments.
- Borrowing totalled £77.25m as at 31 March 2021, of which £71.17m related to the Housing Revenue Account and £6.08m related to the General Fund.

Summary for 2021/22 to date:

- Investments totalled £149.92m as at 31 August 2021, which was made up of £68m of short-term investments, £33.92m of long-term investments and £48m of liquidity investments.
- Interest received to 31 August 2021 totalled £257k.

The Cabinet Member for Resources concluded that the Council has operated its Treasury Management function within the prescribed Treasury Management Policy and Prudential Indicators for 2020/21 and for the first half of 2021/22. The Council continued to ensure security over liquidity when managing the Council's investments. It was encouraging that the long-term investments placed in the property and multi asset fund had held up well during the pandemic, which had ensured that the Council had achieved its anticipated investment income. Members noted that the Council continued to monitor the desire for ethical investments and ensure, where possible, the investments met this criteria.

Councillor Byatt commented that he had attended the Audit and Governance Committee meeting earlier in the week, which had also considered this report. He thanked the Cabinet Member with responsibility for Resources and the Chief Finance Officer for their hard work over the past year and in particular, for working to find ethical investments.

There being no further questions or debate, it was moved and seconded and

#### **RESOLVED**

- a) That the Annual Report on the Council's Treasury Management activity for 2020/21 incorporating the Mid-Year review for 2021/22 be noted.
- b) That the Prudential Indicators Outturn position for 2020/21 in Appendix B be noted.

## **10 Beccles Neighbourhood Plan**

N.B. During the discussions on this item, Councillor Andree Gee declared a Local Non Pecuniary Interest in this item, as she was a Member of the Broads Authority.

Full Council received report **ES/0882** which was presented by the Assistant Cabinet Member for Planning and Coastal Management. He reported that Neighbourhood Plans gave communities a voice on how they would like to see development take place in their parishes, towns, and villages. Neighbourhood Plans were an opportunity to set out a positive vision, with aims and objectives, and to write the planning policies for how development in their areas would help to achieve them. East Suffolk Council provided support for our communities on their neighbourhood planning journey, which included helping develop their plan; arranging an Examination; holding a referendum; and finally 'making' the plan. Once made, a neighbourhood plan was part of the development plan and was a statutory consideration in determining planning applications in the neighbourhood area.

Beccles Neighbourhood Plan had been produced as a result of a huge amount of hard work and commitment from local people working with Beccles Town Council. The neighbourhood plan identified and responded to a range of matters that have been

raised through engagement with the community. Some of these include:

- supporting new community facilities
- supporting tourism development and new hotels
- conserving or enhancing heritage assets
- supporting key movement routes to promote walking and cycling, including for people with mobility, sight or hearing impairments
- Greater flexibility for uses in Beccles town centre
- High quality design for new development including streets and public spaces

Members noted that the neighbourhood plan also included a number of 'Community Actions' to address matters which can not be tackled through planning policies. The plan had been built on engagement with the community and it had undergone formal stages of consultation. The Neighbourhood Plan went through Examination by an independent examiner earlier this year, resulting in a recommendation to proceed to referendum. The plan successfully passed the referendum, which took place on 16 September 2021. The neighbourhood planning legislation states that East Suffolk Council must now 'make' the Beccles Neighbourhood Plan.

The Assistant Cabinet Member for Planning and Coastal Management reported that part of the Beccles Neighbourhood Area falls within the Broads Authority area. It was noted that the Broads Authority would also be taking the decision to make the Neighbourhood Plan at their meeting on 24 September 2021.

Councillor Topping stated that as a former Beccles Town Councillor, she was aware of the hard work and dedication required in producing the Neighbourhood Plan. She took the opportunity to thank officers for their support and encouraged other areas within the district to consider creating their own Plans too.

Councillor Gooch queried how the Council could support adjacent Neighbourhood Plans, eg in Beccles and Worlingham, and encourage engagement between the two areas, as referred to in paragraph 1.9 of Appendix A. The Principal Planner for Policy and Delivery reported that the Council would facilitate co-working, whereby the content of each plan would be addressed by both groups. The aim was to achieve a positive outcome for both groups.

Councillor Byatt queried whether the Southern Relief Road had provided the efficiencies and reduction in traffic travelling through Beccles, as originally hoped? The Principal Planner for Policy and Development reported that Suffolk County Council would have the relevant traffic information, as they were the responsible authority. Councillor Back commented that sat navs needed to be updated to ensure that drivers were directed via the Southern Relief Road, rather than through the centre of Beccles.

There being no further questions or debate, it was moved, seconded and

## **RESOLVED**

That the Council "make" the Beccles Neighbourhood Plan (Referendum version) part of the statutory Development Plan for the part of the Beccles Neighbourhood Area within East Suffolk following a positive Referendum result.

## **11 Cabinet Members' Report and Outside Bodies Representatives' Reports to Council**

The Leader of the Council presented report **ES/0883**, which provided individual Cabinet Members' reports, as well as reports by Outside Bodies' representatives. The Leader stated that the written reports would be taken as read and he invited questions on their contents.

Councillor Patience asked Councillor Mallinder, Cabinet Member for the Environment, if he could keep raising the issue of 7 day opening for the Household Waste Recycling Centre (HWRC) in Lowestoft. He also stated that North Lowestoft also needed a waste recycling centre, as there were many new housing developments underway and increased demand in the North of Lowestoft, as well as some difficulties in accessing the current facilities in South Lowestoft, particularly as they were not open every day. Councillor Mallinder confirmed that he supported this and would continue to press the Suffolk Waste Partnership for improved opening hours for the HWRC in South Lowestoft and the creation of an additional service in North Lowestoft.

The Leader of the Council took the opportunity to remind Members that questions could be put to Cabinet Members at any time, Members did not have to wait until the next available Full Council meeting.

Councillor Topping commented that Covid had changed the way that the Council worked and she queried when officers would be out and meeting with the public again? Councillor Burroughes, Cabinet Member for Customer Services, ICT and Operational Partnerships reported that he would be providing Members with a written update on when and how face to face contact would take place again. There would be an overarching update on Customer Experience, which would be opening up in a gradual way, whilst still ensuring safety for all.

Councillor Deacon queried the wording in the update on the Internal Drainage Board by Councillor Cloke. The first sentence stated that the Board consisted of elected members 'who were mainly landowners'. He sought clarification regarding the stated landownership. As Councillor Cloke was not in attendance at the meeting, it was agreed that an answer would be provided and circulated outside of the meeting.

Councillor Byatt stated that Councillor Mallinder had referred to footpaths in his report, which he acknowledged was a Suffolk County Council responsibility. He asked how the Council was engaging with SCC to ensure that they were fulfilling their obligations, particularly for new developments? Councillor Mallinder confirmed that there was significant engagement with SCC during the planning process by Planning Officers.

Councillor Gooch referred to the Leader's report on the LGA General Assembly meeting. She commented that Members may be contacted by their constituents regarding the Food Strategy and the Plant Based Treaty. The Leader raised a point of order and stated that Members should only be asking questions relating to the report, at this point in the meeting. The Chairman stated that if Councillor Gooch wished to leave some leaflets for Members to read, outside of the meeting, she could do so.

Councillor Fisher asked Councillor Mallinder if the Environment Task Group had considered the Friends of the Earth 50 point Climate Action Plan for Local Councils? Councillor Mallinder confirmed that the Environment Task Group looked at all such action plans and strategies from different pressure groups.

The report was received for information.

## **12 Exempt/Confidential Items**

It was moved by the Chairman and seconded by the Leader and it was

### **RESOLVED**

That, under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the Meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

The Chairman announced that the public part of the Meeting would now be closed and asked the Democratic Services Officer to end the broadcast on YouTube.

## **13 Lowestoft Flood Risk Management Project - Tidal Barrier**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting concluded at 7.45 pm.

.....  
Chairman



**FULL COUNCIL**

**Wednesday, 24 November 2021**

<b>Subject</b>	Review of Gambling Act 2005 Statement of Principles
<b>Report by</b>	Councillor Mary Rudd Cabinet Member with responsibility for Community Health
<b>Supporting Officer</b>	Martin Clarke Acting Legal and Licensing Services Manager 01502 523226 <a href="mailto:Martin.clarke@eastsuffolk.gov.uk">Martin.clarke@eastsuffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
-------------------------------	------

Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not Applicable.
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

### Purpose of Report:

1. To present the draft revised edition of the Gambling Act 2005 Statement of Principles (**attached at Appendix A**) to the Council and seek approval from Council to adopt the revised Gambling Act 2005 Statement of Principles.

### Options:

- 1) To adopt the revised Gambling Act 2005 Statement of Principles
- 2) Not to adopt the revised Gambling Act 2005 Statement of Principles

### Recommendation/s:

That Council adopts the revised Gambling Act 2005 Statement of Principles for publication and implementation on 31 January 2022.

## Corporate Impact Assessment

### Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

### ESC policies and strategies that directly apply to the proposal:

Gambling Statement of Principles

Safeguarding Policy

### Environmental:

No impact

### Equalities and Diversity:

No impact

### Financial:

No impact

### Human Resources:

No impact

### ICT:

No impact



**Legal:**

Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act. This statement has to be reviewed every 3 years.

**Risk:**

The intention of the Gambling Act is that children, young persons and vulnerable people should not be permitted to gamble. The publication of the Gambling Statement of Principles sets out how East Suffolk Council will approach and deal with applications and how it aims to permit the use of premises for gambling purposes in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Authority's statement of principles.

Operators will be required to prepare a risk assessment for their business which takes into account the nature and characteristics of the locality in which they are situated.

<b>External Consultees:</b>	<ul style="list-style-type: none"> <li>• The Chief Officer of Police.</li> <li>• The Responsible Authorities named in the Gambling Act 2005.</li> <li>• Persons carrying on gambling businesses within the district.</li> <li>• Groups representing vulnerable persons.</li> <li>• Organisations within the trade.</li> <li>• Parish and Town Councils.</li> <li>• Member of the Public via the Council's website.</li> </ul>
-----------------------------	---

## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>

<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>  Licensing plays an important role in the themes in the Council's Strategic Plan of growing our economy and enabling our communities. The Gambling Statement of Principles gives clear guidance on gambling matters to applicants, licensees and the public; promoting economic growth for local businesses whilst enabling the community to make constructive representations should the need arise.			

## Background and Justification for Recommendation

<b>1 Background facts</b>	
1.1	<p>The Gambling Act 2005 replaced most of the existing law about gambling in Britain save that it does not include, within its scope, the National Lottery or remote (online) gambling.</p> <p>The Act has three core objectives:</p> <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;</li> <li>• Ensuring that gambling is conducted in a fair and open way; and</li> <li>• Protecting children and other vulnerable persons from being harmed or exploited by gambling</li> </ul>
1.2	Local authorities have responsibility for publishing a three-year Statement of Principles and the next revised guidance must be published by January 2022.

	In producing its Statement of Principles the Licensing Authority must have regard to the Licensing objectives of the Gambling Act 2005 and the Guidance for Local Authorities issued, and updated periodically, by the Gambling Commission.
1.3	<p>The requirements as to the form and publication of a statement of principles are set out in regulations and include the following sections:</p> <ul style="list-style-type: none"> <li>(a) An introduction summarising the matters contained within the statement, describing the geographical area to which the statement applies, and listing the persons consulted in preparing the statement.</li> <li>(b) The principles to be applied by the authority in designating, in writing, a body which is competent to advise the authority about the protection of children from harm. (The licensing authority has discretion to determine the most appropriate body competent to advise it about the protection of children from harm. Consideration must be given as to which body best fulfils this function and the statement should set out this consideration, or the criteria that will be used.)</li> <li>(c) The principles to be applied by the authority to determine whether a person is an interested party in relation to the premises licence, or in relation to an application for or in respect of a premises licence.</li> <li>(d) The principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified in that section.</li> </ul>

## 2 Current position

2.1	East Suffolk carried out its last consultation and review in 2018. The current Statement of Principles was published in January 2019 and covers the period 31 January 2019 to 31 January 2022.
-----	--

## 3 How to address current situation

3.1	The Statement of Principles has been updated and a 4-week consultation has been undertaken from the 26 July 2021 and ending 22 August 2021.
3.2	<p>Updated information includes:</p> <ul style="list-style-type: none"> <li>• Removal of any reference to Suffolk Coastal or Waveney District Councils. These were abolished as local government areas in 2019.</li> <li>• An extended consultee list at Appendix A.</li> <li>• The removal of the Local Area Profile from the main body of the document. Guidance to local authorities suggests that this should not form part of the</li> </ul>

	<p>statement due to the frequency of changes that may occur. Each change to the profile can be updated immediately without the need to consult each time.</p> <ul style="list-style-type: none"> <li>• Amendment to the maximum stake for a B2 category gaming machine from £100 to £2 which came into force in April 2019.</li> </ul> <p>An electronic link to the draft policy has been sent to:</p> <ul style="list-style-type: none"> <li>• The Chief Officer of Police.</li> <li>• The Responsible Authorities named in the Gambling Act 2005.</li> <li>• Persons carrying on gambling businesses within the district.</li> <li>• Groups representing vulnerable persons.</li> <li>• Parish and Town Councils.</li> </ul> <p>The draft policy was also available on the East Suffolk Council's website.</p> <p>During the consultation period the Licensing Team received just one email relating to the proposed Gambling Statement of Principles revision.</p> <p>GambleAware, a provider of prevention and treatment services for gambling harms, emailed acknowledgement of receipt of the invitation to comment. They said that due to resource constraints on a small charity, they were not able to offer specific feedback on our policy but attached some information which Local Authorities may find useful.</p>
--	--

4 Reason/s for recommendation	
4.1	The Gambling Act 2005 required all Local Authorities to adopt a Statement of Principles and to update this Statement, following a consultation procedure, by January 2010 and three yearly thereafter.
4.2	The current Statement of Principles is due for a review and the new document must be published in January 2022.

## Appendices

Appendices:	
<b>Appendix A</b>	Draft Gambling Act 2005: Statement of Principles.
Background reference papers:	
None	



# **GAMBLING ACT 2005: STATEMENT OF PRINCIPLES**

**January 2022**

**Effective: 31 January 2022 until 31 January 2025  
(unless revised sooner)**

## **Preface:**

This '**Gambling Act 2005: Statement of Principles**' document has been drafted in partnership with the other Licensing Authorities across Suffolk with an aim of creating a broadly consistent Countywide document for the benefit of all stakeholders with an interest in the Gambling Act 2005 function.

Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three-year period to which the policy applies. This document is the fifth such statement for this Licensing Authority and must, by order of the Secretary of State, be published by 14 January 2022.

This document has been developed with due regard to all available regulations, conditions, codes of practice, statutory guidance, practical experience of the legislation and any consultee responses. Should anything in future publications, legislative/regulatory changes or case law impact upon the content of this 'Statement of Principles' document, then it will be taken into account and the document may be updated at a later stage and with due consideration to the resource implications for the Licensing Authority.

All references made within this document to the Gambling Commission Guidance for Licensing Authorities, and any extracts quoted thereof, refer to the 5<sup>th</sup> edition Guidance document published in September 2015 and subsequent revisions.

For further information please refer to:

[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)  
[www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk)

## GAMBLING ACT 2005: STATEMENT OF PRINCIPLES

CONTENTS	Page
<b>PART A - GENERAL</b>	
1. The licensing objectives	4
2. Introduction	4
3. Declaration	6
4. Licence Conditions and Codes of Practice	6
5. Risk Assessments and Area Profiles	7
6. Responsible authorities	8
7. Interested parties	9
8. Exchange of information	10
9. Enforcement	10
10. Licensing authority functions	11
11. Appeals	12
<b>PART B - PREMISES LICENCES</b>	
1. General principles	13
2. Reviews	18
3. Provisional Statements	19
4. Temporary Use Notices	20
5. Occasional Use Notices	21
6. Casinos	22
7. Bingo	22
8. Betting premises	23
9. Tracks	23
10. Adult Gaming Centres	32
11. (Licensed) Family Entertainment Centres	32
<b>PART C - PERMITS, TRAVELLING FAIRS AND SOCIETY LOTTERIES</b>	
1. Unlicensed Family Entertainment Centre gaming machine permits	34
2. Club Gaming Permits	35
3. Club Machine Permits	37
4. (Alcohol) Licensed premises gaming machine permits	38
5. Prize Gaming Permits	39
6. Travelling fairs	40
7. Society Lotteries	41
<b>APPENDICES</b>	
A: Consultee List	43
B: Interpretation and reference for Gambling Act 2005 terminology	44
C: Gaming machine entitlement by premises type	47
D: Summary of Gaming Machine Categories and Entitlements	48
E: Authorised Gambling Activities	49

## PART A - GENERAL

### 1. The Licensing Objectives

- 1.1 In exercising most of its functions under the Gambling Act 2005, the Licensing Authority must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005 ('the Act'). The licensing objectives are:

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

The Gambling Commission has stated, with limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children excepting category D machines.

- 1.2 In accordance with section 153 of the Act, in making decisions about premises licences and temporary use notices the Licensing Authority should **aim to permit** the use of the premises for gambling purposes in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the Authority's statement of principles.

### 2. Introduction

- 2.1 Located on the east coast of England, East Suffolk has a strong, diverse and dynamic economy with a wide range of opportunities for future growth alongside major economic, cultural, heritage and environmental assets.

The largest town is Lowestoft with a population of around 70,000 and home to just under a third of the 240,000 people who live within East Suffolk. Almost 50 miles away and to the south, Felixstowe is the second largest settlement home to around 25,000



people. Then there are smaller market towns – like, Woodbridge, Leiston, Framlingham, Halesworth, Beccles and Bungay. – which are distributed around East Suffolk and typically have populations of 5,000-10,000 people.

Most of these settlements are connected principally by the A12 – which forms a “north-south spine” through East Suffolk and extends from London, Chelmsford, Colchester and Ipswich in the south to Lowestoft in the north. The north of East Suffolk (Lowestoft in particular) continues to have strong links to Great Yarmouth and Norwich (about 30 miles away).

East Suffolk has a wide-ranging portfolio of cultural, heritage and environmental assets and a very distinctive and diverse visitor economy. It is home to outstanding landscapes of rivers, estuaries and nature reserves (some within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty) as well as the ‘southern gateway’ to the Broads National Park and a coastline that extends for close to fifty miles. Major heritage assets range from Anglo-Saxon archaeology and the birthplace of radar at Bawdsey to castles, forts and museums. It is an area which people enjoy, and many choose to spend their leisure time there.

The area also hosts economic assets and opportunities that are amongst the most significant anywhere in the UK and are defining features of East Suffolk’s current economic character and its future potential. These include the UK’s busiest container port at Felixstowe, the home of BT’s Global Research and Development Headquarters at Adastral Park in Martlesham, major developments in offshore and renewable energy in Lowestoft and potential future growth surrounding nuclear power in relation to Sizewell.

## **East Suffolk**



- 2.2 Licensing Authorities are required by the Act to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts must be re-consulted upon. Following any

amendment and consultation, the revised statement will then be re-published.

2.3 East Suffolk Council consulted widely upon this statement of principles before it was finalised and published.

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

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

A list of the persons and organisations consulted by the Licensing Authority is attached to this document as Appendix A.

The consultation took place between 26 July 2021 and 22 August 2021.

The full list of comments made and the consideration by the Licensing Authority of those comments is available upon request by contacting the Licensing team via email on [licensing@eastsuffolk.gov.uk](mailto:licensing@eastsuffolk.gov.uk)

2.5 The revised statement of principles was approved at a meeting of the Full Council on **XX 2021**. Copies are available upon request from the Licensing Team. Should you have any comments concerning this document then please send them to the Licensing Team, as above.

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

### **3. Declaration**

3.1 In producing this statement of principles the Licensing Authority declares that it has had due regard to the licensing objectives of the Gambling Act 2005 (see 1.1 of this document), the Guidance issued by the Gambling Commission, and any responses from those consulted on the statement of principles.

### **4. Licence Conditions and Codes of Practice.**

4.1 Operators should be mindful of the Commission's published Licence Conditions and Codes of Practice (LCCP) and provide sector-specific advice about steps that a business should take to meet its social responsibilities and reflect the licensing objectives. In particular this relates to those business activities which fall under the responsibility of the Licensing Authority ie. in the areas of non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.

## 5. Risk Assessments and Area Profiles.

5.1 Operators will be required to prepare a risk assessment for their business which takes into account the nature and characteristics of the locality in which they are situated.

5.2 The Gambling Commission issue codes of practice under section 24 of the Gambling Act 2005, about the manner in which facilities for gambling are provided to ensure that:

- gambling is conducted in a fair and open way
- children and other vulnerable people are protected from being harmed or exploited by gambling
- assistance is made available to people who are, or may be, affected by problems related to gambling.

5.3 Codes of practice are either:

- social responsibility code provisions - which must be adhered to by all licence holders
- ordinary code provisions – these do not have the status of licence conditions but failure to take account of them can be used as evidence in criminal or civil proceedings.

5.4 New code provisions covering risk assessments and local authority area profiles came into force in April 2016. More detail can be found by going to the Gambling Commission website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk). The following are extracts relating to this aspect:

### 5.4.1 Social responsibility code provision 10.1.1

#### **Assessing local risk**

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
2. Licensees must review (and update as necessary) their local risk assessments:
  - a) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
  - b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c) when applying for a variation of a premises licence; and

d) in any case, undertake a local risk assessment when applying for a new premises licence.

5.4.2 Ordinary code provision 10.1.2

**Sharing local risk assessments**

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

5.5 The council will expect the local risk assessment to consider as a minimum:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children gather;
- the demographics of the area in relation to vulnerable groups,
- whether the premises is in an area subject to high levels of crime and/or disorder.

The local risk assessment should show how vulnerable people, including those with gambling dependencies are protected.

5.6 The Licensing Authority would expect the local area risk assessment to be kept on the individual premises and be available for inspection.

5.7 **Local Area Profile**

Such risk assessments can make reference to the council's local area profile which may be compiled with respect to reported gambling-related problems in an area. East Suffolk's local area profile is an assessment of the local environment and identifies key characteristics. At the time of preparing this edition of the Statement of Principles there has been no evidence to suggest that any part of the East Suffolk district is experiencing problems from gambling activities. The local area can change, and it is important to retain the ability to review and update the local area profile so that any current and emerging risks can be included. For this reason, the local area profile is not included within the body of this Policy and is published as a separate document. It is available by request from the Licensing Team [licensing@eastsuffolk.gov.uk](mailto:licensing@eastsuffolk.gov.uk)

## 6. Responsible Authorities

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

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

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

- 6.2 In accordance with the Gambling Commission Guidance for Licensing Authorities this Authority intends to designate the **Suffolk Safeguarding Children Board** for this purpose. The Suffolk Safeguarding Children Board has an arrangement with the Suffolk Constabulary for the Constabulary to act as their nominated agent in relation to Gambling Act 2005, when considering applications with a view to protecting children from harm.
- 6.3 The contact details of all the Responsible Bodies under the Gambling Act 2005 are available via the East Suffolk Council website at [www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk) or available upon request to the Licensing Team.

## 7. Interested parties

- 7.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. The Gambling Act 2005 defines interested parties as persons who:
- a) live sufficiently close to the premises to be likely to be affected by the authorised activities,
  - b) have business interests that might be affected by the authorised activities, or
  - c) represents persons who satisfy paragraph (a) or (b)”
- 7.2 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:
- Each case will be decided upon its merits.
  - The Licensing Authority will not apply a rigid rule to its decision making. It may have regard to a number of factors, for example:
    - The size of the premises;
    - The nature of activities the applicant proposes to provide at the premises; and
    - Guidance from the Gambling Commission that “business interests” should be given the widest possible interpretation (see paragraph 6.25 of the GC guidance)
- 7.3 Interested parties can include persons who are democratically elected such as county, parish and town councillors and MPs. Other than these persons, the Licensing Authority will normally require written evidence that a person ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities.
- 7.4 If individuals approach Councillors to ask them to represent their views then care should be taken that the Councillors are not subsequently appointed as part of a Licensing Sub - Committee who may be involved with determination of the licence

application. If any further guidance is required, generally or in individual cases, then please contact the Licensing Team.

## **8. Exchange of Information**

- 8.1 This Licensing Authority will, when exchanging information which it holds relating to gambling premises, permits and temporary permissions, apply the following principles:
1. act in accordance with the provisions of the Gambling Act 2005
  2. comply with the Data Protection Act 1998;
  3. comply with any relevant requirements of the Freedom of Information Act 2000
  4. have regard to Part 13 of the Guidance issued by the Gambling Commission on this matter;
  5. the Gambling Commission's publication '*Advice to Licensing Authorities on information exchange with the Gambling Commission*' (as may be periodically updated); and
  6. any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 8.2 Should any protocols be established pursuant to section 350 of the Act concerning information exchange with the other bodies as listed in Schedule 6(1) of the Act then these will be made available by the Licensing Authority.

## **9. Enforcement**

- 9.1 Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 9.2 This Licensing Authority's principles are that it will be guided by the Gambling Commission Guidance (in particular Part 36), the Regulators' Compliance Code - and shall endeavour to regulate in the public interest and be:
- Proportionate: regulators should only intervene when necessary and remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be joined up and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly; and
  - Targeted: regulation should be focused on the problem, and minimise side effects
- 9.3 In accordance with the Gambling Commission Guidance, the Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 9.4 Any inspection programme, which may be adopted by the Licensing Authority, shall be risk-based.

- 9.5 The enforcement and compliance role for the Licensing Authority under the Gambling Act 2005 is to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission is the enforcement body for Operator and Personal Licences. Manufacture, supply or repair of gaming machines is dealt with by the Gambling Commission and not the licensing authority.
- 9.6 This Licensing Authority will also endeavour to work in partnership with and support local businesses, having due regard to the stated principles and any best practice guidelines published by the Better Regulation Executive, in respect of its responsibilities under the Gambling Act 2005 and other regulatory functions of the Local Authority.
- 9.7 With due regard to the principle of transparency, any enforcement/compliance protocols or written agreements developed by the Licensing Authority shall be made available upon request to the Licensing Team.
- 9.8 In considering applications, and taking enforcement action, under the Gambling Act 2005 the Licensing Authority shall duly consider any Human Rights Act 1998 implications (in particular Article 1, Protocol 1 and Articles 6, 8 and 10).

## 10. Licensing Authority functions

- 10.1 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling, the main functions of which are to:
- Licence **premises** for gambling activities;
  - Consider **notices** given for the temporary use of premises for gambling;
  - Grant **permits** for gaming and gaming machines in **clubs and miners' welfare institutes**;
  - Regulate gaming and gaming machines in **alcohol-licensed premises**;
  - Grant **permits** to **Family Entertainment Centres** (FEC's) for the use of certain lower stake gaming machines;
  - Grant permits for **prize gaming**;
  - Consider **occasional use notices** for betting at tracks;
  - Register small societies' lotteries;
  - Consider applications for **provisional statements**;
  - Provide information to the Gambling Commission regarding details of licences, permits, notices and registrations issued (see section 6 above on 'Exchange of Information');
  - Maintain registers of the permits, notices and licences that are issued under these functions; and
  - Prepare and publish, every three years (or sooner if required), a **statement of the principles** it proposes to apply when exercising its functions under the Gambling Act 2005.

Additions or amendments to the list above notified by the Gambling Commission will be published on the Council's Website.

- 10.2 It should be noted that local Licensing Authorities are not responsible for licensing remote gambling. This is the responsibility of the Gambling Commission.

## **11. Appeals**

- 11.1 Appeals relating to premises licensing and other decisions by licensing authorities are covered within the relevant legislation and regulations and are referred to in Part 12 of the Gambling Commission guidance.



## PART B - PREMISES LICENCES

### 1. General Principles

1.1 Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations. The Act provides that conditions may be attached to licences, in a number of ways:

1. automatically, having been set out on the face of the Act ;
2. through regulations made by the Secretary of State
3. by the commission, to operating and personal licences; and
4. by the licensing authority, to premises licences and some permits; and
5. by the licensing authority, by excluding certain default conditions on a premises licence.

1.2 When determining an application, this Licensing Authority **aims to permit** the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives, and
- in accordance with the Authority's statement of principles.

1.3 **Definition of “premises”:**

Premises is defined in the Act as “any place”. A particular premises cannot be granted more than one premises licence under the Gambling Act at any one time. It is, possible for a single building to be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.

1.4 The Licensing Authority takes particular note of the Gambling Commission Guidance which states that Licensing Authorities should take particular care when considering applications for more than one premises licences for a single building, and applications for a premises licence where part of the premises is used for non-gambling purposes. In particular the Licensing Authority will consider whether:

- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people can not ‘drift’ into a gambling area;
- premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
- customers are able to participate in the principal gambling activity authorised

by the premises licence.

1.5 The Licensing Authority takes particular note of the Gambling Commission Guidance which states that Licensing Authorities should pay particular attention to applications where access to the licensed premises is through other premises, whether licensed or unlicensed. The Licensing Authority will consider whether

- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people cannot 'drift' into a gambling area;
- premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
- customers are able to participate in the principal gambling activity authorised by the premises licence.
- children can gain access to the premises;
- the two establishments are compatible; and
- The proposed licence holder would be able to comply with the requirements of the Act, for example, mandatory operating licence conditions; and
- Gambling Commission Guidance in relation to division, separation or splitting of premises and primary gambling activity (Part 7 of statutory guidance).

In addition an overriding consideration for the Licensing Authority is whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

1.6 Where an application is made in respect of a premises to be constructed or altered the Licensing Authority will consider each application on its own merits having due regard to the advice given by the Gambling Commission in its Guidance (particularly sections 7.59 to 7.66). The Licensing Authority will consider:

1. if a future effective date on the licence is appropriate; or
2. the licence should be issued subject to a condition that trading shall not commence until the premises have been completed in all respects and in accordance with the scale plans provided with the application.

The Licensing Authority may require inspection of the completed works or written confirmation from the applicant, their agent or surveyor to satisfy the Authority that the completed works comply with the original, or changed, plan attached to the premises licence.

1.7 **Location:**

Demand or need for licensed premises cannot be considered with regard to the location of premises. In accordance with the Gambling Commission Guidance, the Licensing Authority will pay particular attention to protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon concerning areas where gambling premises should not be located, this policy statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the possibility for the applicant

to show how any concerns can be overcome.

**1.8 Duplication with other regulatory regimes:**

The Licensing Authority seeks to avoid any duplication with other statutory/regulatory systems wherever possible, including planning, building control, health and safety and fire safety. *Should it come to the attention of the Licensing Authority that planning conditions or other regulatory restrictions/controls may impact on a premises operator's ability to comply with mandatory or default conditions then it may alert the applicant accordingly. The grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building law.*

**1.9 Licensing objectives:**

Premises Licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Licensing Authority has considered the Gambling Commission Guidance and provides some commentary below:

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

The Gambling Commission will take the leading role in preventing gambling from being a source of crime. Where a particular area is associated with criminal activity the Licensing Authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be appropriate, for example the provision of door supervisors. There is a distinction between disorder and nuisance and the licensing Authority will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed when determining applications under the Gambling Act 2005.

**(2) Ensuring that gambling is conducted in a fair and open way:**

The Gambling Commission stated in its Guidance that it would, with the exception of tracks (see Part B section 7 of this document), generally not expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this is addressed via Operator and Personal licensing requirements. If the Licensing Authority suspects that gambling is not being conducted in a fair and open way then this will be brought to the attention of the Gambling Commission for its further consideration.

**(3) Protecting children and other vulnerable persons from being harmed or exploited by gambling:**

The Gambling Commission has stated, with limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children (excepting category D machines).

The Licensing Authority will therefore consider, as suggested in the Gambling Commission Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include such matters as supervision of entrances/machines or segregation of areas.

The Licensing Authority will also have due regard to any relevant Codes of Practice issued by the Gambling Commission concerning this licensing objective in relation to specific premises.

The Gambling Commission does not provide a definition for the term “vulnerable persons” but states that “for regulatory purposes assume that this group includes people who:

- gamble more than they want to;
- gamble beyond their means; and
- may not be able to make informed or balanced decisions about gambling due to mental health needs, alcohol or drugs.”

The Licensing Authority will consider this licensing objective on a case by case basis.

#### 1.10 **Conditions:**

Since the Licensing Authority must aim to permit the use of premises for gambling, it will not attach conditions which limit the use of the premises for gambling, except where that is necessary as a result of the requirement to act:

- in accordance with the Gambling Commission Guidance, the Commission’s codes of practice or this Licensing Authority’s Statement of Policy; or
- in a way that is reasonably consistent with the Licensing Objectives.

This Licensing Authority notes that conditions on premises licences should only relate to gambling, and it is not necessary, proportionate or appropriate to impose conditions on a premises licence where the Gambling Commission’s Licence Conditions and Codes of Practice, or other legislation, places the same or similar duties, responsibilities or restrictions on an employer or the operator of gambling premises.

This Licensing Authority shares the view of the Gambling Commission that the mandatory and default conditions set by the Secretary of State will normally be adequate for the general good conduct of gambling premises. However, where there are specific, evidenced risks or problems associated with a particular locality, specific premises, or class of premises in its area then the Licensing Authority may be able to attach individual conditions to address this.

Any conditions attached by the Licensing Authority to a premises licence shall be:

- carefully considered in view of the matters mentioned above at 1.9;

- proportionate; directly related to the premises and the type of licence applied for;
- relevant to the need to make the proposed building suitable as a gambling facility;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Sections 169 to 172 of the Act set out certain matters that may not be the subject of Licensing Authority conditions, as set out below:

- any condition on the Premises Licence which makes it impossible to comply with an Operator Licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

The Licensing Authority will have due regard to these when considering the need for conditions.

1.11 The Licensing Authority will also consider specific measures which may be required for buildings which are the subject of more than one Premises Licence. In considering these matters the Licensing Authority shall have due regard to:

- any mandatory or default conditions of licence,
- any relevant Codes of Practice (particularly social responsibility provisions linked to operator licences) issued by the Gambling Commission; and
- Gambling Commission Guidance.

Such measures may include the supervision of entrances, segregation of gambling from non-gambling areas frequented by children and the supervision of gaming machines in specific non-adult gambling premises in order to promote the licensing objectives.

1.12 The Licensing Authority must be satisfied that where category C or above machines are available in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations may apply to premises including buildings where more than one

Premises Licence is applicable.

- 1.13 Tracks (defined at 9.3) may be subject to one, or more than one, Premises Licence provided each licence relates to a specified area of the track. In accordance with the Gambling Commission Guidance, the Licensing Authority will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 1.14 In accordance with Gambling Commission Guidance, the Licensing Authority may consider whether door supervisors are appropriate in particular circumstances in order to:
- prevent premises from becoming a source of crime or disorder; or
  - protect children and vulnerable persons from being harmed or exploited by gambling.

Should the Licensing Authority consider that door supervisors are necessary and appropriate in the particular circumstances to promote the licensing objectives for a particular premises, it will normally expect that any person employed as a door supervisor at that premises will either:

- meet the minimum requirements necessary for that individual to be licensed by the Security Industry Authority (SIA) in normal circumstances (accepting that there is a specific exemption from the licensing of door supervisors by the SIA for in-house staff of casino and bingo premises); or
- the holder of the operator licence will have recruitment criteria for their door supervisors, which may specify:
  - (a) a minimum training standard (whether within the organisation, or a nationally accredited training course); and
  - (b) an assessment of whether that individual is fit and proper, for example by means of a subject access search, Disclosure and Barring Service disclosure or other means.

## 2. Reviews

- 2.1 An application for review of a premises licence may be made by:
- An interested party;
  - A responsible authority; and
  - the Licensing Authority, for :
    - a particular class of premises licence; or
    - in relation to a particular premises, and
  - It is for the Licensing Authority to determine whether the review is to be carried-out.
- 2.2 Any request for a review should relate to matters relevant to one or more of the following:
- any relevant code of practice issued by the Gambling Commission;
  - any relevant guidance issued by the Gambling Commission;
  - the licensing objectives, and

- the Licensing Authority's statement of principles.

When considering any review request, or whether to instigate its own review, the Licensing Authority will have due regard to the guidance issued by the Gambling Commission and consider;

- each application on its merits;
- whether matters raised in the application are frivolous or vexatious;
- whether the application would certainly not cause the it to amend/suspend or revoke the licence; or
- whether the request is substantially the same as any previous representations or requests made for a review or previous application for the same premises.

Officers of the Authority may attempt informal mediation or dispute resolution techniques, where practicable, prior to a review being conducted.

2.3 A review application must only be determined by a sub-committee, and not by an officer. The purpose of a review is to determine whether the Licensing Authority should take any action in relation to the licence. The Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations. If action is justified, the options are to:

- (a) add, remove or amend a licence condition imposed by the Licensing Authority;
- (b) exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such and exclusion;
- (c) suspend the premises licence for a period not exceeding 3 months; or
- (d) revoke the premises licence.

### **3. Provisional Statements**

3.1 An applicant may apply for a full premises licence where the premises are uncompleted or unaltered. However an applicant for a provisional statement does not need the right of occupation or an operator licence (granted or applied for) which are required in order to apply for a premises licence.

3.2 An application may be made to the Licensing Authority, under section 204 of the Act, for a provisional statement in respect of premises that the applicant expects to:

- be constructed;
- be altered;
- acquire a right to occupy.

An application may also be made for a provisional statement for premises already having a premises licence (either for a different type of gambling or the same type).

3.3 When considering an application for a provisional statement the Licensing Authority shall have due regard to the guidance issued by the Gambling Commission (in particular Part 11). Subject to any necessary modifications, the process for considering an application for a provisional statement is the same as that for a premises licence, including the rights of interested parties and responsible authorities to make representations and rights of appeal.

- 3.4 If representations about Premises Licence applications following the grant of a Provisional Statement are received, they may not be taken into account unless they concern matters which could not have been addressed when determining the Provisional Statement, or they reflect a material change in the circumstances of the application. The Licensing Authority must determine the Premises Licence, referring only to matters:
- (a) which could not have been raised by way of representations at the Provisional Statement stage; or
  - (b) which in the Licensing Authority's opinion reflect a change in the operator's circumstances.
  - (c) Where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. If there are substantial changes to the plan the Licensing Authority will discuss any concerns with the applicant before making a decision.
- 3.5 In accordance with section 210 of the Act (which applies to premises licences and provisional statements), the Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

#### **4. Temporary Use Notices**

- 4.1 Temporary Use Notices (TUNS) allow the use of premises for gambling where there is no Premises Licence but where a licensed gambling operator wishes to use the premises for providing facilities for equal chance gaming. The Gambling Commission Guidance suggests that premises that might be suitable for TUNS may include hotels, conference centres and sporting venues, and that equal chance gaming may include games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker but may not be provided by means of machine.
- 4.2 There are a number of statutory limits that apply in respect of Temporary Use Notices, including that a TUN may only be granted to a person or company holding a relevant Operator Licence, in effect a non-remote Casino Operating licence, and limitations on the number of times a 'set of premises' can be used under these provisions.
- 4.3 A 'set of premises', as referred to by section 218 of the Act, is the subject of a Temporary Use Notice if any part of the premises is the subject of a notice. This reference to 'premises' is not the same as that in Part 8 of the Act and prevents one large premises from serving TUNS for different parts of the premises and exceeding the statutory limit of 21 days in any 12 month period.
- 4.4 The Licensing Authority will take into account Gambling Commission Guidance when considering whether a place falls within the definition of a 'set of premises'. This consideration may include looking at the ownership, occupation and control of the premises. The Gambling Commission Guidance advises that: "This is a new permission and Licensing Authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."



- 4.5 Where a notice of objection is received in respect of a Temporary Use Notice, the licensing authority will hold a hearing and consider representations from:
- the person who gave the notice
  - any person who objected to the notice; and
  - any party who was entitled to receive a copy of the Temporary Use Notice.

Where all parties agree that a hearing is unnecessary, the hearing may be dispensed with.

- 4.6 Where objections are made, a modification to the Temporary Use Notice may be proposed, which could include:
- a reduction in the number of days when gambling occurs;
  - a restriction on the type of gambling which may take place.

- 4.7 Where, following a hearing, or after a hearing has been dispensed with, the licensing authority considers that the temporary use notice should not have effect, it must issue a counter notice which may:
- prevent the temporary use notice from taking effect;
  - limit the activities that are permitted
  - limit the time period of the gambling
  - allow the activity to take place subject to a specified condition.

The principles which the licensing authority will apply in determining a temporary use notice are those which it will apply when determining a premises licence, as set out at part B, General principles, subject to its view as to whether it accords with a:

- commission code;
- the Guidance issued by the Gambling Commission;
- this licensing authority's statement of licensing policy; and
- is reasonably consistent with the licensing objectives

## **5. Occasional Use Notices**

- 5.1 Occasional Use Notices (OUNS) permit licensed betting operators (with appropriate permission from the Gambling Commission) to use tracks for short periods for conducting betting, where the event upon which the betting is taking place is of a temporary, infrequent nature. The Occasional Use Notice dispenses with the need for a betting Premises Licence for the track in these circumstances.
- 5.2 The OUN must be served by a person who is responsible for the administration of events on the track or by an occupier of the track.
- 5.3 The Licensing Authority must ensure that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority must consider the definition of a 'track'; see paragraph 9.1, which need not be a permanent fixture, and whether the applicant is eligible to serve the notice.

## 6. Casinos

- 6.1 This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but retains the power to do so. Any change will be published on the Council's Website and the Statement of Policy in the intervening period.
- 6.2 Where a Licensing Authority area has the power to determine a Premises Licence application for a new style casino, it will do so following any regulations under Section 175 of the Gambling Act 2005 published by the Secretary of State.
- 6.3 The Act lays down a framework for a two-stage process for considering applications in circumstances where the number of applications exceeds the number of licences available, and this will be followed by the Licensing Authority.
- 6.4 **Licence considerations/conditions:**  
The Licensing Authority shall have due regard to Gambling Commission guidance in relation to the suitability and layout of casino premises, and also the guidance issued by the Commission on primary gambling activity at casino premises.

Conditions may be attached to casino operator licences by the Gambling Commission to restrict the types of casino games that may be made available, or specifying rules for casino or equal chance games played in a casino. The Licensing Authority will make itself aware of any operating, mandatory and default conditions, codes of practice and Gambling Commission guidance when considering applications, and attachment of any conditions, for casino premises licences.

- 6.5 **Betting machines:**  
Where betting is permitted in a casino, the Licensing Authority will normally, in accordance with Gambling Commission Guidance and when considering whether to impose a condition to restrict the number/nature/circumstances of betting machines (bet receipt terminals) made available in particular premises, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.

## 7. Bingo premises

- 7.1 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category B or C or machines are made available for use on premises to which children are admitted Licensing Authorities should ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance; and
  - only adults are admitted to the area where the machines are located

- 7.2 The Licensing Authority shall have due regard to relevant licence conditions and codes of practice in relation to the operation of Bingo premises, and also the Gambling Commission's guidance about the particular issues that Licensing Authorities should take into account in relation to the suitability and layout of bingo premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.

## 8. Betting premises

- 8.1 **Betting machines:** The Licensing Authority will normally, in accordance with the Gambling Commission Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines (bet receipt terminals) an operator wants to make available. Children and young persons will not be able to enter premises which hold a Betting Premises licence, unless the special rules applying to tracks are applicable.
- 8.2 The Licensing Authority shall have due regard to the Gambling Commission's guidance in relation to the suitability and layout of betting premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.
- 8.3 Betting Machines (Bet receipt terminals) are not gaming machines under the Act, and do not accrue against the premises entitlement for gaming machines, unless the machine is designed or adapted for use to bet on **virtual** races (that is, images generated by computer to resemble races or other events) in which case it is considered a gaming machine. Where betting facilities are provided only by betting machines the number of betting machines must exceed the number of gaming machines made available for use.

## 9. Track Premises Licences

- 9.1 Tracks are defined under the Act as "a horse race course, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place"

Examples of tracks include:

- A horse racecourse
- A greyhound track
- A point to point horse race meeting
- Football, cricket and rugby grounds
- An athletics stadium
- A golf course
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting a fishing competition
- A motor racing event

This list is not exhaustive, but gives an example of the types of venue which could

accommodate the provision of betting facilities.

9.2 There are three types of authorisation under which betting facilities may be made available at a sporting event:

- An occasional use notice (OUN)
- A temporary use notice (TUN) and
- A track premises licence.

Betting in relation to tracks may be provided either as on course, or off course betting. The different types of betting are explained in detail in the Guidance issued by the Gambling Commission.

9.3 A betting premises licence permits a premises to be used for the provision of facilities for betting, whether by:

- Making or accepting bets
- Acting as a betting intermediary; or
- Providing other facilities for the making or accepting of bets.

9.4 Track are the only class of premises that may be subject to more than one premises licence, provided that each licence relates to a specific area of the track. This allows track venues to develop leisure facilities such as a casino and apply for a (casino) premises licence for that part of the track.

9.5 There is no special class of betting Premises Licence for a track, but the Act does contain rules which apply specifically to Premises Licences granted in respect of tracks.

9.6 Special rules apply to applicants for a Premises Licence in relation to a track. Most importantly the applicant need not hold an Operator licence. That is because, unless the occupier of the track wishes to offer pool betting (or general betting) facilities himself (for which he will need a licence) the betting that is provided upon the track will not be provided by him, but will be provided by other operators who come on-course. Since those people will require the necessary Operator Licences, the Act allows the track operator to obtain a Premises Licence without also having to hold an Operator Licence. This track Premises Licence then authorises anyone upon the premises with a valid Operator Licence to offer betting facilities.

9.7 Track premises licences are distinguished from all other premises licences because children and young persons are allowed to be present on the track while betting is taking place on those licensed premises.

9.8 Track premises that safeguard the achievement of the three licensing objectives may generally be considered fit for gambling, and some general principles whereby licensing authorities can establish whether a track is fit for the provision of gambling facilities are as follows:-

<b>Licensing objective</b>	<b>Issues to consider</b>	<b>Reason to consider a track premises unfit for gambling purposes?</b>
<b>The protection of children and other vulnerable persons from being harmed or exploited by gambling</b>	Tracks permit access to children.	No - Children are allowed access to tracks on race days.
	Bet receipt terminals in areas where there is no supervision which would allow children or young persons to use machines undetected.	No - It is a mandatory condition of the operating licence that operators ensure that bet receipt terminals are supervised. This is not an issue for the premises licence.
	Children are allowed Access to areas holding category B and C gaming machines.	It is a mandatory condition of the operating licence that operators ensure that children are not allowed access to areas where category B and C gaming machines are provided. However, section 182 of the Act also creates a premises licence condition that children and young persons must be excluded from areas where any gaming machines other than category D are located.
	Betting areas adjacent to areas where children/young persons are present such as play areas	No - Children are allowed access to tracks on race days and so will be exposed to gambling areas. It is a mandatory condition of the operating licence that operators do not accept bets from children or young persons.
	Betting areas adjacent to areas where children/young persons are present such as play areas.	The Commission considers that the location of betting does not generally pose a risk to this licensing objective. Licensing authorities may impose their own local conditions where they perceive problems

Licensing objective	Issues to consider	Reason to consider a track premises unfit for gambling purposes?
<b>Ensure gambling is conducted in a fair and open way</b>	The rules of betting are not displayed on the premises.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that the rules of betting are displayed.
	Unlicensed betting operators are allowed to operate on tracks.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that licence holders make arrangements to ensure that they only allow licensed operators on track.
	Betting takes place out of approved hours.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that betting only takes place within the specified hours.
<b>Prevent gambling from being a source of crime and disorder</b>	Betting is allowed in all parts of a track resulting in greater difficulties for track premises licence holders to identify instances of illegal Betting.	No - the Commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.
	No formal exit/entry points allowing easy access for unapproved operators and customers.	No - the Commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.

The Licensing Authority will take any such guidance into consideration when determining an application for a track premises licence.

9.9 **Access to premises and other parts of the track:** Access between premises licensed for gambling and non-gambling areas is an important local licensing consideration, for reasons such as the following:

- to prevent operators from seeking to circumvent the Act by artificially subdividing a premises and securing separate premises licences for its composite parts
- to ensure that operators do not circumvent regulations governing the maximum number of gaming machines applicable to specific premises
- to ensure that people who have entered a premises for one type of gambling are not exposed to another, potentially harder, form of gambling
- to ensure that there is no direct access between gambling premises to which children have access and those which they are prohibited from entering

- to ensure that all gambling premises have publicly accessible entrances
- to ensure that gambling premises are not developed in the backrooms of other commercial premises.

9.10 **Access by children – special dispensation for tracks:** The Act forbids all persons under 18 years old to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the betting ring, where betting takes place. This dispensation does not, however, apply to:

- areas within a track where category C or above machines are provided; or
- other premises to which under 18 year olds are specifically not permitted access.

Licensed betting operators at tracks are bound by their operating licence conditions which prevent them from accepting bets from persons who are under 18 years old. The track premises licence holder is also required through premises licence conditions to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling, the need to ensure entrances to each type of premises are distinct and that children are excluded from gambling or betting areas where they are not permitted to enter.

Children and young persons will by law be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided. The Licensing Authority will normally expect Premises Licence applicants to demonstrate suitable measures to ensure the children do not have access to adult only gambling facilities. Appropriate measures may include:

- Proof of Age schemes
- CCTV
- Door Supervisors
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- The location of gaming machines
- Self barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

#### 9.11 **Betting on event and non-event days**

**Hours of betting on event days:** Premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days. The licensing authority will not generally expect to re-assess a licence application as a result of a change to the dates of sporting events, but would expect applicants and licence holders to make information about sporting fixtures available as part of the application.

Significant changes to the fixture/events listing have a bearing on the licence conditions in that track premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days.

9.12 **Hours of betting on non-event days:** On days when no public sporting event is taking place on a track, gambling facilities may only be provided on the track between the hours of 7am and 10pm. Where the premises user intends to continue to offer facilities for gambling outside the proposed gambling hours on non-event days, these facilities should be provided by virtue of an occasional use notice.

On non-event days, tracks become similar to licensed betting offices on the high street. Tracks may achieve this requirement by:

- locating all betting areas inside an area of the premises that is separated from the remainder of the premises by a physical barrier, thereby preventing access other than through a designated entrance
- only admitting adults to the part of the track where betting areas are located, by establishing procedures for verifying customer ages and refusing entry to adult-only areas for those unable to produce an acceptable form of identification (and taking action where there are unlawful attempts to enter adult-only areas)
- placing prominent notices in front of and inside each entrance stating that access to the area is prohibited to persons under 18.

The Licensing authority may consider to reducing the default gambling hours, providing any reduction is in line with the principles set out in section 153 of the Act.

9.13 **Self-Service Betting Terminals:** Licensed operators may install self-service betting terminals on tracks. There is no restriction on the number of bet receipt terminals that may be in use but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by those under 18 years of age.

There is no formal requirement on track premises licence holders to involve themselves in the procedures used by betting operators to supervise their bet receipt terminals unless specific local conditions specifying supervisory arrangements are added to the track premises licence by the licensing authority terminals.



- 9.14 **Gaming machines:** A track premises licence does not of itself entitle the holder to provide gaming machines, as this type of premises licence can be held without any corresponding operating licence.

Where a track owner holds both a track premises licence *and* a pool betting operating licence issued by the Commission (in effect, greyhound tracks only), they may site up to four gaming machines within categories B2 to D on the track.

Some tracks may also hold a premises licence under the Licensing Act 2003. As such they will be automatically entitled under section 282 of the Act to two gaming machines of category C or D.

In such scenarios the operating licence entitlement does not take precedence, and each licence has its own requirements that must be complied with.

Applications for permits to allow additional gaming machines are not permitted where the premises is already covered by a track premises licence.

It is a condition of section 282 of the Act that alcohol-licensed premises licence holders (not necessarily the owners) must comply with any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine. The gaming machine permits code of practice can be found on the Commission's website.

Where track premises licence holders possess a pool betting operating licence, the Commission places a mandatory licence condition on such operators that they must:

- have and put into effect documented policies and procedures to prevent underage gambling
- monitor the effectiveness of these.

### **Track administration**

- 9.15 **Administration of betting:** Administrative and quasi-regulatory arrangements in place to ensure that activities held on tracks run smoothly for paying customers, track operators and betting operators are considered to be outside the remit of the Act unless they affect the licensing objectives.
- 9.16 **The role of track premises licence holders:** The responsibilities of track premises licence holders are established by the mandatory and default licence conditions attaching to their premises licence.

The licensed betting operators authorised by track owners to provide betting facilities at tracks must comply with their operating licence conditions and codes of practice issued by the Commission.

Track premises licence holders have a responsibility to report regulatory breaches or potential breaches relating to the premises itself or to betting operators.

- 9.17 **Acceptance of bets:** Track premises licences for greyhound tracks and racecourses are subject to mandatory licence conditions requiring access to be offered at the track-side to betting operators generally. This prevents track premises licence holders who are also pool betting operators from becoming a monopoly supplier of betting on tracks.

While this does not mean that there must be independent betting operators on tracks on event days, track premises licence holders cannot hold event days without at least making places available to licensed operators. This matter is the responsibility of the Gambling Commission and not the Licensing Authority.

- 9.18 **Pool betting:** Under the Act, holders of track premises licences on licensed greyhound tracks are given exclusivity to offer pool betting facilities on greyhound racing. They may also authorise other people to conduct such pool betting on their behalf, although in all cases a relevant operating licence will be required to license this activity.

A totalisator on a licensed greyhound track will only be permitted while the public are admitted to the track for the purpose of attending greyhound races, and no other sporting events are taking place. A mandatory condition is attached to the premises licence to this effect.

- 9.19 **Admission of betting operators:** It is a mandatory premises licence condition of track premises licences that the licence holder makes arrangements to ensure that the betting operators they admit to their track operate under valid operating licences.

Track premises licence holders are responsible for determining their own arrangements for the verification of betting operators. As part of this process, the track premises licence holder should make arrangements for ensuring that the betting operator holds an operating licence. Additionally, both parties should agree a procedure for assessing that persons accepting bets on behalf of a betting operator either themselves hold operating licences in their own right, or are employed by the operator under a written contract of employment.

- 9.20 **Removal of illegal betting operators:** Track premises licence holders are required by a mandatory licence condition to take reasonable steps to remove from the racecourse anybody found to be providing facilities for gambling without authorisation. Failure to uphold this requirement could result in action being taken against the premises licence holder.

Track premises licence holders are not expected to have proactive policies and procedures for identifying illegal gambling other than the mandatory requirement to verify that betting operators offering betting facilities on their track hold suitable operating licences.

- 9.21 **Display of rules:** It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks.

The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track

they are in. If certain areas are restricted to certain customers (such as different stands within a football ground) then rules could be displayed at various parts of the track. Other measures could be taken to ensure that they are made available to the public, such as printing them in the race-card or programme. The requirement could also be met by making a copy of the rules available in leaflet form from the main track office, and customers could be given a copy if they request one.

Betting operators offering betting facilities on racecourses and at greyhound tracks are required through the conditions of their operating licence to clearly display any of their own rules that differ from those that the track premises licence holder elects to display, and their rules concerning voids, late bets, and maximum pay-outs. For racecourses and greyhound tracks, the maximum pay-out will vary according to the rules of individual on-course operators.

9.22 **Approved betting areas:** In considering applications, the licensing authority will take into account the licensing objectives and assess whether these objectives are compromised by proposed betting arrangements. The location of betting areas (other than those for gaming machines and bet receipt terminals) is not considered a threat to the licensing objectives and therefore no additional conditions would normally be imposed by licensing authorities, unless the circumstances are such that the Licensing Authority considers that the licensing objectives would be undermined.

9.23 **Multiple licences:** The Act permits a Licensing Authority to issue more than one premises licence for a track provided that each licence relates to a distinct specified area of the track (although there cannot be more than one premises licence covering the same area of the track.) This enables track owners to extend existing facilities to provide other gambling facilities such as a casino on their existing tracks, whereby these additional gambling activities are covered by separate premises licences.

Where an application is made for an additional premises licence, the Licensing Authority will consider the following matters when determining an application:

- access issues in particular whether access to the desired premises will be allowed directly from the track. Direct access between a track and other betting premises (other than a track betting shop) is not permitted. The track owner would need to make arrangements so that access to a casino or bingo hall would be via a street, not via the track itself.

Where a particular area of a track is already subject to a premises licence, and a person wishes to apply for a licence to offer another type of activity in that area, an application must be made to the licensing authority to vary the original premises licence. The new track premises licence can only be granted at the same time as, or after, the original licence has been varied.

Where the Licensing authority receives an application indicating separate betting areas that may not necessarily have clear physical boundaries, such as walls or fencing, it may grant the licence where it is satisfied that the area is clearly delineated, both in terms of making it clear to the public that they are entering a 'betting office', and to keep out persons aged under 18.

Where the licensing authority is not satisfied that a new activity in an existing area is clearly delineated, it may consider refusing the application

- 9.24 **Social responsibility considerations for tracks:** The Act places a condition on the track premises licence that the licensee shall ensure that children and young persons are excluded from any area where facilities for betting are provided (unless on race days at racetracks and at greyhound tracks).

## 10. Adult Gaming Centres

- 10.1 The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate measures may also be included within mandatory/default conditions and codes of practice and cover matters such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Access and Location of entry
- Notices / signage
- Self-barring schemes
- ATM location
- Prohibition of alcohol consumption
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

The Licensing Authority may determine the opening hours for Adult Gaming Centres, on a case-by-case basis, in the absence of any default conditions addressing this matter.

## 11. (Licensed) Family Entertainment Centres

- 11.1 The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only Category C gaming machine areas.

The Licensing Authority will require applicants to demonstrate that there will be sufficient measures to promote the licensing objectives. Appropriate measures may also be included within mandatory/default conditions and codes of practice and cover matters such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Access and Location of entry
- Notices / signage
- Challenging children or young persons attempting to play category C machines
- Self-barring schemes
- ATM location
- Prohibition of alcohol consumption
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 11.2 The Licensing Authority will, in accordance with the Gambling Commission Guidance, make itself aware of any conditions that may apply to Operator licences covering the way in which the area containing the category C machines should be delineated. The Licensing Authority will ensure that it has due regard to any mandatory or default conditions on these Premises Licences and Codes of Practice and guidance issued by the Gambling Commission when discharging its functions in relation to licensed Family Entertainment Centres

The Licensing Authority may determine the opening hours for licensed FEC's, on a case-by-case basis, in the absence of any default conditions addressing this matter.

**PART C**  
**PERMITS, TRAVELLING FAIRS AND SMALL SOCIETY LOTTERIES**

**1. Unlicensed Family Entertainment Centre (unlicensed FEC's) gaming machine permits**

- 1.1 Unlicensed Family Entertainment Centres (FEC's) are commonly located at seaside resorts, in airports and at motorway service stations, catering for families - including unaccompanied children and young persons. Where a premises does not hold a Premises Licence but there is an intention to provide gaming machines (category D only), an application may be made to the Licensing Authority for the grant of this permit. The applicant must be an individual aged 18 or over, and he/she must occupy or plan to occupy the relevant premises. The Licensing Authority may only grant a permit where it is satisfied that the applicant intends to use the premises as an unlicensed FEC and where it has consulted the Chief Officer of Police on the application. Any duties on the applicant to comply with other legislation such as fire regulations or Health and Safety are not issues for the Licensing Authority under the Gambling Act 2005.
- 1.2 If the operator of a Family Entertainment Centre intends to make category C machines available, in addition to category D machines, then an application must be made for an Operator Licence from the Gambling Commission and a Premises Licence from the Licensing Authority (see section 11, Family Entertainment Centre).
- 1.3 Details of up to date application requirements, including any supporting documentation, are available via the Council website at [www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk) or from the Licensing Team direct.
- 1.4 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.
- 1.5 **Statement of Principles:**  
The Licensing Authority will expect the applicant to satisfy it that they and their employees can demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's. The applicant is expected to demonstrate that he has considered appropriate measures to promote the licensing objectives, and training for staff on issues such as:
- suspected truant school children on the premises;
  - how staff would deal with unsupervised very young children being on the premises;
  - children causing problems on or around the premises; and
  - maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 1.6 The Chief Officer of Police is a statutory consultee for all such permit applications, and any representations made by him will be considered by the Licensing Authority.
- 1.7 The Licensing Authority may also require the applicant to provide details of any relevant convictions, (those that are set out in Schedule 7 of the Act), the following documents will be accepted:
- basic Disclosure and Barring Service disclosure; or
  - a police subject access search.

## **2. Club Gaming Permits**

- 2.1 Members Clubs and Miners' welfare institutes (but not commercial Clubs) may apply for a Club Gaming Permit which authorises the premises to:
- make available for use up to 3 gaming machines of categories B3A to D,
  - equal chance gaming (without restriction on the stakes and prizes); and
  - games of chance as prescribed by regulations (namely pontoon and chemin de fer).

The gaming which a club gaming permit allows is subject to the following conditions:

In respect of equal chance gaming:

- a. The club must not deduct money from sums staked or won;
- b. The participation fee must not exceed the amount prescribed in regulations;
- c. The game takes place on the premises and must not be linked with a game on another set of premises.

Two games are linked if:

- i. The result of one game is, or may be, wholly or partly determined by reference to the result of the other game;
- ii. The amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game, and a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games
- iii. Only club members and their genuine guests participate

In respect of other games of chance:

- a. the game must be pontoon and chemin de fer only
- b. no participation fee may be charged otherwise than in accordance with the regulations
- c. no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

- 2.2 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations covering bridge and whist clubs A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

A club gaming permit may not be granted in respect of a vehicle or a vessel.

- 2.3 The Licensing Authority may only refuse an application on the grounds that:
- a. the applicant does not fulfil the requirements for a members' club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - b. the applicant's premises are used wholly or mainly by children and/or young persons;
  - c. an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
  - d. a permit held by the applicant has been cancelled in the previous ten years; or
  - e. an objection has been lodged by the Gambling Commission or the Suffolk Constabulary

Where the Licensing Authority is satisfied that (a) or (b) is the case, it must refuse the application. In determining an application the Licensing Authority shall have regard to the relevant guidance issued by the Gambling Commission and, subject to that guidance, the licensing objectives.

Where a permit is granted, the permit holder must comply with statutory conditions:

- no child or young person may use a category B or C machine on the premises; and
- the permit holder must comply with any relevant provision of a code of practice regarding the location and operation of gaming machines.

There is a 'fast-track' procedure available for premises where the club holds a Club Premises Certificate under section 72 of the Licensing Act 2003. Where an application is made under the fast track procedure, there is no opportunity for objections to be made by the Commission or the Suffolk Constabulary, and the grounds upon which an Authority can refuse a permit are limited as below:

- the club is established primarily for gaming, other than gaming of a prescribed kind
- in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

- 2.4 There are statutory conditions concerning Club Gaming Permits



### 3. Club Machine Permits

3.1 Members Clubs and Miners' welfare institutes and commercial Clubs may apply for a Club Machine Permit, which enables the premises to make available for use up to 3 gaming machines of categories B4, C and D. Members clubs and Miner's welfare institutes only may also make available for use category B3A machines offering lottery games in the club under a club machine permit.

3.2 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations covering bridge and whist clubs A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

Commercial clubs must have at least 25 members but may be established with a view to making a profit, which is not returned to the members, but the proprietor(s) of the club. Examples of commercial clubs include snooker clubs, clubs established for personal profit and most clubs established as private companies.

3.3 The Gambling Commission Guidance advises that Licensing Authorities may only refuse an application on the grounds that:

- a. the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b. the applicant's premises are used wholly or mainly by children and/or young persons;
- c. an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d. a permit held by the applicant has been cancelled in the previous ten years; or
- e. an objection has been lodged by the Gambling Commission or the Police

It should be noted that either type of permit may not be issued in respect of a vessel or vehicle.

3.4 There is also a 'fast-track' procedure available for premises where the club holds a Club Premises Certificate under section 72 of the Licensing Act 2003 (. As the Gambling Commission Guidance states: "Under the fast-track procedure there is no opportunity for an objection to be made by the Commission or the Police, and the grounds upon which an Authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are that:

- a. the club is established primarily for gaming, other than gaming of a prescribed kind;
- b. in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c. a club machine permit issued to the applicant in the last ten years has been cancelled.

- 3.5 There are statutory conditions concerning Club Machine Permits that no child or young person may use a category B or C machine on the premises and that the permit holder complies with any relevant provision of a code of practice regarding the location and operation of gaming machines.

#### **4. (Alcohol) Licensed Premises Gaming Machine Permits**

- 4.1 The Act makes provision for premises licensed to sell alcohol for general consumption on the premises to be entitled to make available up to 2 gaming machines, of categories C and/or D. The Licensing Act 2003 premises licence holder needs only to notify the Licensing Authority of this intention and pay the prescribed fee. The Licensing Authority may remove the automatic authorisation in respect of any particular premises only if it is satisfied that:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Before making any such order the Licensing Authority shall give the licensee at least 21 days prior notice and consider any representations made by the applicant (at a hearing if requested by the Licence holder).

- 4.2 If a Licensing Act 2003 premises licence holder wishes to use more than 2 gaming machines, then (s)he will need to apply to the Licensing Authority for a permit and the Licensing Authority must consider that application based upon:

- the licensing objectives;
- any guidance issued by the Gambling Commission; and
- “such matters” as it thinks relevant.

This Licensing Authority considers that “such matters” will be assessed on a case by case basis. Generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

This permit replaces, and is not in addition, to the automatic entitlement notification.

- 4.3 The Licensing Authority expects the applicant to satisfy it that there will be sufficient measures in place to ensure that persons under the age of 18 do not have access to the adult only category C gaming machines. The applicant may consider appropriate measures to comply with Gambling Commission Codes of Practice and monitor access to machines. This may include:

- ensuring that the adult gaming machines are within sight of the bar, or within the sight of staff who can monitor that the machines are not being used by persons under the age of 18;
- Notices and signage may also be an appropriate measure/safeguard;
- the provision of information leaflets / helpline numbers for organisations that give support to vulnerable persons such as GamCare and Gamble Aware.

4.4 The holder of a permit must comply with any relevant code of practice issued under section 24 of the Act by the Gambling Commission concerning the location and operation of the gaming machines.

4.5 It should be noted that the Licensing Authority can and may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached to the grant of this permit.

There is a similar mechanism for applying to vary the number and category of machines specified on an existing permit.

## 5. Prize Gaming and Prize Gaming Permits

### 5.1 Statement of principles:

The prize gaming conditions in the Act are:

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

It should be also noted that this permit cannot be issued in respect of a vessel or vehicle.

An application may only be made by an individual over the age of 18, who occupies or plans to occupy the relevant premises. An application for a permit can not be made if a premises licence or club gaming permit is already in effect for the same premises.

The Licensing Authority will expect the applicant to satisfy the Authority that that they and their employees can demonstrate a full understanding of the maximum stakes and prizes for the gaming offered and that the type of gaming offered is within the law. The applicant will normally be required to set out the types of gaming that he/she is intending to offer, and may wish to consider appropriate measures to promote the licensing objectives, and training for staff on:

- the type of gaming which they intend to provide; and
- the stakes and prizes which apply under the regulations relevant to the type of gaming they intend to offer.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 5.2 In making its decision on an application for this permit the Licensing Authority may have regard to the licensing objectives and must have regard to any Gambling Commission Guidance. Given that the premises may be particularly appealing to children and young persons, the Licensing Authority will give appropriate weight to the consideration of child protection issues.
- 5.3 The Chief Officer of Police is a statutory consultee for all such permit applications. Any representations made by the Chief Officer of Police which are relevant to the licensing objectives will be considered by the Licensing Authority relevant considerations may include:
- whether the applicant has any convictions that would render them unsuitable to operate prize gaming, or
  - the suitability of the location of the premises in relation to any disorder issues.

*This list is not mandatory, nor exhaustive, and is merely indicative of example measures.*

- 5.4 It should be noted that whilst there may be conditions in the Gambling Act 2005 and Gambling Commission codes of practice (including on social responsibility) with which the permit holder must comply, the Licensing Authority cannot attach conditions to this permit. Where the Authority is minded to refuse a permit application it will notify the applicant and allow the opportunity for the applicant to make representations (which may be considered at a hearing).

## **6. Travelling Fairs**

- 6.1 It is the duty of the Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit are made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 6.2 The Licensing Authority will carefully consider whether an operator falls within the statutory definition of a travelling fair (provided by section 286 of the Act) and be 'wholly or principally' providing amusements.
- 6.3 The 27-day statutory maximum for the land being used as a fair is per calendar year, and that this applies to the piece of land on which the fairs are held regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority shall endeavour to work with neighbouring authorities to ensure that land which crosses district/borough boundaries is monitored so that the statutory limits are not exceeded.

## **7. Society Lotteries**

7.1 The Council as the local authority is responsible for registering small society lotteries. A lottery is defined under the Act and in the guidance as:

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

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

A society, or any separate branch of such a society, may be registered by the council to promote a small lottery where it is established and conducted:

- for charitable purposes
- for the purpose of enabling participation in , or of supporting, sport, athletics or a cultural activity;
- for any other non commercial purpose other than private gain;
- and the proceeds of the lottery must be devoted to the purposes above.

The society must not be established for the sole purpose of facilitating lotteries.

The Council may only register a society which wishes to promote a small lottery where the society's principal office is located within its area. If the Council believes that the society's principal office does not fall within its boundaries it will inform the society and relevant authority at the earliest opportunity.

7.2 A small lottery is defined in the Act and the current limits are published on the Gambling Commission website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk). Definitions of exempt lotteries are also published at this address.

7.3 The Council will expect the society applying to register with it supply a copy of its terms conditions or constitution to enable it to establish that the society is non-commercial, together with a declaration to the effect that it is non-commercial.

7.4 Details of societies registered by the council will be published in a register maintained by the Council.

7.5 The registration is for an indefinite period unless the registration is cancelled by:

- the society; or
- the council on failure of the society to pay the annual charge.

7.7 The council may refuse to register a small society lottery where:

- an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused;
- the society cannot be deemed non-commercial
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence;
- information provided in or with the application for registration is found to be false or misleading.

Where the Council proposes to refuse to register a small society lottery it will give the society an opportunity to make representations in writing or at a hearing. The Council will notify the society in writing of the outcome of the hearing and the reasons for the decision.

7.8 The Council may revoke a society lottery registration where it considers that it would have had to, or would be entitled to refuse an application if it were to be made at that time.

**Gambling Act 2005 Statement of Licensing Principles**  
**Consultee list for East Suffolk Council**

All Town and Parish Councils in East Suffolk	Gamble Aware
All District Councillors in East Suffolk	Gamblers Anonymous
All premises in East Suffolk licensed under the Gambling Act 2005	Gambling Commission
All Responsible Authorities under the Gambling Act 2005	Gamcare
ADFAM Families Drugs and Alcohol	Gamestec Leisure Ltd
Age UK	Gordon Moody Association
Alcoholics Anonymous	Ladbrokes Plc
Association of British Bookmakers	Learning Disability Partnership Board SCC
BACTA	Mencap Suffolk
Betfred	Mind
Bingo Association	Narcotics Anonymous
British Association of Leisure Parks, Piers and Attractions Ltd	National Association of Bookmakers
British Horse Racing Authority	Responsibility in Gambling Trust
Casino Operators Association	Royal British Legion
Chilvers Automatics Ltd	Suffolk Safeguarding Adult's Board
Citizens Advice Bureau	Suffolk Safeguarding Children's Board
Corals	
Drink Aware	Samaritans
Essex Leisure	William Hill Organisation
Gala Bingo	

## Appendix B

**Section 353 of the Gambling Act 2005 gives some general interpretation and reference for some of the main terminology used within the Act and contained within this Statement of Principles document. Except where the context otherwise requires:**

"adult" means an individual who is not a child or young person

"adult gaming centre" has the meaning given by section 237

"alcohol licence" has the meaning given by section 277

"authorised local authority officer" has the meaning given by section 304

"authorised person" has the meaning given by that section

"betting" has the meaning given by sections 9 to 11, 37 and 150

"betting intermediary" has the meaning given by section 13

"bingo" means any version of that game, irrespective of by what name it is described

"casino" has the meaning given by section 7

"casino game" has the meaning given by that section

"Category A gaming machine" (or B, C or D) means a gaming machine falling within Category A (or B, C or D) as prescribed under section 236

"chief constables of police forces" has the same meaning in relation to England and Wales as in the Police Act 1996 (c. 16)

"child" has the meaning given by section 45

"club gaming permit" has the meaning given by section 271

"club machine permit" has the meaning given by section 273

"commercial club" has the meaning given by section 267

"the Commission" means the Gambling Commission

"director" -

(a) has the meaning given by section 741 of the Companies Act 1985 (c. 6), and

(b) includes a shadow director within the meaning of that section

"dog track" means premises which are designed, used or adapted for use for dog-racing

"draw", in relation to a lottery, has the meaning given by section 255

"EEA State" means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (as it has effect from time to time)

"enactment" includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament

"enforcement officer" means a person designated or appointed as an enforcement officer under section 303

"equal chance gaming" has the meaning given by section 8

"exempt lottery" has the meaning given by section 258

"external lottery manager" has the meaning given by section 257

"fair" has the meaning given by section 286

"family entertainment centre" has the meaning given by section 238

"family entertainment centre gaming machine permit" has the meaning given by section 247

"football pools" means an arrangement whereby -

(a) people compete for prizes by forecasting the results of association football games, and

(b) each entry to the competition must forecast the results of at least four games



"gambling" has the meaning given by section 3

"gambling software" has the meaning given by section 41

"game of chance" has the meaning given by section 6

"gaming" has the meaning given by that section

"gaming machine" has the meaning given by section 235

"horse-race course" means premises which are designed, used or adapted for use for horse-racing

"horse-race pool betting" has the meaning given by section 12

"large casino" has the meaning given by regulations under section 7(5)

"licensed family entertainment centre" has the meaning given by section 238

"licensed premises gaming machine permit" has the meaning given by section 283

"the licensing objectives" has the meaning given by section 1

"licensing authority" has the meaning given by section 2

"lottery" has the meaning given by section 14 (and section 256)

"lottery manager's operating licence" has the meaning given by section 98

"lottery ticket" has the meaning given by section 253

"machine" has the meaning given by section 235(3)(a)

"members' club" has the meaning given by section 266

"miners' welfare institute" has the meaning given by section 268

"the National Lottery" has the meaning given by section 1 of the National Lottery etc. Act 1993 (c. 39))

"non-commercial betting" has the meaning given by section 302

"non-commercial gaming" has the meaning given by section 297

"non-commercial society" has the meaning given by section 19

"occasional use notice" means a notice given under section 39

"operating licence" means a licence issued under Part 5

"on-premises alcohol licence" has the meaning given by section 277

"participant", in relation to a game of chance, includes a person who discharges an administrative or other function in relation to the game

"participation fee" has the meaning given by section 344

"passenger vessel" means a vessel which is carrying or expected to carry at least one passenger

"personal licence" means a licence issued under Part 6

"pool betting" has the meaning given by section 12

"premises" includes any place and, in particular -

- (a) a vessel, and
- (b) a vehicle

"premises licence" means a licence issued under Part 8

"private betting" has the meaning given by section 295 and Part 2 of Schedule 15

"private gaming" has the meaning given by section 295 and Part 1 of Schedule 15

"private gain" is to be construed in accordance with section 19(3)

"prize" in relation to gaming (except in the context of a gaming machine) has the meaning given by section 6

"prize" in relation to a gaming machine has the meaning given by section 239

"prize" in relation to a lottery has the meaning given by section 14

"prize gaming" has the meaning given by section 288

"prize gaming permit" has the meaning given by section 289

"proceeds", in relation to a lottery, has the meaning given by section 254

"profits", in relation to a lottery, has the meaning given by that section

"profits", in relation to non-commercial prize gaming, has the meaning given by section 299

"racecourse" means premises on any part of which a race takes place or is intended to take place

"real", in relation to a game, event or process means non-virtual

"relevant offence" has the meaning given by section 126 and Schedule 7

"remote communication" has the meaning given by section 4

"remote gambling" has the meaning given by that section

"remote gambling equipment" has the meaning given by section 36

"remote operating licence" has the meaning given by section 67

"rollover", in relation to a lottery, has the meaning given by section 256

"small casino" has the meaning given by regulations under section 7(5)

"society" includes a branch or section of a society

"stake" means an amount paid or risked in connection with gambling and which either -

- (a) is used in calculating the amount of the winnings or the value of the prize that the person making the stake receives if successful, or
- (b) is used in calculating the total amount of winnings or value of prizes in respect of the gambling in which the person making the stake participates

"supply" includes -

- (a) sale,
- (b) lease, and
- (c) placing on premises with permission or in accordance with a contract or other arrangement

"temporary use notice" has the meaning given by section 215

"track" means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place

"travelling fair" has the meaning given by section 286

"vehicle" includes -

- (a) a train,
- (b) an aircraft,
- (c) a seaplane, and
- (d) an amphibious vehicle (other than a hovercraft within the meaning of the Hovercraft Act 1968 (c. 59))

"vessel" includes -

- (a) anything, other than a seaplane or an amphibious vehicle, designed or adapted for navigation or other use in, on or over water
- (b) a hovercraft (within the meaning of the Hovercraft Act 1968), and
- (c) anything, or any part of any place, situated in or on water

"virtual" has the meaning given by subsection (3) below

"winnings", in relation to a bet, means anything won, whether in money or in money's worth

"young person" has the meaning given by section 45

Summary of machine provisions by premises								
Machine category:								
Premises type:	A	B1	B2	B3	B4	C	D	
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D, (except B3A machines) within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D, within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines) or any number of C or D machines instead						
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)						
Bingo premises					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre					Maximum of 20% of total number of machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Family entertainment centre (with premises licence)								No limit on category C or D machines
Family entertainment centre (with permit)								No limit on category D machines
Clubs or miners' welfare institute (with permit)					Maximum of 3 machines in categories B3A or B4 to D			
Qualifying alcohol-licensed premises								1 or 2 machines of category C or D automatic upon notification
Qualifying alcohol-licensed premises (with gaming machine permit)								Number of category C-D machines as specified on permit
Travelling fair								No limit on category D machines
	A	B1	B2	B3/B3A	B4	C	D	

**Summary of gaming machine categories and entitlements.**

Category of machine	Maximum stake (from April 2019)	Maximum prize (from April 2019)
<b>A</b>		Unlimited – No category A gaming machines are currently permitted
<b>B1</b>	£5	£10,000*
<b>B2</b>	£2	£500
<b>B3A</b>	£2	£500
<b>B3</b>	£2	£500
<b>B4</b>	£2	£400
<b>C</b>	£1	£100
<b>D – non-money prize</b>	30p	£8
<b>D – non-money prize (crane grab machines only)</b>	£1	£50
<b>D – money prize</b>	10p	£5
<b>D – combined money and non-money prize</b>	10p	£8 (of which no more than £5 may be a money prize)
<b>D – combined money and non-money prize (coin pusher or penny falls machines only)</b>	20p	£20 (of which no more than £10 may be a money prize)

### Authorised Gambling Activities

Children and Young Persons – A child is any person who is less than 16 years old.

- Category D Machines
- Equal Chance gaming at a licensed family entertainment centre
- Equal chance gaming under prize gaming permit

Young Persons – A young person is an individual who is 16 or 17 years old.

- Category D Machines
- Equal Chance gaming at a licensed family entertainment centre
- Equal chance gaming under prize gaming permit
- Prize gaming at a travelling fair
- Prize Gaming at a non-licensed family entertainment centre
- Private/non commercial gaming/betting
- Lottery
- Football Pool



**FULL COUNCIL**

**Wednesday, 24 November 2021**

<b>Subject</b>	East Suffolk Council Food and Health and Safety Service Plan 2021-2023
<b>Report by</b>	Councillor Mary Rudd Cabinet Member with responsibility for Community Health
<b>Supporting Officer</b>	Helen Buckingham Regulatory Consultant - Environmental Services & Port Health helen.buckingham@eastsuffolk.gov.uk 07775 714680

Is the report Open or Exempt?	OPEN
-------------------------------	------

Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

### **Purpose of Report:**

The council is required to produce a Food and Health & Safety Service Plan in the format prescribed by the Food Standards Agency (in its Framework Agreement on Official Feed and Food Controls) and as required by the Health and Safety Executive, as set out in the National Local Authority Enforcement Code – Health & Safety at Work England, Scotland and Wales.

The service plan must be submitted for elected member approval and must be reviewed to identify the council's performance against the plan, any variance from it and areas for improvement in the service.

The Food Safety and Health & Safety Service Plan 2021/23 includes information on the council's performance in meeting targets that were set out in the Service Plan for 2019/20 and recommends to Full Council the approval of a Food and Health & Safety Service Plan for 2021/23.

### **Options:**

The council is required to produce a Food and Health & Safety Service Plan. The draft plan may be approved with no amendments being made or approved subject to amendments.

### **Recommendation/s:**

It is recommended that Full Council

1. Notes the food safety and health & safety performance against the service plan for 2019/20, and
2. Approves the Service Plan for 2021/23 with or without amendment.

## Corporate Impact Assessment

### **Governance:**

Regular Community Health Briefings are held with the Cabinet Member with responsibility for Community Health. The work of services represented in this plan feature throughout East Suffolk Council's Strategic Plan and are therefore regularly monitored. Performance against meeting targets will be reported in the service plan for 2023/24, including summaries of the annual reporting to the Food Standards Agency's Local Authority Enforcement Monitoring System and the Health and Safety Executive's LA intervention and enforcement activity return.

### **ESC policies and strategies that directly apply to the proposal:**

East Suffolk Strategic Plan 2020-2024

East Suffolk Economic Growth Plan 2018-2023

East Suffolk Environmental Policy to 2023.

<b>Environmental:</b>
The Service Plan includes, for the first time, a section on Caring for our Environment and takes into account East Suffolk's Environmental Policy objective to aspire to be an exemplar in efficient and responsible use of natural resources.
<b>Equalities and Diversity:</b>
An Equality Impact Assessment (Reference: EQIA371236786) has been undertaken for the plan: no mitigation action identified.
<b>Financial:</b>
There are no new financial implications for the council arising from the proposals. Targets and service improvements will be met from budgets already approved for the delivery of the services in 2021/23 plus COVID-19 grant funding from external sources.
<b>Human Resources:</b>
No resource implications for the recommendation included in this report
<b>ICT:</b>
No resource implications for the recommendation included in this report
<b>Legal:</b>
No resource implications for the recommendation included in this report
<b>Risk:</b>
Low risk. Delivery of the functions as set out in the service plan are well established and are planned and monitored. The required delegations and authorisations are in place to ensure accountability of officer decisions. The services are accustomed to being flexible and adapt in response to changing legislation or other demands placed upon them.

<b>External Consultees:</b>	An online consultation process on a draft of the Service Plan has been carried out involving business associations and networks, food businesses directly and publicly via the council's social media channels. No views were received that were unsupportive of the contents of the service plan.
-----------------------------	--

## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>



<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>			
Public health and safety is protected, including through regulatory services.			

## Background and Justification for Recommendation

<b>1</b>	<b>Background facts</b>
1.1	<p>The Food Standards Agency's (FSA) Framework Agreement and the Health and Safety Executive's (HSE) National Local Authority Enforcement Code require the council to review its performance against the 2019/20 Food and Health &amp; Safety Service Plan, identify any variance from the plan and areas for service improvement. A Service Plan for 2020/21 was not published.</p> <p>As well as reviewing past performance the council is also required to approve a new Food and Health &amp; Safety Service Plan for 2021/23 (Appendix A).</p> <p>The section headings of the plan follow the requirements of the Framework Agreement and appendices provide supporting statistics and other detailed information.</p>

	<p>This year the format of the plan has been reviewed and updated to make it a more engaging read, with photographs and illustrations throughout showing some of the important work the teams carry out. The approved service plan will be made available in a flip book version and hosted on East Suffolk's website and the website for Suffolk Coastal Port Health Authority <a href="https://www.paperturn-view.com/uk/east-suffolk/east-suffolk-food-and-health-safety-service-plan-2021-2023?pid=MTg186105&amp;v=3.2">https://www.paperturn-view.com/uk/east-suffolk/east-suffolk-food-and-health-safety-service-plan-2021-2023?pid=MTg186105&amp;v=3.2</a></p> <p>This plan also reports, for the first time, on the work of the Corporate Health and Safety Team which is part of the same service area. This team has provided advice to the council on how to deliver COVID-19 secure services throughout the pandemic in ways that protect our staff and residents.</p> <p>Reviews against the service plan, the identification of any variation from it and areas of improvement are set in the review section on pages 56 to 62.</p> <p>Throughout 2020/21 the Food and Safety Team redeployed significant staff resources to respond to the many new emergency health protection laws and public health controls arising from the COVID-19 pandemic. Reducing inspection visits also reduced foot fall and helped control the spread of COVID-19. The need for this redeployment was recognised by the FSA in advice to local authorities. The team continued to carry out higher risk food work but in 2020/21 much of the routine work was necessarily paused.</p> <p>Appendix 12 reports on the Food and Safety Team's response to COVID-19 March 2020 to July 2021. The response is set out according to the different types of activities:</p> <ul style="list-style-type: none"> <li>• Management, coordination and communication.</li> <li>• Disseminating COVID-19 secure information to businesses and the public.</li> <li>• Collaboration with the Health and Safety Executive – spot checks.</li> <li>• Event safety.</li> <li>• Monitoring arrangements and practices at venues through physical visits.</li> <li>• Responding to incidents, information and concerns through physical visits.</li> <li>• Enforcement action.</li> <li>• Conclusions.</li> </ul>
--	---

2 Current position	
2.1	Significant changes to some of the services provided by Suffolk Coastal Port Health Authority are taking place over the next 18 months, following the UK's exit from the European Union. This is arising from new biosecurity requirements placed upon consignments of goods from the EU.
2.2	A backlog of programmed food and safety inspections has arisen over the last 18 months as a result of COVID-19 restrictions upon businesses, the redeployment of staff onto other tasks and a necessary scaling back of officer interventions.

3 How to address current situation	
3.1	Plans are in place to capably respond to new and changing demands on the port health service, including the recruitment and training of additional staff and operating a 24/7 service, in line with government expectations, trade demands and legislation.
3.2	A Recovery Plan is in place to prioritise inland food interventions based on risk. Its delivery uses existing staff time, working additional hours and the use of contractors. Funding is from existing approved budgets, supported by COVID-19 grant funding from government sources.

4 Reason/s for recommendation	
4.1	The council is required to produce and submit a Food and Health & Safety Service Plan for member approval. The plan must review performance, identify variance and areas for improvement in the service.

## Appendices

Appendices:	
<b>Appendix A</b>	East Suffolk Food and Safety Service Plan 2021/23 - draft

Background reference papers:		
Date	Type	Available From
2010	FSA Framework Agreement on Official Feed and Food Controls by Local Authorities	<a href="mailto:environment@eastsoffolk.gov.uk">environment@eastsoffolk.gov.uk</a>
Refer to online document	HSE National Local Authority Enforcement Code Health and Safety at Work	<a href="https://www.hse.gov.uk/lau/la-enforcement-code.htm">https://www.hse.gov.uk/lau/la-enforcement-code.htm</a>
14/10/2021	Equality Impact Assessment	<a href="mailto:environment@eastsoffolk.gov.uk">environment@eastsoffolk.gov.uk</a>



# EAST SUFFOLK

## Food and Health & Safety Service Plan 2021/23

DRAFT

For **Steve Rock**, our environmental health officer colleague and friend who died in service on 8 September 2021 and was an absolute expert in all of this.

We miss you, Rocky.

# FORWARD

I am proud to introduce this Food and Health & Safety Service Plan for East Suffolk Council as part of my role as Cabinet Member for Community Health.

The plan presents a comprehensive review of performance and looks ahead to future challenges, painting a picture of the vital roles these services play in keeping the residents, businesses and visitors in East Suffolk, safe from harm. The content of the plan meets the Food Standards Agency's service planning requirements of us as a local authority responsible for delivering official food controls, inland and at the port. Therefore, the imported food work carried out by our colleagues at Suffolk Coastal Port Health Authority based at Felixstowe port, is an important part of this plan.

This year we've taken the decision to produce more than just the prescribed content, by including all of the work of the Food and Safety Team, as well as that of the Corporate Health and Safety Team. Also for the first time, the presentation of the plan contains many pictures which bring to life some of the many diverse tasks we carry out and the range of work settings where we deliver our services.

Since March 2020, we've adapted our services to be as effective as possible given the restrictions we all faced during the COVID-19 pandemic. We helped businesses operate safely using different approaches, working around the clock and in partnership with public health colleagues, the Police and others. As we look ahead to (hopefully) fewer COVID-19 worries, we plan to take with us some of the innovative approaches we've developed.

For our colleagues in Port Health, EU Exit has presented numerous challenges and continues to do so. Additional checks on incoming food from the EU will start incrementally during 2021 and 2022 that will mean new rules to implement, new IT systems and many questions from the trade. Felixstowe is the largest container port in the UK and we're proud to be on a good footing to be able to flex and respond to what's required of us as we work to ensure safe food reaches inland destinations in the UK.

I congratulate everyone who has contributed to the achievements set out in this plan: the staff of East Suffolk Council and Suffolk Coastal Port Health Authority, the businesses who work so hard to comply, our partner organisations, stakeholders and everyone behind the scenes.



**Cllr Mary Rudd**  
Cabinet Member for  
Community Health

# CONTENTS

<b>1.0 Service aims</b>	<b>6</b>
1.1 Aims	6
1.2 Links to corporate objectives and plan	8
<b>2.0 Background</b>	<b>11</b>
2.1 Profile of the Local Authority	11
2.2 Organisational structure	14
2.3 Scope of our responsibilities	18
2.4 Demands on the Service	24
2.5 Compliance and Enforcement Policy	28
<b>3.0 Service Delivery</b>	<b>29</b>
3.1 Interventions	29
3.2 Investigations	33
3.3 Home Authority Principle and Primary Authority Scheme	36
3.4 Advice	37
3.5 Sampling	42
3.6 Control and investigation of infectious disease and work-related health conditions	44
3.7 Incidents	45
3.8 Liaison with other organisations	46
3.9 Promotional and engagement work	48
<b>4.0 Resources</b>	<b>50</b>
4.1 Financial allocation	50
4.2 Staffing allocation	51
4.3 Staff Development Plan	52
<b>5.0 Quality Assessment</b>	<b>55</b>
5.1 Quality assessment and internal monitoring	55
<b>6.0 Review</b>	<b>56</b>
6.1 Review against the Service Plan	56
6.2 Identification of any variation from the Service Plan	63
6.3 Areas of improvement	64
<b>7.0 Caring for our environment</b>	<b>68</b>
<b>Abbreviations</b>	<b>70</b>

# APPENDICES

<b>Appendix</b>	<b>1.</b>	Corporate Management Structure	73
<b>Appendix</b>	<b>2.</b>	Food and Safety Team Organisational Chart	74
<b>Appendix</b>	<b>3.</b>	Suffolk Coastal Port Health Authority Organisational Chart	75
<b>Appendix</b>	<b>4.</b>	Corporate Health and Safety Organisational Chart	76
<b>Appendix</b>	<b>5.</b>	Profiles of food establishments in East Suffolk according to risk	77
<b>Appendix</b>	<b>6.</b>	Food and Safety – Outline of projected food safety service demands	78
<b>Appendix</b>	<b>7.</b>	Suffolk Coastal Port Health Authority - Outline of the current and projected service demands	80
<b>Appendix</b>	<b>8.</b>	Suffolk Coastal Port Health Authority - Outline of the Service Activities	81
<b>Appendix</b>	<b>9.</b>	Food Sampling Policy - Food and Safety Team	85
<b>Appendix</b>	<b>10.</b>	Suffolk Coastal Port Health Authority - Outline of Sampling activities	86
<b>Appendix</b>	<b>11.</b>	Gastrointestinal disease cases: East Suffolk	87
<b>Appendix</b>	<b>12.</b>	COVID-19 – Food and Safety Team Response - March 2020 to July 2021	88
<b>Appendix</b>	<b>13.</b>	Key Liaison Organisations	92
<b>Appendix</b>	<b>14.</b>	Summary of food interventions, enforcement actions and compliance data for East Suffolk. Source: LAEMS return for 2019/20	94
<b>Appendix</b>	<b>15.</b>	Food safety additional statistics: 2019/20 and 2020/21	95
<b>Appendix</b>	<b>16.</b>	LAE1 Local Authority Health and Safety Return summary 2019/2	96
<b>Appendix</b>	<b>17.</b>	Summary of food interventions data for East Suffolk. Source: LAEMS return for 2020/21	97
<b>Appendix</b>	<b>18.</b>	Chart showing how the health and safety regulatory activity changed during the COVID-19 pandemic	98
<b>Appendix</b>	<b>19.</b>	Corporate complaints	99
<b>Appendix</b>	<b>20.</b>	Customer satisfaction	100



# 1.0 SERVICE AIMS

## 1.1 Aims

### Food and Health & Safety

The Food and Safety Team aims:

- To ensure food businesses have adequate arrangements in place to enable safe and hygienic food production and handling.
- To control the spread of infectious diseases through the investigation of cases and outbreaks.
- To secure and maintain a safe and healthy environment, in those establishments for which we have a health and safety enforcement responsibility.
- To support businesses by providing food/health export certification.
- To provide advice and assistance to businesses and consumers.



Local market - Butter Cross, Bungay

### Suffolk Coastal Port Health Authority

Suffolk Coastal Port Health Authority (SCPHA) aims to be the UK's leading Port Health Authority, delivering an effective and efficient service protecting public and animal health at the border to contribute to the UK's biosecurity control measures.

### Corporate Health and Safety

The Corporate Health and Safety Team (CHST) aims to provide competent advice, guidance, support and training in matters relating to health and safety in respect of all the Council's employees, activities and workplaces. This enables the Council to comply with its legal obligation to ensure, so far as is reasonably practicable, the health, safety and welfare of all its employees and the health and safety of anyone who might be affected by the Council's activities.

# Looking for a career with a dynamic and friendly organisation?

East Suffolk Council is an exciting place to work, the largest district council in the country and a great place to make a real difference in people's lives, delivering vital services to a quarter of a million people across East Suffolk.

If you are looking for a dynamic and friendly organisation that will support your professional career, take a look at our careers page at Suffolk Jobs Direct <https://www.suffolkjobsdirect.org/eastsuffolkcouncils/index.aspx> for the fantastic opportunities our council has to offer.

If you cannot access parts of the careers page and need information in a different format like accessible PDF, large print, easy read, audio recording or braille, please contact the HR Team by emailing [HR@eastsuffolk.gov.uk](mailto:HR@eastsuffolk.gov.uk).

New job vacancies are added regularly. Some examples of the roles in Environmental Services and Port Health are:

**Apprentices**

**Business Analysts**

**Administration**

**Port Health Officers**

**Food and Safety Officers**

**Import Control Assistants**

**Business and Administration Officers**

**Official Veterinary Surgeons**

**Environmental Health Officers**

**Managers and Team Leaders**

**Health and Safety Officers**



If you register your details at [Suffolk Jobs Direct](https://www.suffolkjobsdirect.org/eastsuffolkcouncils/index.aspx), we'll send you email alerts with jobs that match the criteria.



## 1.2 Links to corporate objectives and plan

### Strategic Plan

Our Strategic Plan\* shows the direction the Council is taking from 2020 to 2024. The plan and the five key themes within it, connects all the work we do as part of our overriding objective - delivering the highest quality of life possible for everyone who lives in, works in and visits East Suffolk.

The Strategic Plan 2020-2024 provides the framework to deliver the huge range of vital services for our local communities.



### Five key themes of Strategic Plan

The Strategic Plan is the council's compass, guiding all its decision making, with five key themes showing the direction we are taking:



**GROWING OUR ECONOMY**

**ENABLING OUR COMMUNITIES**

**REMAINING FINANCIALLY SUSTAINABLE**

**DELIVERING DIGITAL TRANSFORMATION**

**CARING FOR OUR ENVIRONMENT**

### Team service plans

All teams have completed their service plans which collectively create a 'master plan' of everything we are doing. This feeds into the Strategic Plan priorities and themes.

\*East Suffolk Council Strategic Plan 2020-2024 - <https://www.paperturn-view.com/?pid=Nzg78875>

## Strategic Plan Delivery Board

Officers from across the Council have formed five groups to oversee each theme and a Strategic Plan Delivery Board (SPDB) comprising Cabinet members and Senior Management Team, is the overall governing body.

Since March 2020, the Council's focus has been on the COVID-19 pandemic and supporting local communities and businesses. However, our response has proved how robust and adaptable our Strategic Plan is.

## Food Safety and Health & Safety Service Plan

This plan sets out the delivery of services by the Food and Safety Team and Suffolk Coastal Port Health Authority that principally align with the Enabling Our Communities theme within the Strategic Plan. The services of the Corporate Health and Safety Team contribute to the Governance of the delivery of all the Council's services. See Figure 1 The Golden Thread.



Fig. 1 The Golden Thread.



## Food and Health & Safety

The primary work of the Food and Safety Team is to deliver official food controls and other enforcement activities. It is therefore advisory as well as regulatory. Effective regulation, using digital reports and communication, supports compliant businesses to thrive, which creates a level playing field for business, boosts the economy and provides safe employment in East Suffolk. These factors contribute to the Council's Strategic Plan.



A take-away business proudly displaying its 5 food hygiene rating score



Cranes unloading containers dockside at Felixstowe port

## Suffolk Coastal Port Health Authority

The work of Suffolk Coastal Port Health Authority (SCPHA) in relation to official food controls, is delivered separately to the inland responsibilities of the Food and Safety Team but is still part of the official controls landscape. At the border, official controls dovetail with biosecurity and the wider protection of public and animal health.

## Corporate Health and Safety

The Corporate Health and Safety Team works across the whole Council to assist all teams to work safely. This enables others to support the Council's objectives.

Good health and safety culture reduces staff absence and improves the organisation's overall resilience and business continuity.



Safe working practices during repairs to housing stock

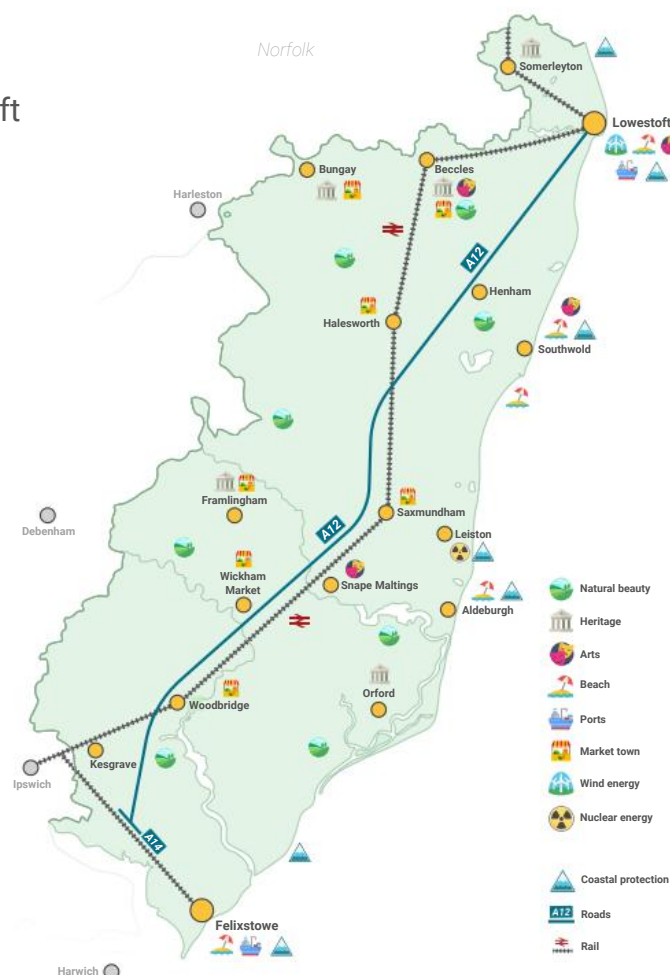
## 2.0 BACKGROUND

### 2.1 Profile of the local authority

Located on the east coast of England, East Suffolk is a diverse local economy, with both outstanding economic assets and potential, and in some areas, continuing regeneration challenges.

The profile of East Suffolk is set out in our Economic Growth Plan, 2018-2023<sup>1</sup>. The largest town is Lowestoft with a population of around 70,000 and home to just under a third of the 240,000 people who live within East Suffolk. Almost 50 miles away and to the south, Felixstowe is the second largest settlement home to around 25,000 people. Then there are smaller market towns – like Woodbridge, Leiston, Framlingham, Halesworth, Beccles, and Bungay – which are distributed around East Suffolk and typically have populations of 5,000-10,000 people.

East Suffolk has a wide-ranging portfolio of cultural, heritage and environmental assets and a very distinctive and diverse visitor economy. It is home to outstanding landscapes of rivers, estuaries and nature reserves (some within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty) as well as the 'southern gateway' to the Broads National Park and a coastline that extends for close to fifty miles. Major heritage assets range from Anglo-Saxon archaeology and the birthplace of radar at Bawdsey to castles, forts and museums. It is an area which people enjoy, and many choose to spend their leisure time here.



The area also hosts economic assets and opportunities that are amongst the most significant anywhere in the UK and are defining features of East Suffolk's current economic character and its future potential. These include the UK's busiest container port at Felixstowe, the home of BT's Global Research and Development Headquarters at Adastral Park in Martlesham, major developments in offshore and renewable energy in Lowestoft and potential future growth surrounding nuclear power in relation to Sizewell. Freeport East, one of eight Freeports announced this year, will act as a global hub for trade, delivering significant inward investment and driving inclusive growth to address areas of local deprivation.

Alongside these national assets is another important narrative which relates in part to the micro- and small businesses that exist in the the area. In total, there are over 9,000 businesses within East Suffolk and the vast majority of these are small (with fewer than 10 employees). In addition, there is a high incidence of self-employment, particularly in the south of the area.

<sup>1</sup><https://www.eastsuffolk.gov.uk/assets/Business/East-Suffolk-Growth-Plan.pdf>


## Food and Health & Safety

East Suffolk's historical agricultural and fishing heritage provides a welcome backdrop for many national and international food and drink companies based here. This sector is an important employer in rural areas and includes seasonal and migrant workers. Specialisms include the production and processing of pork, poultry, wines, beer, spirits, chocolate, sauces, yeast, ice cream, smoked fish, shellfish and dairy products.

## Suffolk Coastal Port Health Authority

- SCPHA delivers the port health function for the Port of Felixstowe, and is contracted to provide some port health functions for Tendring District Council and Ipswich Borough Council.

### Felixstowe

- The Port of Felixstowe is the UK's busiest container port and one of the largest in Europe. It provides some of the deepest water close to the open sea of any European port.
  - The Port of Felixstowe handles more than four million Twenty-foot Equivalent Units (TEUs) per year and welcomes over 3,000 ships each year including the largest container ships afloat today. Over 40% of the UK's import and export trade passes through the Port of Felixstowe. Around 17 shipping lines operate from Felixstowe offering approximately 33 services a week to and from 700 ports around the world.
- 
- Port of Felixstowe container ship
- As well as being the UK's largest container port, Felixstowe is also a key gateway for roll-on/roll-off (ro-ro) trade with Europe, with up to 3 daily sailings to the Netherlands.

### Harwich

- Harwich International Port (HIP) is the key element of the service provided to Tendring District Council. Whilst there are other wharfs and quays which are monitored, HIP is of national significance.
- HIP is a major roll-on/roll-off port handling in excess of 250,000 commercial vehicle movements per year. With up to 4 sailings per day from the Netherlands, the importance of this North Sea trading route to Europe is second only to the trade crossing the English Channel.

### Ipswich

- Ipswich port has less trade of interest to port health, being mainly focused on bulk handling of aggregates, grain and forestry products. However, the public health element for seafarers, including testing of potable water sources, are the main SCPHA inputs.





Property maintenance work

## Corporate Health and Safety

The Council provides a wide range of services, manages a diverse estate and employs around 850 members of staff in eleven service areas.

The Council owns and manages:

- 4,500 houses.
- Parks and gardens.
- Beaches.
- A caravan park.
- Harbours and marinas.
- Playgrounds.
- Sports centres.

Staff are involved in:

- Property maintenance.
- Regulatory inspections and enforcement.
- Sport and community activities.
- Harbour management.
- Office-based work.



## 2.2 Organisational structure

East Suffolk Council operates a Leader and Cabinet structure and the Cabinet Member with responsibility for Community Health is Councillor Mary Rudd.

The Corporate Management Team comprises the Chief Executive, two Strategic Directors and eleven Heads of Service. The Corporate Management Structure is shown in Appendix 1. The Chief Executive, Stephen Baker, has overall responsibility for the efficient management and execution of the Council's functions. The Environmental Services and Port Health Service Area reports to Nick Khan, Strategic Director.

Helen Buckingham, Regulatory Consultant - Environmental Services & Port Health manages the Environmental Services and Port Health Service Area. The service area has five teams, each team has a manager responsible for the delivery of their team's services as shown in Figure 1. The three teams covered by this plan are the Food and Safety Team, Suffolk Coastal Port Health Authority, and the Corporate Health and Safety Team.

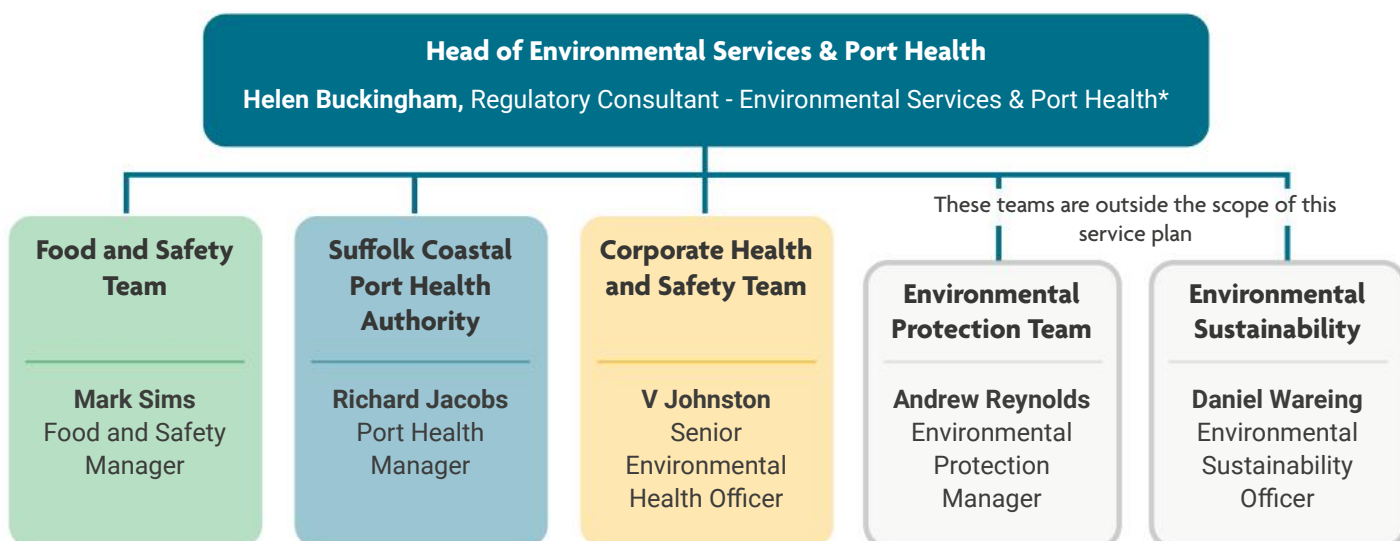


Figure 1. Structure of the Environmental Services & Port Health Service Area.

\*Interim role until December 2021

This plan's route to adoption by East Suffolk Council is shown in Figure 2.



Figure 2. This service plan's route to adoption by East Suffolk Council

## Food and Health & Safety

The Food and Safety Team is managed by the Food and Safety Manager. The team's organisation chart is provided in Appendix 2.

The team comprises:

- Food and Safety Manager
- Senior Environmental Health Officer
- Environmental Health Officers
- Food and Safety Officers
- Environmental Health Technical Support Officers

All members of the team have contributed to the development of this plan, via participation in a half day workshop at the outset and ongoing discussion via regular team meetings.

## Suffolk Coastal Port Health Authority

SCPHA organisational chart is provided in Appendix 3. The Port Health team is currently expanding to accommodate the expected demands brought about by EU Exit. By October 2021, it will have risen from around 80 individuals to approximately 140 personnel.

The strategic SCPHA management team comprises of the Port Health Manager, Compliance Manager, Business Manager and Operational Manager.

The Port Health Manager, along with the technical lead (Non Animal Origin) are both nominated as Lead Food Officers, whereas the technical lead (Products of Animal Origin) is the Senior Official Veterinary Surgeon (OVS). An OVS is required in order that the Border Control Post (BCP) can operate within its approvals.

A highly trained multi-discipline team, comprising of Official Veterinary Surgeons, Port Health Officers, Authorised Officers, Port Health Support Officers and Import Control Assistants deliver the operational elements of SCPHA, in what will soon be a 24/7 service. Shift operations are supported by team leaders.

The multidisciplinary teams are supported by an IT/business solution team and a business compliance/support team.

## Corporate Health and Safety

The Corporate Health and Safety Team is managed by the Senior Environmental Health Officer. The team organisation chart is provided in Appendix 4.

The team comprises:

- Senior Environmental Health Officer
- Health and Safety Advisors
- Health and Safety Officer – Housing Maintenance
- Health and Safety Officer/Trainer - Port Health

People that contribute to this plan.



Some of our Suffolk Coastal Port Health Authority team





Some of our Food and Safety Team



Corporate Health & Safety Team

## 2.3 Scope of our responsibilities

### Food and Health & Safety

Food and Safety Team has the responsibility for:

- registering and, where appropriate, approving food establishments
- carrying out food safety inspections and other interventions of businesses
- providing information on food hygiene standards to residents using the Food Hygiene Rating Scheme
- giving advice to food business operators including help on implementing the Food Standards Agency (FSA) Safer Food, Better Business food safety management system
- checking inland imported foods at retail and catering establishments
- issuing Export Health Certificates and Food Safety Premises Endorsements for Export
- investigating complaints concerning food, food establishments and food handling practices
- investigating cases of suspected and confirmed food poisoning
- using a range of food safety enforcement actions, including taking emergency prohibition action where conditions present an imminent risk of injury to health, and prosecution
- delivering a food safety education programme, including the level 2 Award in Food Safety in Catering
- providing the Lowestoft Port Health Authority service, inspecting ships and issuing Ship Sanitation Control Certificates
- carrying out health and safety interventions at premises for which the Council has legal enforcement responsibility. Proactive inspections are used to target the high-risk activities in sectors specified by HSE in the National Local Authority Enforcement Code or where intelligence suggests risks are not being effectively managed
- leading East Suffolk's Safety Advisory Group (SAG) to engage with event organisers to address public



Cooked meat slicer



- investigating complaints concerning work premises and practices
- investigating accidents and dangerous occurrences reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- using a range of health and safety enforcement actions, including taking action to immediately prohibit work activities likely to involve a risk of serious personal injury, and prosecution
- acting as a Responsible Authority under the Licensing Act 2003
- registering persons carrying out skin piercing practices and the premises used
- investigating cases and outbreaks of infectious disease to control it spreading and identify causes
- enforcing emergency public health regulations e.g. business closure and restrictions regulations
- support the countywide Healthy Suffolk healthy eating award schemes Eat Out Eat Well and Take Out Eat Well.



Tattooing studio

Helping you make healthier choices



## Suffolk Coastal Port Health Authority

SCPHA has responsibility for all food safety and food standards matters relating to imported foods and materials in contact with food. The current service includes the following:

- operation of Felixstowe Border Control Post
- imported food control (non-animal origin products) at Felixstowe, Harwich International Port, Harwich Navyard and Mistley Quay
- checking catch certificates for specified products to ensure the legitimacy of the products caught and to prevent the Illegal Unreported and Unregulated activities of fishing vessels
- enforcement of The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011 at Felixstowe, Harwich International Port and Ipswich
- imported food control, vessel inspection, and control of infectious disease at the Port of Ipswich
- control of feed covered at the Port of Felixstowe
- inspection of vessels to ensure compliance with international and United Kingdom health requirements
- food hygiene inspections of vessels within the dock
- control of infectious disease
- verification of organic produce at point of importation
- undertaking risk based monitoring and surveillance programmes based on intelligence
- Suffolk County Council is responsible for all food standards matters within the district, outside of the Port of Felixstowe and is responsible for non-animal origin (NAO) animal feed arriving at the Port. Under contract, SCPHA delivers the day-to-day statutory controls on high risk feed and we are continuing to work with Trading Standards to ensure an effective monitoring procedure for other animal feed imported through Felixstowe.

Note: EU Exit changes will see a Border Control Post (BCP) established for products of animal origin at Harwich International Port by the end of 2021/2022.

To support the Port Health service an internally developed software solution is utilised. This solution, PHILIS, is also licensed to other ports, for which support is provided.

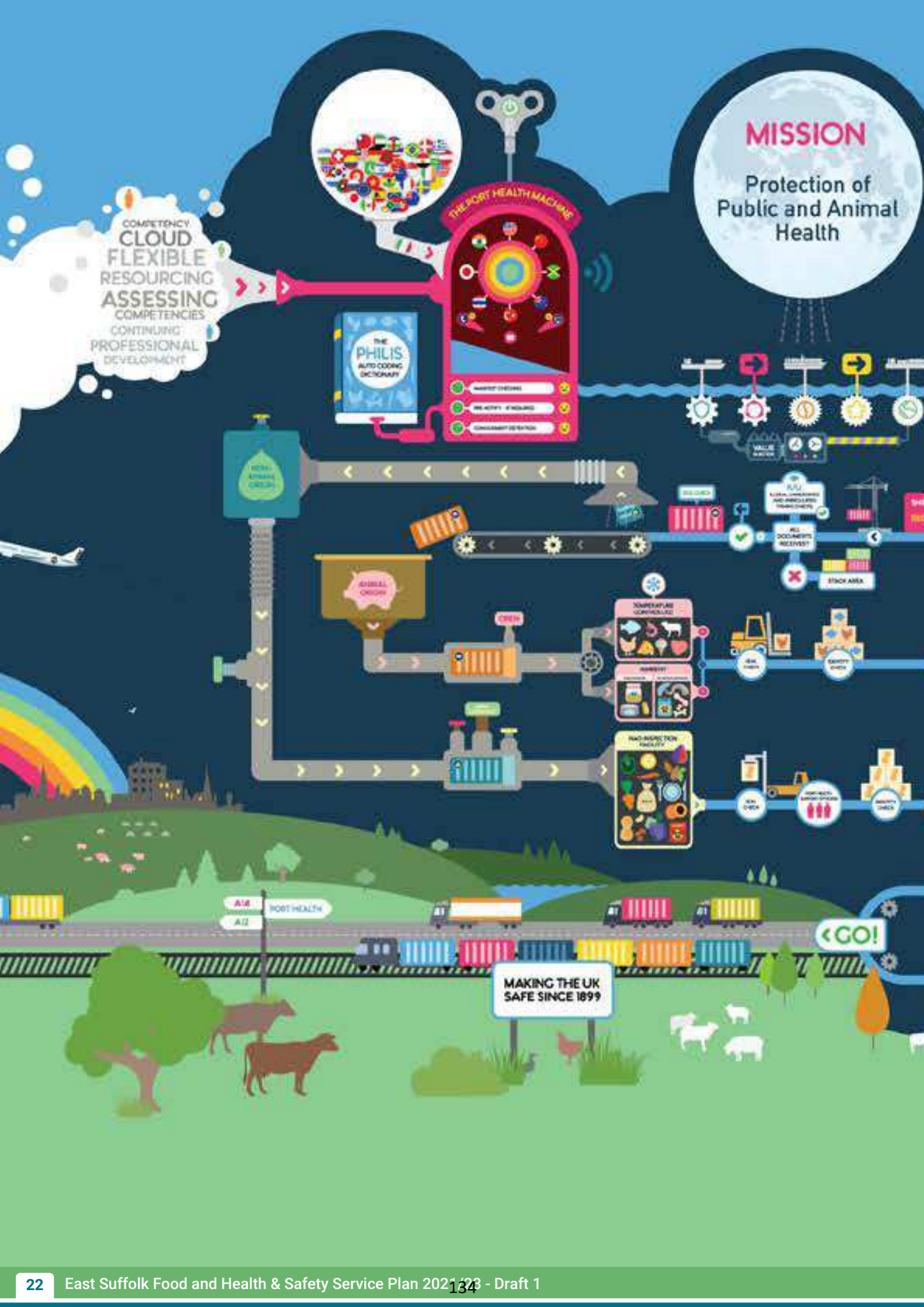
**PHILIS**



**Watch the PHILIS video on YouTube**

[https://youtu.be/nOhxoV\\_QMWY](https://youtu.be/nOhxoV_QMWY)









## Corporate Health and Safety

Provides professional support, technical and other guidance to the councillors, the Chief Executive, Strategic Directors, Heads of Service, managers, Health and Safety Champions and other employees on matters of health and safety.

Develops health and safety policies and procedures in line with current legislation and best practice.

Carries out inspections and audits and reports findings to the appropriate Head of Service.

Reviews accident and incident data to identify trends and any appropriate remedial action.

Provides reports on health and safety performance as required to members of Corporate Management Team (CMT) and the Health and Safety Committee.

Liaises with the HSE on health and safety matters.

Takes part in the Health and Wellbeing Group to help promote wellbeing within the Council.

## 2.4 Demands on the Service

### Food and Health & Safety

The food safety and health & safety regulatory service is delivered by a single team of people with a mix of skillsets.

Most of East Suffolk's food businesses fall to East Suffolk Council for the delivery of official controls and other aspects of food safety and hygiene legislation. The council regulates over 2,800 food businesses and the FSA itself regulates an additional six approved establishments in the area, for example slaughterhouses, cutting plants and game handling establishments. Profiles of locally authority regulated food establishments in East Suffolk according to risk are provided in Appendix 5.

An outline of the projected demands on the food safety service is provided in Appendix 6.



Bacon production unit



Shellfish preparation in a depuration tank



Meat cutting unit



The 37 businesses that are 'approved establishments' in the area, produce fish, shellfish, meat, poultry, and dairy, including raw cow's drinking milk.



Checks at an approved meat packing plant

Adnams PLC, St Peter's Brewery, Birds Eye Limited, Indo European Foods Limited, Lallemand Baking and Stokes Sauces Limited are large food and drink businesses and many of them export.

East Suffolk attracts many tourists particularly during the summer months and the council supports events which will boost the local economy.

We have a diverse range of businesses operated by and/or associated with ethnic minorities. This includes Chinese, Bangladeshi, Turkish, Portuguese and Polish. The majority of these businesses are takeaways, restaurants, retail shops and barbers.

Lowestoft Port Health Authority inspects ships under the International Health Regulations 2006 to ensure ships are controlling health risks. We issue Ship Sanitation Control Certificates and charge fees for this service.

Health and safety law is regulated either by the Health and Safety Executive (HSE) or the local authority with the split being determined by the main activity carried out at the premises. The Council generally enforces health and safety law in workplaces where members of the public have access, such as hospitality, retail, consumer services, leisure activities, places of worship and residential care homes along with offices, warehouses and undertakers. The Council enforces health and safety law in around 5,700 enterprises. A significant proportion of these are, Micro, Small or Medium-sized Enterprises (SMEs).



Ship sanitation work by Lowestoft Port Health Authority

The Food and Safety Team works with event organisers and others during planning and delivery via the Safety Advisory Group to ensure that persons involved in the events, and the members of public that attend them, are protected from risks to their health or safety. Events attracting up to 80,000 people include the Suffolk Show at Trinity Park, Latitude Festival at Henham Park and First Light Festival in Lowestoft. Some events only come to the team's attention at short notice and require significant intervention which can have an impact on the team's workload.

For easy and 24-hour customer convenience we provide all of our application and notification channels online via our website. The Food and Safety Team provides a 24-hour, seven-days a week, 52 weeks a year cover for emergencies.

<https://www.eastsuffolk.gov.uk/contact-us/>

In 2021/22 we will explore HSE's offer to expand the spot checks intervention project to nightclub settings. Also to managing asbestos and legionella risks.

## Suffolk Coastal Port Health Authority

The Port Health Service manages the competing demands of the legislation and the commercial activity of the ports and the impact on UK trade.

The legislation places an obligation on the service to deliver official controls at the border, however the volume of these controls is determined by the nature of the commercial activity. Legislation is updated frequently to reflect new or emerging risks and trade volumes may fluctuate considerably.

Every imported consignment of product has the potential to present a biosecurity issue. It is imperative that Port Health is vigilant and utilises all methods possible to accurately identify consignments and their nature, that arrive in port.

With the scale and volume of workload and the potential impact on supply chains, it is vital that the service seeks to minimise impact on compliant trade and intervenes on non-compliant trade. This requires a flexible, adaptable service, with a depth of organisational and operational knowledge to be able to react to changing circumstances.

A very significant change is rapidly approaching following the EU Exit. This will see new biosecurity requirements placed upon consignments of goods from the EU. The demands on the service will increase significantly into 2022 and beyond.

SCPHA is engaged with Government bodies, working groups and other PHAs to shape the future regime.

An outline of SCPHA's current and projected service demands is provided in Appendix 7.

The service is currently provided from several locations within the Port of Felixstowe, including an administration centre and an Operations Centre (encompassing the BCP). The Annex at East Suffolk House (the HQ of East Suffolk Council), is currently home to the IT team and is also used for training new colleagues, given the uplift in staffing intake. Working from home has been a very limited option for SCPHA, due to the nature of the operational environment and inspection regimes. Throughout 2020/21 COVID crises, the service was maintained.

The current SCPHA service is provided:

**Mon - Thur** 0630 -2200

**Fri** 0630-2130

**Sat/Sun** 0630-1430

We will be moving to a 24/7 service in Sept 2021, however full operating capacity is not anticipated before 1 July 2022.

In addition to the forthcoming pressures of EU Exit, the provision and maintenance of the existing high quality 3rd Country service has continued.



### Port Health Machine

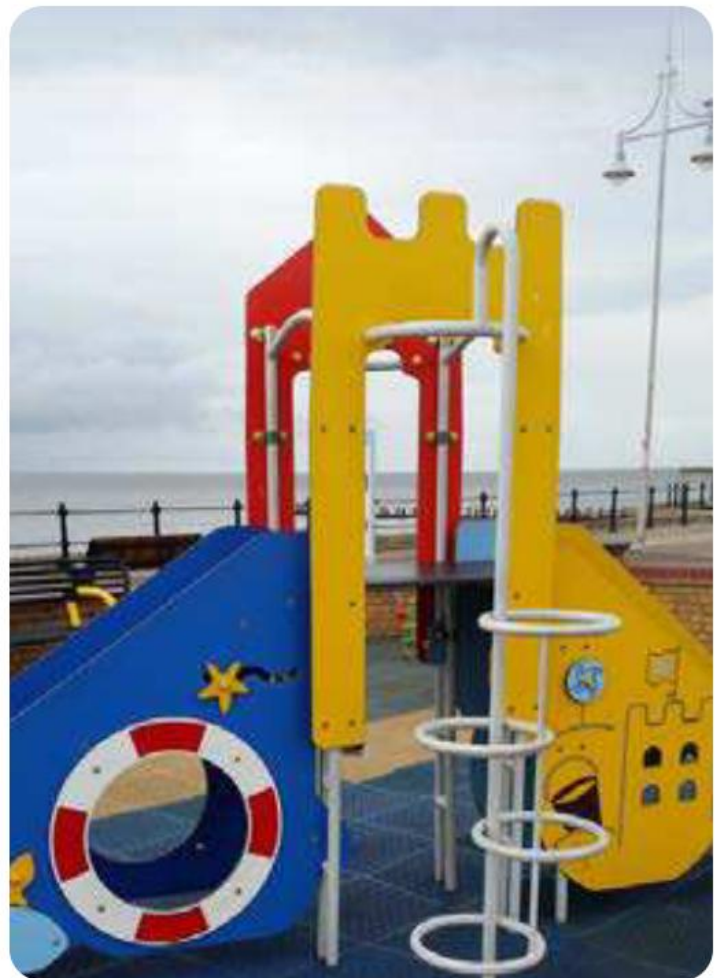
[To watch the full story of how Suffolk Coastal Port Health works, click here.](#)

## Corporate Health and Safety

The CHST supports the whole Council and responds to internal and external demands, both proactively and reactively.

The greatest demand on the CHST in the last 18 months has been the COVID-19 pandemic.

The CHST has given advice in a rapidly changing environment to ensure that the Council could deliver essential services safely, for example the teams delivering supplies to vulnerable people, locating and housing 'rough sleepers,' maintaining and repairing the Council's housing stock, operating a Building Control and Port Health service and enforcing the business restrictions that were in place at various times.



A safe child's playground operated by East Suffolk Council



Recycling and waste collection service.



## 2.5 Compliance and Enforcement Policy

Our Compliance and Enforcement Policy (<https://www.eastsuffolk.gov.uk/yourcouncil/compliance-and-enforcement-policy/>) covers all of the regulatory services delivered by the Council, including official controls and those in the wider food safety, health & safety and port health services.

Officers, including those with responsibility for the enforcement of food and health and safety laws, must have regard to the policy when making enforcement decisions.

The policy reflects Government expectations, via the Regulators' Code, towards the regulation of individuals and businesses and endorses the Government's commitment to better regulation, reducing regulatory burdens on business and supporting economic growth.



Our policy sets out the Council's commitment to fair, open, transparent, proportionate and intelligence led regulatory services and advocates a staged approach to enforcement using a range of enforcement options available to secure compliance.

### Food and Health & Safety

Decisions made in relation to health and safety regulation will also be made in accordance with the Health and Safety Executive's Enforcement Management Model (EMM). This takes the officer through a logical and demonstrable assessment process to determine an appropriate and consistent level of enforcement, in line with the Compliance and Enforcement Policy.

### Suffolk Coastal Port Health Authority

The Compliance and Enforcement Policy is applicable to SCPHA, however, the port health regulatory framework is prescriptive in many areas. SCPHA follows regulatory requirements and the advice and guidance of national competent bodies. Where there is latitude in the approach to enforcement, the Compliance and Enforcement Policy is utilised.

### Corporate Health and Safety

The CHST does not make enforcement decisions.

The Council is regulated by the Health and Safety Executive who will use the EMM and their own Enforcement Policy Statement. The CHST uses the principles of the EMM to benchmark compliance.

## 3.0 SERVICE DELIVERY

### 3.1 Interventions

#### Food and Health & Safety

Inspections and other interventions are normally carried out at food establishments using a risk-based approach set out in the Food Standards Agency's Food Law Code of Practice (FLCoP). Establishments may be rated as a higher risk either because of the higher-risk nature of their business or because of the lower standards of food safety present, or both.

Establishments receive an overall risk rating ranging from A (highest risk) to E (lowest risk).

Profiles of the food establishments in East Suffolk by risk rating categories A to E are shown in Appendix 5.

Unrated establishments are new businesses that have not had a completed inspection. Establishments in the outside category include premises such as primary producers that do not form part of our risk based intervention programme.

In response to the COVID-19 pandemic, staff resources were redeployed to help ensure businesses and other organisations had controls in place to manage the risk of COVID-19 spreading. Having regard to FSA guidance to local authorities on COVID-19, and in common with other local authorities, our food safety intervention programme was largely paused except for higher food safety risk concerns. As a consequence, as of September 2021, there are 337 registered unrated food establishments. We have prioritised completing the inspection of these unrated businesses according to the expected risk and have used remote interventions where possible to assess controls in place.

We have 1,252 Category A to D interventions to complete before 31 March 2023. Utilising FSA guidance to local authorities we have identified that we need to prioritise 268 of these for inspection before 31 March 2023: this will be our red line. We anticipate we will receive a further 700 new food registrations through to 31 March 2023.

It is our intention to move at the fastest pace possible to deliver the Recovery Plan in Figure 3 by reinstating staff resources to food safety work.

The plan aims to ensure that during the period of recovery from the impact of COVID-19, our resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food.

Food  
Recovery Plan  
to 31 March 2023







Fig. 3 East Suffolk Food Safety Recovery Plan to 31 March 2023

Health and safety interventions are carried out by authorised Inspectors in accordance with guidance issued by the HSE to Local Authorities via the National Code and LAC67/2 which determines priorities and expectations.

The Food and Safety Team reacts to intelligence from other agencies such as the emergency services, other Council departments and third party complaints.

Proactive interventions are identified using the LAC67/2 and local intelligence, for example, assessing and securing compliance at 25 premises with swimming pools following two separate instances in Norfolk where lack of adequate supervision was determined to have contributed to a child drowning and an adult requiring resuscitation.

There was an approximately tenfold increase in the number of health and safety proactive inspections in 2020/21 compared to the year before. This reflects the number of interventions to ensure that satisfactory viral transmission controls were in place and that businesses were complying with the relevant business restrictions.



COVID-19 secure signage

## Suffolk Coastal Port Health Authority

The legislation basis for port health enforcement is prescriptive and virtually all SCPHA's interventions are driven by this. SCPHA will continue to work hard to deliver effective and consistent application of the legislation.

As the UK exits the EU, it is foreseen that there will be some realignment of legislation and legislative requirements. With a more risk-based approach, greater utilisation of the East Suffolk Compliance and Enforcement Policy may become a reality.

Outside of the mandated interventions, SCPHA will be engaging in imported food monitoring and surveillance sampling. This activity comes in two forms – that which is requested by the FSA or DEFRA or that which is designed in house, based on intelligence. Both have the objective of providing a greater insight to potential or emerging issues. The results acquired help create greater intelligence for the future and allows for smarter targeting of future threats.

SCPHA's service is effectively resourced based on the current and projected levels of intervention required. It also has the ability to flex its service to some degree. Appendix 8 provides an outline of SCPHA's activities.



Unloading of high risk spices from a container at the BCP to enable sampling and inspection to be carried out

## Corporate Health and Safety

The CHST has a planned programme of work each year that is completed alongside reactive work.

The CHST audits the Council's main contractor that delivers services on behalf of the Council to give assurance that the contractor is complying with health and safety law whilst providing services such as waste collection and grounds maintenance.

The Health and Safety Advisors work with team leaders to assess risks and devise safe systems of work.

The CHST audits the procedures that Departments have in place to ensure that the risks are being adequately controlled.

Health and Safety compliance within the Council and SCPHA is one of several Corporate Risks that are monitored and reviewed regularly by a senior team across the Council. This provides strategic leadership and commitment.

## 3.2 Investigations

### Food and Health & Safety

Our Common Food Complaints Guide contains self-help advice on some common food complaints together with a short explanation and suggestions for when to contact us or take some other best course of action.

<https://www.eastsuffolk.gov.uk/business/food-safety/food-incidents-and-complaints/report-a-complaint-about-a-food-business/>

Approximately 300 complaints about food and food premises are received each year. On health and safety matters, the Food and Safety Team investigates when third parties report that they have experienced or have seen poor working practices that they believe could result in injury or illness.



An officer will assess the report and prioritise their response in accordance with published criteria such as the HSE's Incident Selection Criteria.

In 2020/21 the number of investigations which required action increased significantly due to many concerns caused by the COVID-19 pandemic. The number of future COVID-19 investigations required will depend on factors such as the number of COVID-19 cases and government expectations of local authorities.

### Suffolk Coastal Port Health Authority

SCPHA does not receive food complaints in the same way as the Council. The protocols for imported goods are very different. This process is more akin to the receipt of information or intelligence that may be utilised to target consignments.

### Corporate Health and Safety

CHST investigates incidents where someone was or might have been injured as a result of East Suffolk Council's activities.

Investigations are carried out when internal audits identify deviations from agreed safe working methods.



## East Suffolk Safety Advisory Group (SAG)

The management of crowds of people is inherently difficult and the harm that can occur depends on the type of event being run. East Suffolk's SAG has representatives from the district and county councils, emergency services, other relevant agencies according to the type of event and event organisers. SAG members formally meet monthly, to review event applications, meet event organisers and advise on public safety but also review a number of plans without the need for a meeting and will provide constructive feedback to the organisers via the chair. Notes of the advice given are promptly shared with SAG members and event organisers.



Recommendations given by SAG are advisory and presented in a non-adversarial way and it is for the organiser to take such steps that are necessary to ensure an event is managed safely. However individual SAG members may have their own legislative powers that relate to parts of the event and will use their statutory powers if risks will not be mitigated following advice from the group.

East Suffolk welcomes, encourages and supports organisers of safe events. SAG considers events ranging from local community events run by volunteers to large events attracting thousands of people such as the Suffolk Show, Latitude, First Light and international cycle races.



The COVID-19 pandemic had a devastating impact on events in 2020/21. Many were scaled back and some had to be cancelled as a result of emergency health protection laws and organisers' own assessments of the risk. SAG engaged with 31 events to discuss their plans and as a result 20 could go ahead within the COVID-19 restrictions. Unfortunately the Suffolk Shows that normally attract many thousands of visitors were cancelled in 2020 and 2021.

“

**...thanks to you, for giving us such sound advice, which allowed us to move to make a swift, but nevertheless disappointing decision...**

”

**Bruce Kerr** Show Director, Suffolk Show

SAG will be working with the organisers during the preparations for the show which returns next year on 31 May and 1 June 2022.



The legendary pink sheep of Latitude



### 3.3 Home Authority Principle and Primary Authority Scheme

The Primary Authority Scheme is intended to ensure that a business with multiple outlets can have the benefit of a single point of contact for advice that supports consistent enforcement across all of its premises.

For more information on Primary Authority Scheme follow this link:  
<https://www.gov.uk/guidance/local-regulation-primary-authority>



#### **Food and Health & Safety**

The Food and Safety Team uses the Primary Authority Register to identify if a duty holder has a Primary Authority partner and will have regard to the inspection plans and assured advice provided by it in any local interventions.

The Food and Safety Team is not currently a Primary Authority partner to a business but will consider requests from businesses seeking a Primary Authority.

Contact us at: [environment@eastsuffolk.gov.uk](mailto:environment@eastsuffolk.gov.uk)

#### **Suffolk Coastal Port Health Authority**

SCPHA has not been approached by any importer organisations to set up a Primary Authority Partnership.

#### **Corporate Health and Safety**

Not applicable to the CHST.

## 3.4 Advice

Advice is primarily provided via the Council's websites.

- East Suffolk Council [www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk)
- East Suffolk Means Business - <https://eastsuffolkmeansbusiness.co.uk/>
- Suffolk Coastal Port Health Authority <https://www.porthealth.uk/>

Our websites provide direct advice, information and online services 24 hours a day, 7 days a week and contribute to the Strategic Plan Priority for the Digital Theme. This information is available for businesses, employees and visitors along with a contact form which allows people to request advice without having to be redirected from the Customer Services Centre.

### Food and Health & Safety

Throughout the COVID-19 pandemic the team has been contacting businesses to advise on the business restrictions and to signpost businesses to the help available via the Economic Development Team at East Suffolk Means Business.

The Safety Advisory Group (SAG) provides advice to event organisers on how they can comply with relevant health and safety and licencing requirements. The SAG also ensures that emergency services and civil contingency responders have sufficient knowledge of event plans to understand how they may need to resource the events and the implications for their decision making before, during and after the event.

Events are notified via Temporary Event Notices, SAG notifications, applications to use Council land and by other agencies. The number of events that were notified in 2020/21 fell to 370 from 1,369 in 2019/20, which reflects the restrictions on large gatherings during the COVID-19 pandemic.

Further information about the role of the SAG and further guidance on running events safely is available on the Suffolk Resilience website:  
<https://www.suffolkresilience.com/event-safety>



## **Suffolk Coastal Port Health Authority**

SCPHA provides a comprehensive online presence - <https://www.porthhealth.uk/> – whether this is for generic imports or for changes brought about by EU Exit. The breadth of advice provides overviews and principles as well as detailed advice for a specific product. It is expected that the demand for advice will rise after 01 October 2021, as the trade adjusts and learns the new import regimes.

SCPHA will encourage engagement with the trade, with a view to educate and advise, in order that the transition to full EU checks on 01 July 2022 is understood.

SCPHA engages across multiple importers/agents/traders who have goods moving through the port. In particular, relationships with British International Freight Association (BIFA) and Felixstowe Port Users Association (FPUA), provide a good conduit to disseminate information to a wide audience, to support our online information.

## **Corporate Health and Safety**

Corporate Health and Safety offers advice to all levels within the Council e.g. Members, Senior and Corporate Management Teams, 4th Tier Managers and individual employees.

The CHST has a channel on MS Teams which all staff and Councillors have access to. The channel enables staff and members to ask questions and receive communication on health and safety topics.

The CHST publishes a briefing newsletter on a different topic each month.

No one should be digitally excluded from East Suffolk Council services. We work to Level AA of the Web Content Accessibility Guidelines, the standard many governments use as a benchmark. [www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk) is usable for everyone.

We aim to ensure our web content and processes are intuitive to make it easy for users to access services. We have online information and transactional services covering business grants and funding, business incentives, business rates, business associations and networks, the environment, business support, East Suffolk Economic Growth Plan, supplying the council, business continuity, land and premises, exporting from East Suffolk, East Suffolk business and community awards, regeneration projects, planning, licensing and waste.

The food safety and health & safety content has our own advice and information and links to other sources. We provide online transactional services:

- register a food business (via GOV.UK)
- order and pay for printed Safer Food, Better Business (SFBB) packs and diaries
- submit a Food Hygiene Rating Scheme (FHRS) appeal, consent for early publication of rating, request a re-visit, and a Right to Reply
- submit a food or health incident or complaint
- register premises and/or people for skin piercing, tattooing, electrolysis, acupuncture or semi-permanent makeup
- submit COVID-19 enquiries and concerns
- apply for ship sanitation inspections and certificates at Lowestoft Port
- apply for export certificates, endorsements and attestations
- apply for food business establishment approval
- notify us of cooling towers and evaporative condensers
- pay fixed penalties
- register for a food hygiene training course
- request live bivalve molluscs or shellfish registration documents.



[www.facebook.com/eastsuffolkcouncil](https://www.facebook.com/eastsuffolkcouncil)



[www.twitter.com/EastSuffolk?lang=en-gb](https://www.twitter.com/EastSuffolk?lang=en-gb)



[www.linkedin.com/company/eastsuffolkcouncil](https://www.linkedin.com/company/eastsuffolkcouncil)

# East Suffolk Means Business

eastsuffolkmeansbusiness.co.uk



East Suffolk Means Business content is managed by East Suffolk Council's Economic Development and Regeneration Team.

The team invigorate the local economy through physical regeneration whilst enhancing the local environment to support economic growth and prosperity. They encourage new and existing businesses to survive, revive and thrive, making our district more attractive to residents, visitors and investors alike. The team provide ongoing support to the development of a stronger skill base including skills to future-proof tomorrow's generation, today.

The East Suffolk Means Business website content covers the available support, land and premises, grants and funding, invest in East Suffolk, skills and training, and the key sectors in East Suffolk:

- Agriculture, food and drink.
- Energy.
- IT, Tech and digital creative.
- Manufacturing and engineering.
- Marine.
- Ports and logistics.
- Visitor economy and cultural.



[www.facebook.com  
/EastSuffolk  
MeansBusiness/](https://www.facebook.com/EastSuffolkMeansBusiness/)



[www.twitter.com  
/esmbiz](https://www.twitter.com/esmbiz)



[www.linkedin.com  
/company/  
eastsuffolkmeans  
business](https://www.linkedin.com/company/eastsuffolkmeansbusiness)



**Suffolk Coastal Port  
Health Authority**  
[www.porthealth.uk](http://www.porthealth.uk)

Provides import guidance on all the key SCPHA service areas. It enables users to sign up for automatic updates when information changes, along with useful information areas such as BREXIT, and tools such as the fish scientific name look up.

**PHILIS**

Our bespoke Port Health software, developed in-house, and now licenced to a number of other Port Health Authorities.

We are committed to ensure that consignments are cleared as quickly as possible through the Port of Felixstowe.

We make the best use of technology which ensures every step is as efficient and effective as possible.

Our dedicated IT team maintains our in-house system, called PHILIS, which helps us carry out our statutory duty. PHILIS talks to other systems such as UK IPAFFS MCPs Destin8 system and CNS Compass to exchange as much information as possible electronically.

**PHILIS Mobile**

Our bespoke mobile working application. Enables us to undertake examinations quickly and efficiently using mobile devices.

**PHILIS DES**

Our bespoke customer portal.

PHILIS DES (Document Entry System) enables Importer and Agents to make their prenotification.

**PRS – PHILIS  
Replacement System**

Our future system currently in development, embracing new and exciting technologies.



[www.twitter.com  
/CoastalPort](https://www.twitter.com/CoastalPort)

## 3.5 Sampling

### Food and Health & Safety

The Food and Safety Team's Food Sampling Policy, including arrangements for the analysis and/or examination of the samples, is set out in Appendix 9.

In 2021/22 we will continue to take samples of water and shellfish for classification and algal toxin monitoring purposes. Unsatisfactory results are followed up in accordance with associated criteria to ensure the risk to public health is protected.

In 2021/22 we plan to take 60 samples of ready-to-eat cooked chicken served cold at retail and catering outlets as part of a national Public Health England (PHE) co-ordinated survey. Microbiological analysis of the samples will be for:

- Aerobic Colony Count
- Enterobacteriaceae
- *E. coli*
- Coagulase positive *Staphylococci*
- *Listeria* species and
- *Salmonella* species

Water samples may be taken when investigating outbreaks of Legionnaires' Disease.



### Suffolk Coastal Port Health Authority

SCPHA's sampling activity is driven by legislative requirements – Appendix 10. This includes sampling activity volumes. It is expected that these volumes will be maintained during readjustment, post EU Exit.

SCPHA utilises a number of public analysts to cover the range of products and examination/analysis required. It has arrangements in place for collection or courier of samples, along with regular reporting on performance.



The sampling of nuts and other foodstuffs at the BCP



## Corporate Health and Safety

CHST does not carry out any sampling directly but advises the Asset Management Team and Housing Maintenance Teams on the control of asbestos, legionella and swimming pool water quality which involves the interpretation of sample results.

CHST will advise the relevant team on what the sampling results mean for the council and any action that is required.



## 3.6 Control and investigation of infectious disease and work-related health conditions

### Food and Health & Safety

The Food and Safety Team investigates food poisoning notifications and outbreaks to control the spread of illness, having regard to the PHE East of England Standard Approach to Investigating Gastro-Intestinal Disease Cases. Appendix 11 shows gastrointestinal disease cases in East Suffolk, April 2020 to March 2021 and April 2019 to March 2020.

The work arising from the COVID-19 pandemic in 2020/21 has been a priority for the Food and Safety Team. Appendix 12 reports on the Food and Safety Team's response from March 2020 to end July 2021.

### Suffolk Coastal Port Health Authority

SCPHA has been significantly involved with ongoing COVID-19 issues within the Port of Felixstowe. Relationships have been established with key responders within the Port and Public Health England, and new protocols developed.

Due to the international nature of shipping and the demographics of the vessels arriving in Felixstowe, it is expected that reports and incidents of infectious disease (COVID-19) will continue, albeit at a lower frequency.

### Corporate Health and Safety

CHST has developed policies in relation to the control of legionella, asbestos, hand arm vibration syndrome (HAVS) and noise.

Routine occupational health surveillance is in place for employees who are exposed to health risks such as working with asbestos, silica dust and powered hand tools.

Mental health and work-related stress is a key priority for the Council. The CHST promotes the managers' stress management toolkit and the team stress assessments. These are proactive measures to identify and then modify working practices at an organisational level to reduce the likelihood of people suffering from work related stress. HR leads on the work with individuals who are identified as suffering from work related stress symptoms.

The CHST has worked with individuals to ensure that individuals have appropriate workstations when working from home as a result of the COVID-19 pandemic. This has involved carrying out detailed display screen equipment assessments, remotely.

Since February 2020 the COVID-19 pandemic has been a significant risk to the health of all Council staff and members. The CHST has reviewed and revised the Council's Covid Secure risk assessment and advised senior management throughout the pandemic and has worked with team leaders to ensure that their services can operate without putting their staff at risk of unnecessary exposure to the virus or the risk of onward transmission to their colleagues or customers.

## 3.7 Incidents

### Food and Health & Safety

Incidents may be reported to the Food and Safety Team via external agencies such as the emergency services, FSA, Suffolk Public Health, PHE, customer complaints or as a formal report under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

We have procedures for responding to FSA food alerts and arrangements in place to respond out of normal office hours.

Health and safety incident investigations will be prioritised according to risk and a decision to carry out a full investigation will be based on the HSE's published Incident Selection Criteria.

The decrease in the number of reported RIDDOR incidents from 125 in 2019/20 to 92 in 2020/21 is likely to be as a result of many business activities being restricted by emergency COVID-19 legislation.

### Suffolk Coastal Port Health Authority

Incidents relating to imports are generally reported through early warning systems, or direct contact with a national competent authority such as the FSA or DEFRA. Notifications are assessed by Technical Leads and appropriate action determined. This is integrated into our normal service delivery. Unless there is a step change, no increase in notifications/issues is expected.

### Corporate Health and Safety

All incidents that relate to health and safety and involve a risk of or actual injury, damage to property or reputation are reported via the internal reporting system.

The CHST responds to significant incidents to prevent further injury and collect evidence, first hand.

All incidents are reviewed by the CHST who will offer support to managers investigating the incident to determine whether the risk controls are adequate.

Incident and insurance claim statistics are reported to the quarterly Joint Health and Safety Committee.

Incidents that meet the criteria for formal reporting under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 are reported to HSE by the CHST.

Health and safety compliance is monitored as a corporate risk and is risk rated periodically by the Corporate Governance Group.



## 3.8 Liaison with Other Organisations

The service has wide engagement with third parties, for regulatory purposes or to provide services in order to deliver regulatory requirements, Appendix 13 maps key liaison organisations.

### Food and Health & Safety

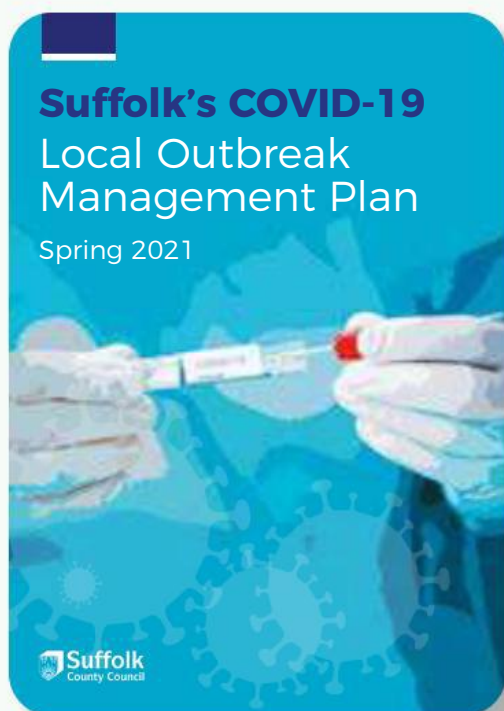
The Food and Safety Team is represented at the Suffolk Food Liaison Group. This group has links to regional and national food groups to help achieve consistency. The team is also represented on the Thames Estuary, Essex and Suffolk Shellfish Liaison Group. This group shares information and ensures a coordinated approach by its members that include industry representatives, local authorities, FSA, CEFAS and the Environment Agency.

The team participates in the FSA's FHRS national consistency exercises.

The team is represented at the Norfolk and Suffolk Health and Safety Liaison Group (NSHSLG) by the Senior Environmental Health Officer who also chairs the group.



Shellfish preparation by a local producer



Suffolk's COVID-19 Local Outbreak Management Plan

The NSHSLG annually benchmarks the LAE1 intervention return for the Norfolk and Suffolk authorities.

The Senior Environmental Health Officer attends national meetings with HSE and liaises with the regional representative on HELA Practitioners Forum.

Responding to help control the spread of the COVID-19 pandemic has involved regular and close liaison with organisations such as Suffolk Public Health, Suffolk County Council Trading Standards, Public Health England, police, NHS Trusts and Maritime Coastguard Agency.

## Suffolk Coastal Port Health Authority

SCPHA engages across the spectrum of Port Health, including, but not limited to: (operational examples)

- National Competent Bodies:
  - DEFRA
  - Food Standards Agency - FSA
  - Animal and Plant Health Agency - APHA
  - Marine Management Organisation - MMO
- Other PHAs: SCPHA is a founding member of the Major Ports Forum
- Smaller Port forum: SCPHA jointly chairs a forum for smaller ports
- Resource hub: SCPHA hosts/manages a resource hub for all PHAs

SCPHA is engaged with a number of EU Exit bodies: (policy development)

- DEFRA Readiness forum
- Cross Whitehall functional testing
- Policy research groups – e.g. Groupage, BCP design, Operational design, Document checks

SCPHA is engaged in longer term strategy / initiatives:

- Border 2025
- Risk Profiling/Supply Chain visibility
- Open Ecosystems/Trust networks

## Corporate Health and Safety

The Senior Environmental Health Officer regularly meets with health and safety managers from all other Suffolk Local Authorities to ensure consistent approaches to common health and safety issues.

A member of the CHST attends the Eastern Region Corporate Health and Safety Advisors Group.

CHST members attend two local health and safety group meetings, the Suffolk and North Essex Occupational Safety Group and the Waveney Safety and Environment Group, which are groups comprised of private and public sector health and safety professionals.

CHST individuals are members of the Institute of Occupational Safety and Health (IOSH) or the Chartered Institute of Environmental Health (CIEH) or both.

IOSH and CIEH both provide learning and networking opportunities along with professional publications.

## 3.9 Promotional and engagement work.

### Food and Health & Safety

The East Suffolk Council website is used to proactively publish information, including downloads and signposts to other websites.

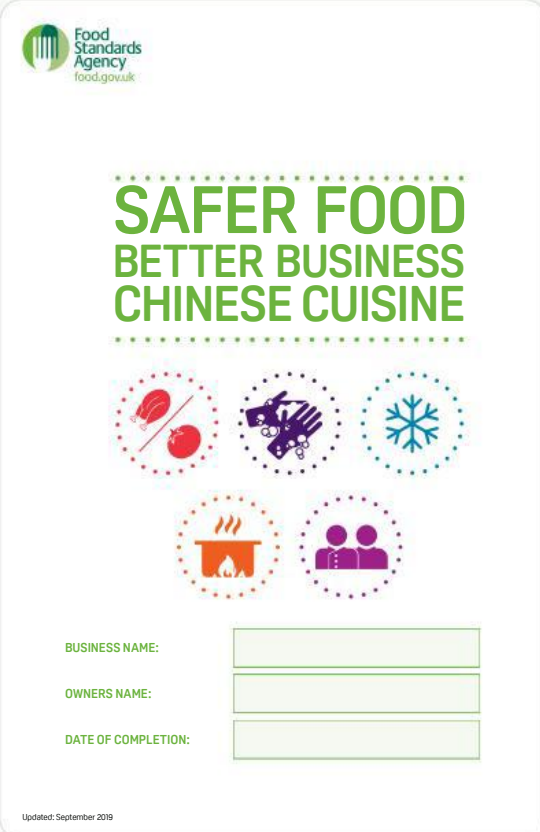
At times other than during site visits, direct contact with businesses is generally via email.

The Food and Safety Team works with the Economic Development and the Communications teams to promote key topics and messages using social media and business networks.

To ensure consistent information is provided, where available, we promote publications made available by the FSA and HSE etc that are intended for businesses or the public. Examples include helping business operators meet regulations on food hygiene through promoting Safer Food, Better Business packs.

Our programme of delivering the Level 2 Award in Food Safety in Catering and countywide, the Eat Out, Eat Well and Take Out, Eat Well assessments have been paused in response to the COVID-19 pandemic.

During the pandemic, businesses have been contacted via emails and letters with targeted COVID-19 information to help them understand closures, restrictions and COVID-19 working safely practices.



The poster features the Food Standards Agency logo at the top left. The title 'SAFER FOOD BETTER BUSINESS CHINESE CUISINE' is prominently displayed in green. Below the title are five circular icons: a red chili pepper, a purple hand being washed, a blue snowflake, a red flame, and a purple group of people. At the bottom, there are three input fields for 'BUSINESS NAME:', 'OWNERS NAME:', and 'DATE OF COMPLETION:'. The footer indicates the poster was updated in September 2019.

Food Standards Agency  
food.gov.uk

**SAFER FOOD  
BETTER BUSINESS  
CHINESE CUISINE**

BUSINESS NAME:

OWNERS NAME:

DATE OF COMPLETION:

Updated: September 2019

## **Suffolk Coastal Port Health Authority**

The primary focus for SCPHA in the coming year will be to ensure the trade is aware of and understands the requirements for importing goods from the EU. The primary mechanism will be utilising our online presence. The objective will be to minimise delay and queries at the border to aid trade flow and prevent unnecessary costs. Readers are invited to sign up to alerts and newsletters, free of charge.

SCPHA is in the process of creating a communication role within its structure to further develop/implement the communication strategy.

## **Corporate Health and Safety**

The CHST engages with individuals and managers across the Council. The Health and Safety Advisors join team meetings for the services they support.

The Council has a Health and Safety Committee which meets quarterly and is attended by the CHST, HR, Unison and champions nominated by their service area.

The CHST produces a monthly newsletter and when the offices were occupied prior to the COVID-19 pandemic the CHST held drop-in sessions in the breakout areas at Riverside, East Suffolk House, Marina Centre and Port Health.

Working in conjunction with the Health and Wellbeing group, the team promotes campaigns, opportunities and techniques for keeping colleagues in good physical and mental health.

# 4.0 RESOURCES

## 4.1 Financial Allocation

Details of budgetary provision for the Service Area are included in East Suffolk's Budget Book 2021-22. <https://www.eastsuffolk.gov.uk/yourcouncil/financial-information/the-councils-budget/>. Financial provision enables the use of external legal services where appropriate.

### Food and Health & Safety

COVID-19 grant funding provided additional resources to carry out COVID-19 work and backfilling.

### Suffolk Coastal Port Health Authority

The Port Health service is entirely self-funding from the cost-recovery arrangements in place for importers – there is no impact on the Council tax payers of East Suffolk. The Port Health service costs can be found on the SCPHA website <https://www.porthhealth.uk/>.

The current turnover of the SCPHA service is around £5.3m/year. This covers all costs arising from the delivery of the Port Health service in relation to 3rd Country consignments under the current legislative framework.

In order to add to the service to accommodate the EU Exit requirements, SCPHA bid for and successfully acquired support funding from DEFRA.

It is expected that the EU checking regime will come into effect on 1 July 2022, and at the same time a charging regime will be implemented. The expectation is that sufficient income will be raised by the charging regime to cover the running costs of the expanded SCPHA service.

### Corporate Health and Safety

CHST resources are combined with those of the Food and Safety Team.

### Supplying the council

East Suffolk Council spends around £28 million each year and we are keen to encourage a diverse range of suppliers, both large and small.

As a local council we are not just looking for the biggest companies to supply us, we encourage organisations of all sizes to bid on our tenders. There is something for everyone and we are shaping procurements for all kinds of bidders. Head to our website for more information <https://www.eastsuffolk.gov.uk/yourcouncil/supplying-the-council/>

## 4.2 Staffing Allocation

### Food and Health & Safety

Officers are authorised according to the findings of a competency assessment based on qualification, technical knowledge and regulatory experience, according to the FSA's Food Law Code of Practice, the Practice Guidance and the Competency Framework

The normal regulatory allocated resources are:

- food and safety - 7.7 FTE
- health and safety - 1.2 FTE

The normal support staff resources are 2 FTE.

The COVID-19 pandemic enormously impacted on the team's work with staff deployed within the team to handle the many COVID-19 related service requests. Staff responded well to these demands with temporary staff, mainly part-time, appointed to help.

Recruitment and retention of staff in 2019/20 and 2020/21 has been a challenge.

### Suffolk Coastal Port Health Authority

Once fully established the service will comprise of approximately 140 FTEs – including all operational, business support, IT support and management staff.

Staff directly engaged with official controls will be:

- OVS - 14
- PHO - 16
- PHSO - 16
- AOs - 21
- Tech Leads - 2

These teams will be supported by:

- Team leaders - 9
- ICAs - 22
- ICT - 6

A total of 106 staff will be directly engaged in the delivery of the Port Health service. The remainder of the service comprises Senior Management, other team leaders and Business Solutions (Finance, compliance, ICT developers, etc).

It is essential that the OVS and PHOs are trained, competent and authorised as these are the key operational decision makers. Some PHSOs and AOs will hold limited authorisations. It should be noted that the requirements under the revised FLCoP permit specific relaxations of qualifications in relation to official controls carried out at a BCP, relying solely on training and competency assessments. Nonetheless, SCPHA intends to minimise use of these relaxations in order to retain the most experienced staff.



## Corporate Health and Safety

The CHST is managed by the Senior Environmental Health Officer

The team comprises:

- Senior Environmental Health Officer (0.4 FTE)
- Health and Safety Advisors (1.5 FTE)
- Health and Safety Officer – Housing Maintenance (1 FTE)
- Health and Safety Officer/Trainer - Port Health (0.5 FTE)

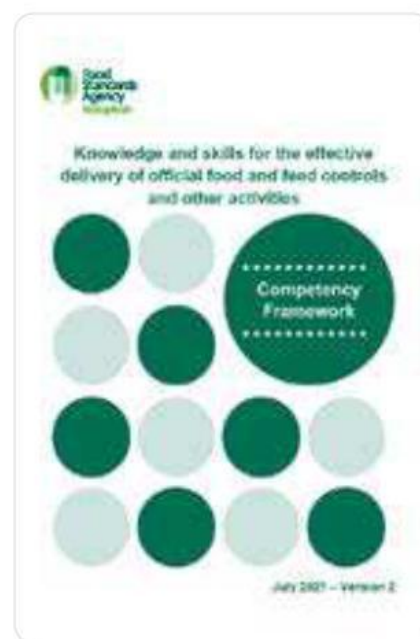
Total 3.4 FTE

## 4.3 Staff Development Plan

Our workforce is at the heart of everything we do. One of the ways we support the development and competence of staff is through ongoing training and development provided in-house and externally.

To meet this challenge, we have created an opportunity for five Council employees to be apprentice environmental health practitioners. We believe this is the largest number of environmental health apprenticeships starting together in any local authority this year. It has attracted the attention of the professional body, (the Chartered Institute of Environmental Health) and much professional news coverage.

This will develop our staff and help address the challenge of recruiting environmental health practitioners in the future. Starting with a September 2021 enrolment on the Environmental Health Practitioner Apprenticeship (Level 6), one member of the Food and Safety Team and one member of SCPHA will work in the professional field whilst studying for a degree at the same time. The other three recruits are working within Environmental Protection and Private Sector Housing.



In 2021/22 we will respond to the FSA's revised 2021 Competency Framework by reviewing the arrangements we have in place against the framework.

We will work in partnership with our colleagues in SCPHA to meet competency requirements, given that we all carry out official controls.

### Environmental Health Practitioner Apprenticeship (Level 6)

The four-year course has been developed through consultation with the Chartered Institute of Environmental Health and the Institute for Apprenticeships, along with employers from a range of public and environmental health related fields.

<https://www.ucw.ac.uk/courses/environmental-health-practitioner-degree-apprenticeship/#overview>



# East Suffolk... our values



## PROUD

Believing in  
who we are, what  
we do and  
where we live

## DYNAMIC

Transforming  
the future  
with you  
in mind

## TRUTHFUL

Honest  
and  
clear in  
all we do

## GOOD VALUE

Delivering  
outstanding  
services, smartly  
& economically

## UNITED

Whoever we  
work with,  
we work  
as one team

.....  
*Working across boundaries, joining up the dots, serving our communities.*

## Food and Health & Safety

Authorised officers in the Food and Safety Team are required to demonstrate Continuing Professional Development (CPD) in line with their membership of relevant professional bodies e.g. CIEH, Royal Society for Public Health (RSPH), IOSH etc.

Officers carrying out food safety interventions undertake 20 hours of CPD directly related to food safety each year.

Officers are subscribed to an online resource provided by a niche company of food consultants specialising in the training of food law enforcement officers.

In 2021, the Food and Safety Team will support four SCPHA staff to obtain Higher Certificates in Food Control by providing them with case studies and practical experience to complete their competency development portfolio.

The Norfolk and Suffolk Health and Safety Liaison Group holds an annual training day open to all health and safety regulators across Norfolk and Suffolk.



## **Suffolk Coastal Port Health Authority**

SCPHA has two internal trainers – for operations and systems. All staff joining SCPHA will undergo a planned schedule of training.

Training content is agreed with our Technical Leads and is specific to the role. Only once training has been completed and the technical lead is satisfied of competency, is a request for authorisation issued.

The FLCoP, Practice Guidance and Competency Framework are relevant here.

SCPHA supports further training opportunities and currently has four individuals on the Higher Certificate in Food Control programme, one Environmental Health apprenticeship plus others completing post Environmental Health degree training.

SCPHA is in the process of acquiring training and competency software to run alongside its HR systems. This will provide far more granularity on competencies held, competency gaps and drive our statement of training needs and future training programmes. It will also help us keep evidence of competency attainment and review it at appropriate intervals.

## **Corporate Health and Safety**

CHST members undertake CPD in accordance with their membership of the Institute of Occupational Safety and Health (IOSH) and/or the Chartered Institute of Environmental Health.

CHST members are encouraged to attend IOSH meetings and webinars.

The CHST uses regular in-house learning and development sessions to update knowledge and maintain competency.

The CHST is a member of the Suffolk and North Essex Occupational Safety Group and the Waveney Safety and Environment Group both of which hold monthly meetings with an education element and CHST members are encouraged to attend when relevant.

One member of the CHST is enrolled on a NEBOSH Level 6 Health and Safety Diploma.

# 5.0 QUALITY ASSESSMENT

## 5.1 Quality assessment and internal monitoring

### Food and Health & Safety

The Food and Safety Manager monitors the work of the Food and Safety Team.

The team has documented procedures for all activities with a lead officer for each who is responsible for reviewing and revising the procedures and maintaining an overview of the team's activities in their area of responsibility.

Environmental Health Technical Support Officers carry out the Document Control function for the team.

The HSE's LAE1 return is benchmarked at the Norfolk and Suffolk Health and Safety Liaison Group.

Customer feedback is invited via online surveys. A summary of the results is provided in Appendix 19. 97% of the responses said their business was fairly treated, 98% said the contact was helpful and 98% said communication was clear.

### Suffolk Coastal Port Health Authority

SCPHA has its own Compliance Manager and Compliance Officer – one of their roles is to independently internally test and audit policies and procedures.

SCPHA welcomes audits and has undertaken work with London Port Health Authority to cross audit and identify joint working opportunities.

SCPHA is BSI quality accredited for imported food control – the latest audit was very positive with zero non-conformities.

### Corporate Health and Safety

The CHST has adopted the principles of HSE's HSG65 for health and safety management Plan, Do, Check, Act.

Incident data for the Council and its contractors is reviewed by the Health and Safety Committee.

Corporate Health and Safety has been entered as a risk on the Corporate Risk Register and is monitored via the Corporate Governance Group.

# 6.0 REVIEW

## 6.1 Review against the Service Plan

Managers are responsible for ongoing reviews throughout the year and key reporting on the delivery of the services to the Head of Service and via briefings with the Portfolio Holder – Community Health.

The provision of the Council's business as usual tasks and projects are monitored, recorded and reviewed against its Strategic Plan.

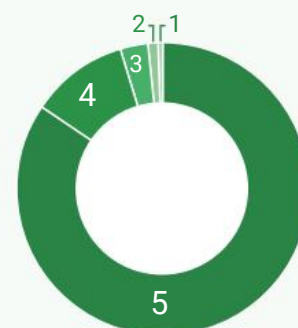
Food Safety and Health & Safety Service Plans reviewing and reporting on the delivery of services are submitted to Full Council for review and adoption. The last Food Safety and Health & Safety Service Plan adopted was for 2019/20 and contained a review of 2018/19. This service plan catches up and reviews 2019/20 and 2020/21. It will be presented to East Suffolk's Full Council on 24 November 2021.

### Food and Health & Safety

East Suffolk's Performance Report includes the Key Performance Indicator (KPI) of: Food Hygiene Rating (% at 3-5) i.e. rated 'generally satisfactory' or better. Performance is published quarterly.<sup>3</sup>



East Suffolk Food Hygiene Ratings (April 2021)	Businesses with rating (number)	Businesses with rating (percentage)
5 - Very good	1,756	85%
4 - Good	238	11%
3 - Generally satisfactory	54	3%
2 - Improvement required	18	1%
1 - Major improvement required	6	<1%
0 - Urgent improvement required	0	0%



Regulatory food safety activities are reported to the FSA via the LAEMS report.

Regulatory health and safety activities are reported to HSE via the LAE1 report.

Proactive enforcement interventions conducted as part of a project are evaluated at an early stage to ensure that the project is appropriately targeted at non-compliant businesses.

Initial Food and Safety Team responses to the COVID-19 pandemic were reviewed by Scrutiny Committee in November 2020<sup>4</sup>

<sup>3</sup> <https://www.eastsuffolk.gov.uk/yourcouncil/performance-reports/>

<sup>4</sup> <https://eastsuffolk.cmis.uk.com/eastsuffolk/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/324/Committee/6/SelectedTab/Documents/Default.aspx>

In 2019/20 the Food and Safety Team:

- Submitted an annual LAEMS return to the FSA. A summary is provided in Appendix 14.
  - A high percentage of the food interventions due were carried out.
  - Over 98% of food businesses were assessed as broadly compliant with food safety regulations.
  - 1 business voluntarily closed for a temporary period to make improvements to their food safety standards.
  - 53 food samples results were obtained. 10 were unsatisfactory.
- Appendix 15 sets out additional food and health & safety statistics for 2019/20 and 2020/21 including
  - skin piercing registrations, health and safety advice/assistance/complaints,
  - asbestos notifications, and reports of lifting equipment defects.



A food business proudly displaying a 5 rating for hygiene standards

- The Food Hygiene Rating (% at 3-5) KPI was consistently above the 95% target.
- Hosted countywide workshops led by Public Health England's Food Water & Environmental Microbiology Laboratory for officers on:
  - Shiga toxin-producing E. coli and other Pathogenic E. coli.
  - Legislation, Modelling and Challenge Testing.
  - Food and Environmental Sampling.
- Officers attended intelligence awareness training provided by the FSA's National Food Crime Unit.
- Appointed and supported a Food and Safety Apprentice undertaking a NVQ Level 2 Apprenticeship in Business and Administration.
- Provided ships sanitation inspection training via SCPHA.
- Provided a stand promoting Eat Out Eat Well and Take Out Eat Well health eating awards at the 2019 Suffolk Show.
- Supported a Renaissance of East Anglian Fisheries stakeholder workshop to contribute to the aim of developing a long-term strategy for the regional fishing industry.

- Responded to the FSA's request to ensure support for UK trade after the UK left the EU by gaining assurance that fishing vessels based in East Suffolk ports are compliant with hygiene requirements. 59 fishing vessels were inspected using FSA grant funding of £7,079.



Some of the fishing vessels operating out of ports in East Suffolk.

- Investigated an outbreak of gastrointestinal illness following a wedding event.
- Adopted the FSA's national Register a Food Business system.
- Submitted an annual LAE1 return to the HSE. A summary of the activity is provided in Appendix 16.
- Arranged for a specialist legal adviser to provide officers with a study day in March 2020 on the Public Health (Control of Disease) Act 1984. This helped to ensure staff had updated information on public health law during the COVID-19 pandemic.
- Appendix 12 reports on the Food and Safety Team's response to COVID-19 between March 2020 to end July 2021.

#### **Covid response: Management, coordination and communication**

- Attended and contributed to regular multiagency Suffolk Covid Task Group/ Workstream Group meetings
- Initiated and contributed to East Suffolk's COVID-19 Corporate Working Party.
- Liaised with East Suffolk's Community Intervention Team.



### **Covid response: Disseminating COVID-19 secure information to businesses and the public**

- 11,820 email, letter and telephone contacts to businesses.
- 5,748 web hits to the team's COVID-19 webpages on [www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk)

### **Covid response: Collaboration with the Health and Safety Executive – spot checks**

- 3,685 businesses were submitted to the HSE spot checks project after HSE offered support to councils to carry out assessments of viral transmission controls at local authority enforced businesses.
- Out of the 3,230 checks carried out in East Suffolk, 185 failed stages 1 or 2 and required action at stage 3.

### **Covid response: Event safety**

- Worked with Suffolk Public Health and other Suffolk local authorities to adopt a Standard Operating Procedure: Liaison between Suffolk County Council and the Safety Advisory Groups in relation to large events led to many organised events being cancelled during 2020, this included Latitude festival and a large fireworks event with an estimated crowd of 5,000 people, where the organisers were advised of direction powers under public health regulations.

### **Covid response: Monitored arrangements and practices at venues through physical visits**

- Made 1,064 visits to monitor arrangements and practices at venues.

### **Covid response: Responded to incidents, information and concerns**

- Made house calls where Test & Trace were unable to get in touch.
- Engaged with the Suffolk Covid Response Hub/Public Health England in response to outbreaks in over 50 workplace settings and other ad hoc situations to control the spread of COVID-19.
- Gathered and fed back information to Suffolk's Contact and Trace Service.
- Responded to 1,493 COVID-19 complaints, requests for advice/enquiry and notifications.
- Assessed 707 Maritime Declarations of Health from vessels using Port of Lowestoft.

### **Health and Safety Executive/ Local Authority Spot Checks**

East Suffolk is one of 140 local authorities who have formally signed up to participate in the Spot Checks project.

Nationally 71,515 Spot Checks have had an outcome of pass, fail to engage or fail at Stage 1.

2,827 progressed to Stage 3.

Data is used across HSE and other government departments as required to provide insights and inform policy.

<https://www.hse.gov.uk/coronavirus/regulating-health-and-safety/spot-inspections.htm>

### **Covid response: Enforcement action**

- As guided by our Compliance and Enforcement Policy took enforcement using powers under new health protection closure and restriction regulations:
  - Three £1,000 fixed penalty notices were issued.
  - Two of the recipients of the notices chose to pay the penalties.
  - The third did not pay and was found guilty in their absence by the Magistrates' Court for failing to close. The court imposed a fine, victim surcharge and costs totalling £2,930.

### **In 2019/20 an investigation began into an incident where a pub worker fell into an unguarded cellar.**

The incident was reported to East Suffolk Council as the health and safety enforcing authority. Urgent enforcement action was taken to address the ongoing risk of serious personal injury, and to introduce safety measures in compliance with the law.

A hatch behind the bar, leading down to the cellar, had been left open and unguarded, relying on bar staff remembering to work around it. A new worker, distracted when her attention was sought, walked across the open hatch, and fell more than 2 metres down onto the hard floor of the cellar, hitting the cellar stairs as she fell.

The company pleaded guilty to breaching sections 2 and 3 of the Health and Safety at Work etc. Act 1974.

A sentencing hearing was held in 2021/22. The Judge imposed on the company a fine, surcharge and costs totalling £59,904.91.

As a result of the investigation, the directors of the company installed a new hatch and cordons and a protective grille (to prevent falls through the gap when the hatch was open), relocated items within the building to reduce the need to use the hatch, installed a handrail and non-slip treads to the cellar steps and installed better lighting.

- Organised and hosted a joint health and safety in swimming pools training course for officers and pool operators.
- Delivered a project to assess controls operators of 25 swimming pools had in place to ensure pool user's safety and followed up where it was identified that risks were not adequately controlled.



Swimming pool project 2019/20

- We contributed to the Strategic Plan Priority for Digital Theme by creating new e-forms on our website to replace paper-based forms. This means viewers can:
  - Request food export/health certificates, endorsements and Animal Plant Health Agency related applications as well as fishery attestations.
  - Request early publication of a FHRS rating.
  - Order and pay for printed Safer Food Better Business packs.
  - Obtain an application form for food premises establishment approval.
  - Pay online a Fixed Penalty Notice payment for COVID-19 related notices.
  - Report COVID-19 related enquiries, concerns and complaints.
  - Request a remote ship sanitation form, added during the first COVID-19 lockdown.



An officer using remote inspection techniques, when appropriate to do so

- We also created an online public register of health and safety notices and Register a Food Business application has been moved to the GOV.UK platform.



Food businesses should register at least 28 days before opening



In 2020/2021 the Food and Safety Team:

- Submitted an annual LAEMS return to the FSA. A summary is shown in Appendix 17. In line with FSA guidance in response to the COVID-19 pandemic the food intervention programme was reduced. Interventions of higher risk food businesses in categories A and B continued to be a priority. The inspection of lower risk categories was largely paused.
- Investigated a high chlorination incident at a privately operated swimming pool.
- The HSE did not require an LAE1 return from local authorities for 2020/21.
- Appendix 18 shows how the health and safety regulatory activity changed during the COVID-19 pandemic.
- Appendix 12 reports on the Food and Safety Team's response to COVID-19 from March 2020 to end July 2021.
- Customer feedback was invited during 2019/21. When asked, 97% of businesses said their business had been treated fairly, 98% said the contact was helpful, and 98% said communication was clear. See Appendix 20 for a breakdown of the responses.

## **Suffolk Coastal Port Health Authority**

The overarching review of delivery against service plan is undertaken by East Suffolk Council, however SCPHA has an ongoing performance monitoring programme and will continue to utilise this to capture local feedback.

## **Corporate Health and Safety**

The CHST meets weekly and has scheduled reviews of the internal team workplan which feeds into the Strategic Plan.

The CHST reports to Senior Management Team (SMT) and CMT annually on achievements and matters of concern.

## 6.2 Identification of any Variation from the Service Plan

The COVID-19 pandemic has significantly affected the Service Area in terms of what and how services are delivered. In line with corporate policy, many staff have been mainly working from home, but all critical services have been maintained, our services have supported businesses and public health risks have been controlled.

### **Food and Health & Safety**

No Food Safety and Health & Safety Service Plan was published for 2020/21 due to the COVID-19 pandemic.

The 2019/20 Food Safety and Health & Safety Service Plan was largely complete with regards to food safety and health and safety – see 6.1 Review. The introduction of a new set of skin piercing byelaws to have a common set across East Suffolk was put on hold.

The Food and Safety Team responded to the pandemic by redeploying the majority of its resources to help ensure controls were in place.

Emergency health protection regulations introduced to control the spread of COVID-19 required many food businesses in the hospitality sector to close and/or restrict their activities for significant periods, so were not open for inspection.

The COVID-19 pandemic had a significant effect on the regulatory health and safety service as the majority of businesses were restricted in how they could operate and those that were permitted to open needed to implement controls for COVID-19. As a result there was a huge increase in the number of proactive COVID-19 interventions but in premises that would not previously have been deemed to be a priority.

### **Suffolk Coastal Port Health Authority**

The significant SCPHA variance of the last 15 months has been response to and during recovery from, COVID-19.

It is expected that the EU Exit issues will create a further variance in the coming year, as there is likely to be deviance from the anticipated plan due to the evolving nature of the requirements. This will continue until such time that the requirements have become assimilated into business as usual and a suitable adjustment period has passed.

### **Corporate Health and Safety**

The CHST has undergone a significant change from 2019 to date. A long-standing member of staff retired and two new posts have been created. Three members of staff have been recruited which has brought new ideas and skills to the team.

The COVID-19 pandemic has resulted in changes in the way services have been delivered across the Council. The CHST has been flexible and able to support teams through their new ways of working.

The Annual Cycle process where team leaders were required to submit returns throughout the year to document that they had completed health and safety tasks was a record of activities but was not an effective tool to assist team leaders to successfully manage health and safety. Due to restrictions in the software a request for assistance would not usually be received by the CHST until the end of the year. A new management system has been introduced with the Health and Safety Advisors now working with and alongside team leaders throughout the year.

## **6.3 Areas of improvement**

### **Food and Health & Safety**

In spring 2021 the team held a workshop event which ensured everyone's involvement and began to explore some key aspects of future service delivery. The team worked in three sub-groups, each with a separate brief on flexibility on delivering inspections, remote assessments, and the regulatory support officer role. The outcomes of the workshop will feed into delivering this plan.

The additional workload and demands on the Food and Safety Team during the COVID-19 pandemic should recede in 2021/23 but the ways of working that were developed during that time will be reviewed and any that are perceived to be an improvement will be kept in place. For example, utilising remote inspection techniques, prioritising work according to risk and using the website to signpost businesses and customers to further guidance and self-help tools.

The Food and Safety Team will introduce document automation to improve the clarity and consistency of Food Safety and Hygiene Intervention Reports provided to food business operators.

## **Suffolk Coastal Port Health Authority**

EU Exit plans and review – this is a major change to the service, and the refine element is expected to be ongoing in the short term.

SCPHA will be redeveloping its marking leading IT system; this major IT project will provide a step change for the delivery of Port Health.

SCPHA is undertaking an accommodation review – mindful of the increasing staff base and the need to provide a secure, stable workplace for effective delivery of services.

Organisation performance, both qualitative and quantitative, is under review.

The implementation of the FLCoP, Practice Guidance and the Competency Framework to support the service through the identification of training needs.

## **Corporate Health and Safety**

CHST is implementing a new health and safety management process whereby the Health and Safety Advisors are allocated service areas and will support those teams and becoming the “go to” person on health and safety matters for the managers in that department.

A new post has been created in the Port Health Team to be a dedicated health and safety resource to review and revise the existing procedures and to risk assess and train port health team members. This post sits within the CHST but focuses specifically on SCPHA.

“ Within the CHST we have each been given teams to directly work with, and to be their health and safety “go to” person. At the end of 2020 I started a piece of work with the Communities Team. This involved me initially having a meeting with the team manager to find out more about what their team does. I then attended a Communities team meeting, so I could introduce myself and the rest of the Corporate Health and Safety Team. All Communities team members were then offered the chance to book individual meetings with me for them to ask any me any further questions or raise concerns. These were not mandatory meetings but it was brilliant to see that most officers did approach me. This was all very successful and one specific meeting highlighted several health and safety hazards which were then addressed, which then made the working environment a safer one for this person.

Fast forward 9 months and I now meet monthly with the team manager where we discuss Health and Safety. Several team members have contacted me direct with questions, I have had several meetings with these team members, I have reviewed event plans, helped to signpost where I don't have the answers, and generally I have supported the team as whole. Moving forward I will be attending team meetings as required, and the team all have my contact details and know how to get hold of me if they have had any questions.

Despite the pandemic putting a spanner in the works, meeting virtually has been equally as successful. This has not stopped our team from working proactively with other council teams, which in turn makes the environment a safer place to work.

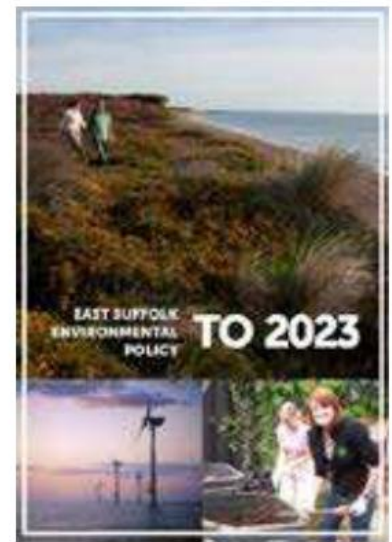
**Alice Kirk**  
Health and Safety Advisor





## 7.0 CARING FOR OUR ENVIRONMENT

The Service Area supports East Suffolk's Environmental Policy to 2023 Objective 7: Aspire to be the exemplar in efficient and responsible use of natural resources.



### Food and Health & Safety

Food and Safety Team meetings are conducted via MS Teams, which has reduced the miles travelled by car between the two main East Suffolk office locations.

The Food and Safety Team uses touch screen tablets when carrying out inspections, and where possible emails reports to businesses and no longer leaves printed reports at premises.

Remote interventions are carried out where allowed, if they are suitable and appropriate.

Single use PPE is avoided unless it is necessary to meet the requirements of a food manufacturer for food safety purposes.

### Suffolk Coastal Port Health Authority

SCPHA has adopted and used tablets or mobile devices, and digital documents wherever possible.

Operational teams work from offices located next to examination facilities, enabling staff to walk to undertake exams.

A fully electric vehicle for journeys within port is available for use.



SCPHA tablet being used to record checks

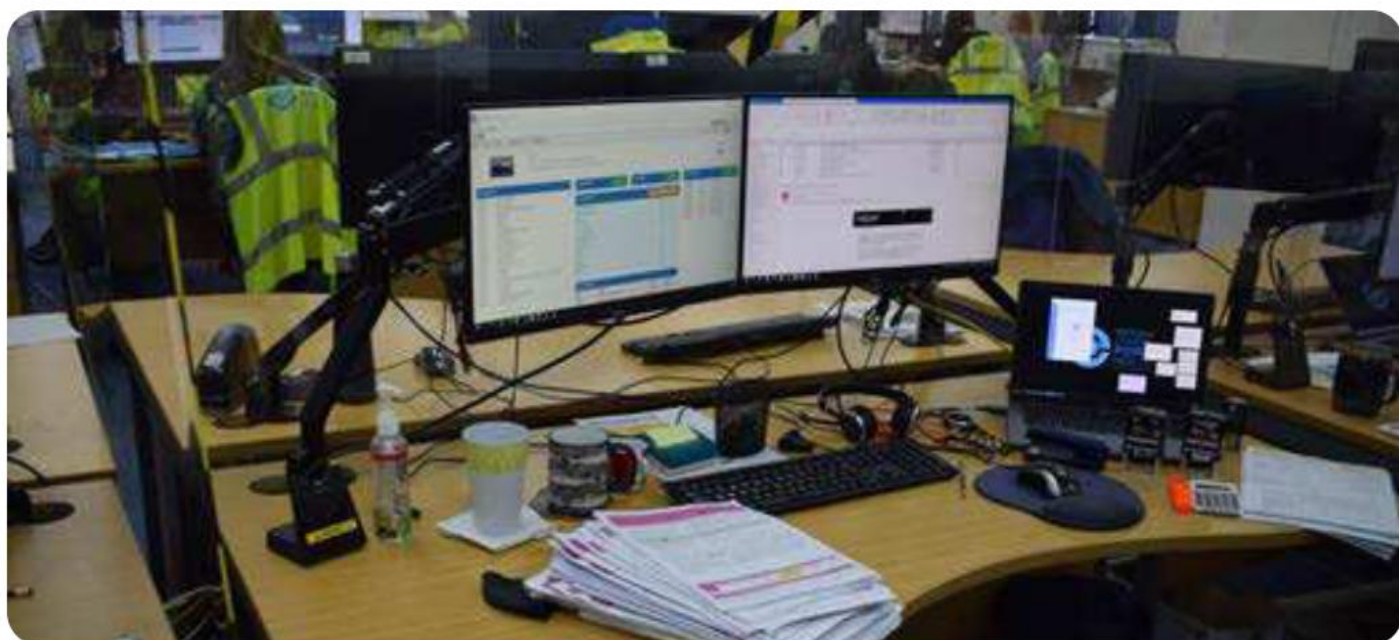


Examination facility at Felixstowe port





One of our electrical vehicles for use on-port



Covid-19 measures in place within the SCPHA office - perspex barriers in place between workstations

## Corporate Health and Safety

CHST promotes the efficient and responsible use of the natural environment when giving advice and during policy development.

CHST members work from home, have “paperless” work procedures and avoid unnecessary travel by car.

CHST promoted the use of tablets by all Housing Maintenance operatives (>80 people) to aid communication, ensure safety information is current and available at all times and to reduce the volume of paper risk assessments and method statements which were previously carried in each vehicle.

Single use PPE is avoided when other alternatives are available.



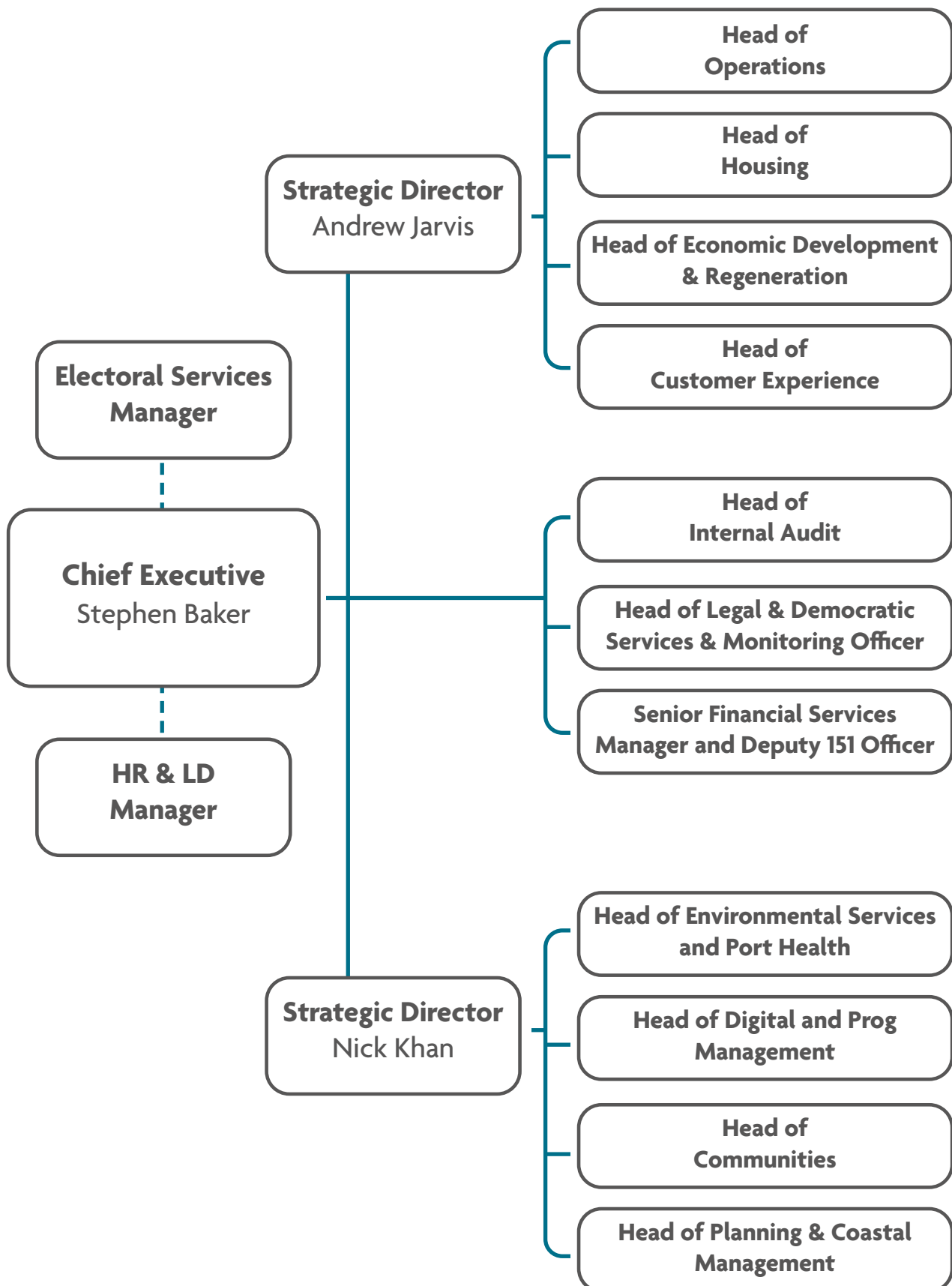
# ABBREVIATIONS

<b>AO</b>	Authorised Officer
<b>APHA</b>	Animal and Plant Health Agency
<b>BCP</b>	Border Control Posts
<b>CIEH</b>	Chartered Institute of Environmental Health
<b>COVID-19</b>	Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)
<b>CPD</b>	Continuing Professional Development
<b>CMT</b>	Corporate Management Team
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs
<b>EMM</b>	Enforcement Management Model
<b>FHRS</b>	Food Hygiene Rating Scheme
<b>FLCoP</b>	Food Law Code of Practice
<b>FTE</b>	Full Time Equivalent
<b>FSA</b>	Food Standards Agency
<b>HAWS</b>	Hand Arm Vibration Syndrome
<b>HRFNAO</b>	High risk food of non-animal origin
<b>HSE</b>	Health and Safety Executive
<b>HIP</b>	Harwich International Port
<b>ICA</b>	Import Control Assistant
<b>ICT</b>	Information and Communications Technology
<b>IUU</b>	Illegal, Unreported and Unregulated fishing
<b>KPI</b>	Key Performance Indicator

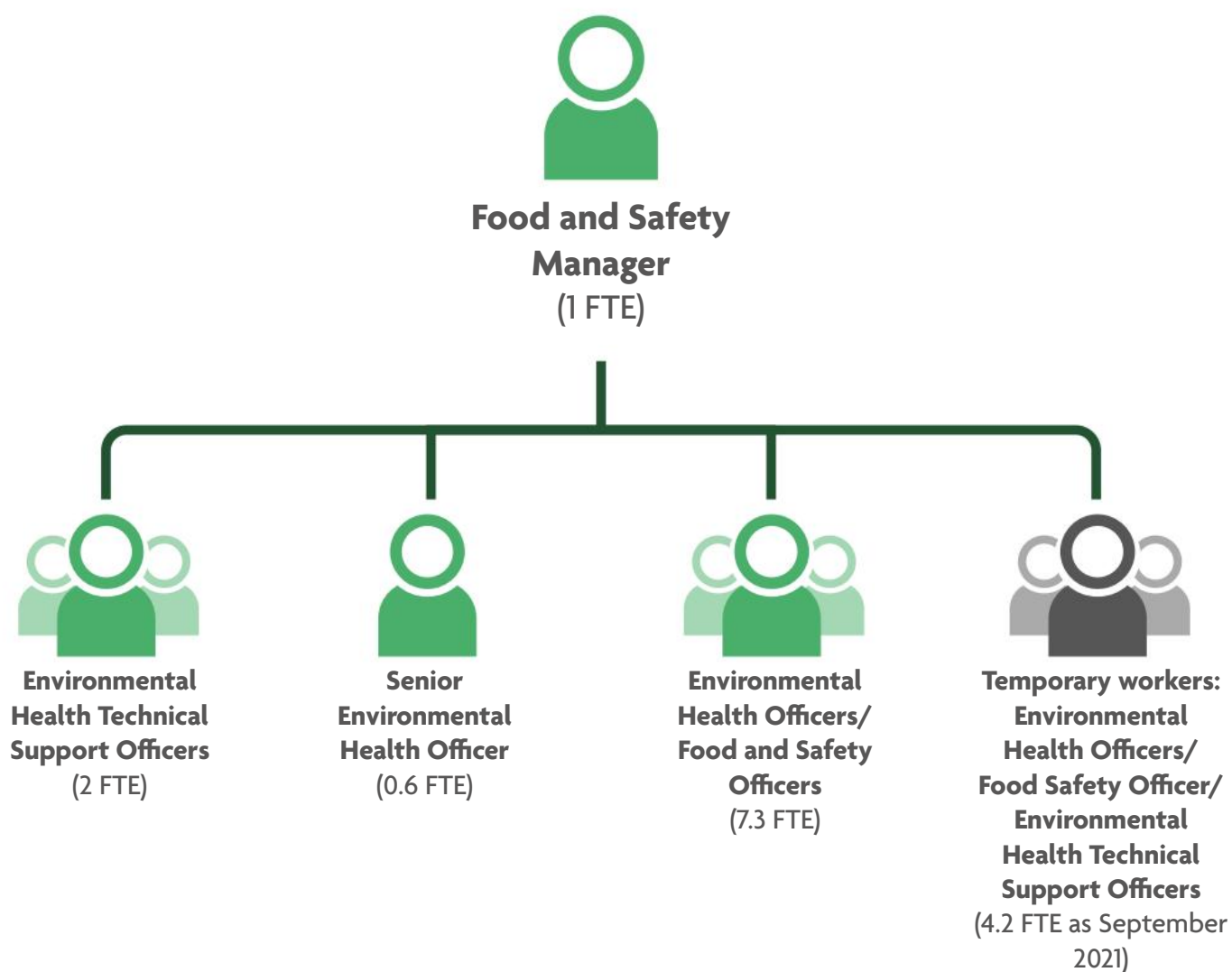
<b>IOSH</b>	Institute of Occupational Safety and Health
<b>LAEMS</b>	Annual return to the Food Standards Agency - Local Authority Enforcement Monitoring System
<b>LAE1</b>	Annual return to the Health and Safety Executive on local authority health and safety intervention and enforcement activity
<b>MMO</b>	Marine Management Organisation
<b>NAO</b>	Non-Animal Origin
<b>NSHSLG</b>	Norfolk and Suffolk Health and Safety Liaison Group
<b>OVS</b>	Official Veterinary Surgeon
<b>PHO</b>	Port Health Officer
<b>PoAO</b>	Products of Animal Origin
<b>RIDDOR</b>	Diseases and Dangerous Occurrences Regulations 2013
<b>RSPH</b>	Royal Society for Public Health
<b>PHA</b>	Port Health Authority
<b>PHE</b>	Public Health England
<b>SAG</b>	Safety Advisory Group
<b>SMT</b>	Senior Management Team
<b>SPDB</b>	Strategic Plan Delivery Board
<b>SCPHA</b>	Suffolk Coastal Port Health Authority
<b>SME</b>	Small or Medium-sized Enterprise
<b>TEU</b>	Twenty-foot equivalent unit



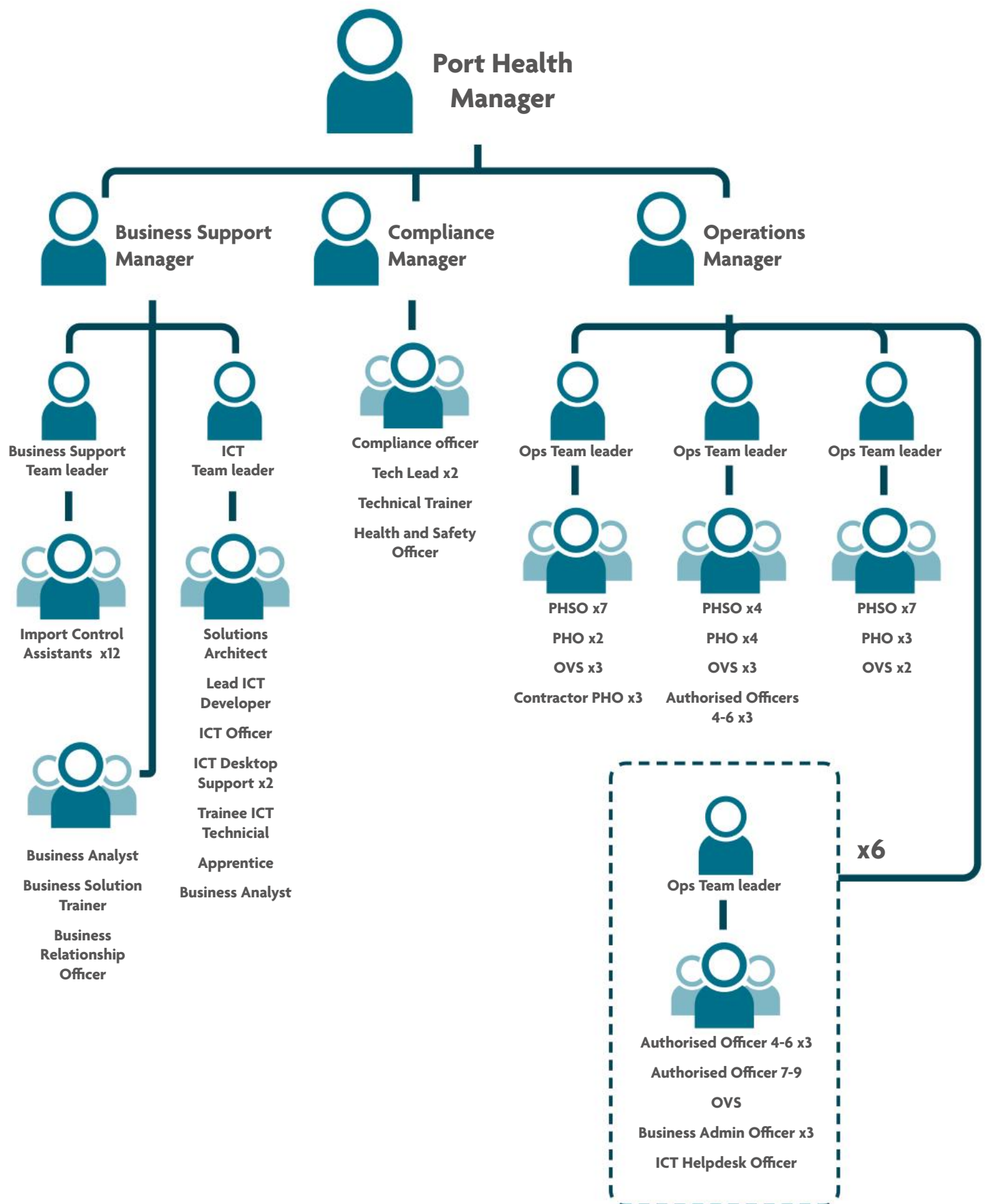
## Appendix 1 Corporate Management Structure.



## Appendix 2 Food and Safety Team Organisational Chart.



## Appendix 3 Suffolk Coastal Port Health Authority Organisational Chart.



## Appendix 4 Corporate Health and Safety Organisational Chart.





## Appendix 5 Profiles of food establishments in East Suffolk according to risk.

Source: LAEMS return 2020/21.

	A	B	C	D	E	F	G	H
<b>Total in category</b>	1	31	396	938	1081	415	8	2,870

## Appendix 6 Food and Safety – Outline of projected food safety service demands.

### Food interventions due to 31 March 2023

Category	Interventions (number)	Estimated time per intervention (hours)	Total time for interventions
A	$2 \times 2 \times 2 = 8$	5	40
B	$18 \times 2 = 36$	5	180
C	326	3.5	1,141
D	827	3.5	2,894.5
E	0	2	0
Unrated (estimate)	1,037	1.5	1,555.5

### Prioritised food interventions due to 31 March 2023

Category	Interventions (number)	Estimated time per intervention (hours)	Total time for interventions
All Category A	$2 \times 2 \times 2 = 8$	5	40
All Category B	$18 \times 2 = 36$	5	180
All Category C and less than broadly compliant	144	3.5	504
All Category D and less than broadly compliant	68	3.5	238
All Category C and broadly compliant or better	182	3.5	637
Unrated (estimate)	1,037	1.5	1,555.5

## Other activities (estimated) 2021/22

Activity	Number of activities	Time per activity (hours)	Total time
Lowestoft Port Health Authority Ships sanitation inspections	50	2.5	125
Complaints - food	300	2	600
Samples	60	3	180
Gastrointestinal disease case notifications anticipated requiring follow up	70	2.5	175
Food alerts for action	2	37	74
Requests for food safety advice/assistance	300	1.5	450
Skin piercing registrations - premises	20	5	100
Skin piercing registrations - personal	30	3	90
Asbestos Notifications (ASB5)	4	7	28
Health and safety advice/assistance	30	3	90
Health and safety complaints	70	7	490
Lifting Operations and Lifting Equipment Regulations - reports of defects involving an existing or imminent risk of serious personal injury	6	7	42
Freedom of Information/Environmental Information Regulations requests	25	10	250
Import foods work, revisits, report writing, myConversations, procedure updating, officer training and development, peer review, CPD, team meetings, student training, Eat Out Eat Well and Take Out Eat Well awards, food export/health certificates, providing information and returns to government departments etc. auditing, media enquiries, further enforcement and advisory work, and website updates etc.			Work to be prioritised.

## Appendix 7 Suffolk Coastal Port Health Authority Outline of the current and projected service demands.

	Felixstowe		
	Current	Projected EU	Total (Jan 22)
Products of Animal Origin (PoAO)	19,853	15,613	35,466
High risk food of non-animal origin (HRFNAO)	7494	0	7494
Illegal, Unreported and Unregulated fishing (IUU)	4,956	1,999	6,955
Plastic	621	0	621
Organic	2,263	700	2,963

	Harwich		
	Current	Projected EU	Total (Jan 22)
Products of Animal Origin (PoAO)	0	22,334	22,334
High risk food of non-animal origin (HRFNAO)	0	0	0
Illegal, Unreported and Unregulated fishing (IUU)	22	5,502	5,524
Plastic	0	0	0
Organic	1	1,786	1,787

	Whole Service		
	Current	Projected EU	Total (Jan 22)
Products of Animal Origin (PoAO)	19,853	37,947	57,800
High risk food of non-animal origin (HRFNAO)	7,494	0	7,494
Illegal, Unreported and Unregulated fishing (IUU)	4,978	7,501	12,479
Plastic	621	0	621
Organic	2,264	2,486	4,750

### Notes:

- Figures for PoAO are based on DEFRA estimates and subject to revision
- Figures categories other than PoAO, are based on an extrapolation

## Appendix 8 Suffolk Coastal Port Health Authority Outline of the Service Activities.

### Imported Food - Data Requirement 2019/20

Products at Point of Entry into the UK SCPHA 2019/20		Products of animal origin	Products not of animal origin
1	Number of food consignments entering the port	21,097	243,848
2	Percentage of manifests checked	100%	100%
3	Number of food consignments checked at port (documentary checks)	21,097	15,061
3a	Number of food consignments checked at port (identity checks)	17,876	1,517
3b	Number of food consignments checked at port (physical checks)	6,904	1,372
4	Number of food consignments checked at external temporary storage facility (documentary checks)	N/A	N/A
4a	Number of food consignments checked at external temporary storage facility (identity checks)	N/A	N/A
4b	Number of food consignments checked at external temporary storage facility (physical checks)	N/A	N/A
5	Number of food consignments rejected	244	127
6	Reason for rejection		
	a) Microbiological contamination	1	4
	b) Other contamination	2	52
	c) Composition	0	0
	d) Labelling	14	0
	e) Other	227	71
7	Number of rejected consignments subject to:		
	a) Destruction	137	75
	b) Special treatment or processing	1	9
	c) Re-dispatch	106	28
	d) Re-directed for use other than human consumption	0	1

Products at Point of Entry into the UK SCPHA 2019/20		Products of animal origin	Products not of animal origin
<b>Imported Food Enforcement Activity at Point of Entry and Inland</b>			
<b>Samples</b>			
8	Number of imported food samples taken for microbiological examination	92	111
8a	Number of samples recorded in (8) found to be unsatisfactory	5	4
9	Number of samples taken for chemical/compositional analysis	715	1,725
9a	Number of samples recorded in (9) found to be unsatisfactory	6	92
10	Other samples taken (radiation monitoring)	0	1
10a	Number of samples recorded in (10) found to be unsatisfactory	0	0
<b>Formal enforcement</b>			
11	Number of notices served for products of non-animal origin (PNAO)		127
12	Number of notices served for products of animal origin (POAO)	244	
13	Number of seizures	0	0
14	Number of voluntary surrenders	0	0
15	Number of simple cautions	0	0
16	Number of prosecutions	0	0

## Imported Food - Data Requirement 2020/21

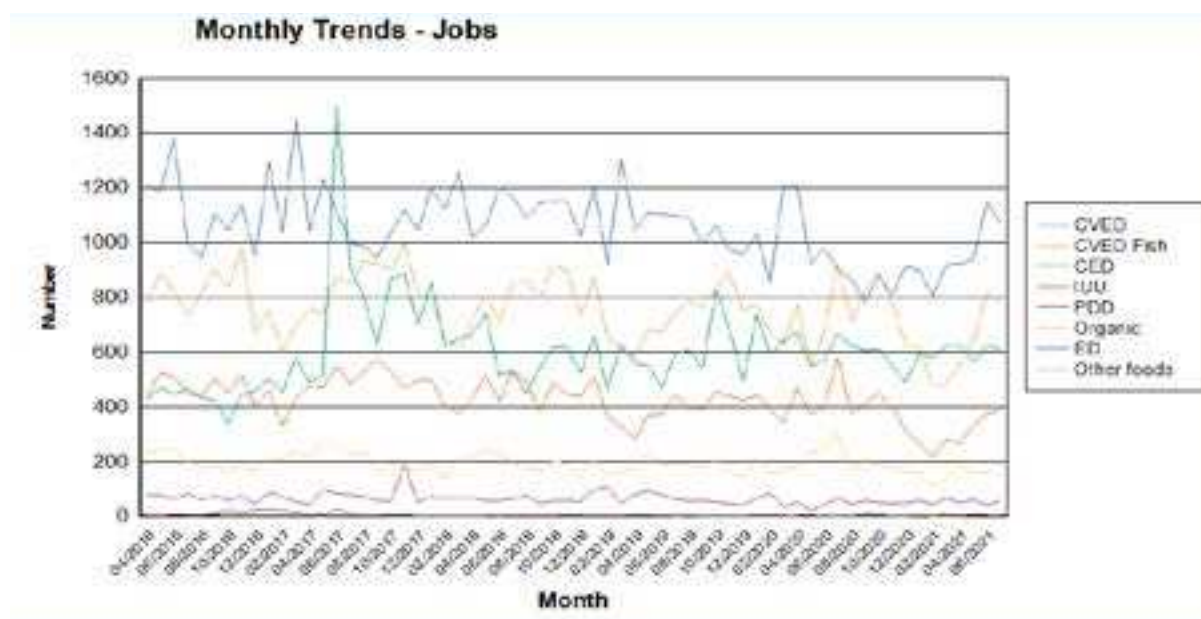
Products at Point of Entry into the UK SCPHA 2019/20		Products of animal origin	Products not of animal origin
1	Number of food consignments entering the port	19,228	925,409
2	Percentage of manifests checked	100%	100%
3	Number of food consignments checked at port (documentary checks)	19,228	14,607
3a	Number of food consignments checked at port (identity checks)	16,135	1,717
3b	Number of food consignments checked at port (physical checks)	2,736	1,329
4	Number of food consignments checked at external temporary storage facility (documentary checks)	N/A	N/A
4a	Number of food consignments checked at external temporary storage facility (identity checks)	N/A	N/A
4b	Number of food consignments checked at external temporary storage facility (physical checks)	N/A	N/A
5	Number of food consignments rejected	256	193
6	Reason for rejection		
	a) Microbiological contamination	0	0
	b) Other contamination	0	0
	c) Composition	0	94
	d) Labelling	11	3
	e) Other	245	96
7	Number of rejected consignments subject to:		
	a) Destruction	110	107
	b) Special treatment or processing	0	5
	c) Re-dispatch	105	42
	d) Re-directed for use other than human consumption	1	50

### Factors affecting the figures below:

- Impact of COVID-19
- Declarations of EU trade/EU Exit impact



Products at Point of Entry into the UK SCPHA 2019/20		Products of animal origin	Products not of animal origin
<b>Imported Food Enforcement Activity at Point of Entry and Inland</b>			
<b>Samples</b>			
8	Number of imported food samples taken for microbiological examination	44	82
8a	Number of samples recorded in (8) found to be unsatisfactory	2	1
9	Number of samples taken for chemical/compositional analysis	555	1,559
9a	Number of samples recorded in (9) found to be unsatisfactory	7	112
10	Other samples taken (radiation monitoring)	0	0
10a	Number of samples recorded in (10) found to be unsatisfactory	0	0
<b>Formal enforcement</b>			
11	Number of notices served for products of non-animal origin (PNAO)		193
12	Number of notices served for products of animal origin (POAO)	256	
13	Number of seizures	0	0
14	Number of voluntary surrenders	0	0
15	Number of simple cautions	0	0
16	Number of prosecutions	0	0



## Appendix 9 Food Sampling Policy - Food and Safety Team.

This food sampling policy is made available to businesses and consumers in accordance with the Food Law Code of Practice. We recognise the contribution sampling can make to the protection of public health and food law enforcement functions. We are committed to providing the resources necessary to carry out a sampling programme. Trained Authorised Officers are responsible for undertaking our food sampling functions and we have a food sampling programme for microbiological and algal toxin purposes. Food sampling is prioritised to concentrate upon one or more of the following criteria:

- foods which are produced within East Suffolk
- the risk ratings of the premises
- any local, regional or national coordinated sampling studies
- shellfish classification and algal toxin monitoring.

The majority of samples taken are done so for the purpose of monitoring, surveillance and intelligence gathering. Samples may be formal, informal or both according to circumstances. They are taken in compliance with the relevant Code of Practice and consideration of our Compliance and Enforcement Policy. Official laboratories as designated by the FSA will be used for samples obtained during the sampling programme.

The Public Health England laboratory, London, the Council's Public Analyst(s), CEFAS laboratories at Lowestoft and Weymouth and other accredited laboratories are used for the analysis of samples.

The FSA funds sampling credits used for the analysis of food samples submitted to the Food, Water & Environmental Microbiology Laboratory (PHE), London. Algal toxin examinations are carried out by CEFAS are carried out at no charge to the local authority. The local authority has a budget to fund the analysis of shellfish classification samples as this is not funded by the FSA.

Samples may be taken during manufacturing/production processes, for the purposes of ensuring food safety and for ensuring the effectiveness of the critical controls in the process. Sampling may include swabs taken from surfaces where they are sent to an official control/accredited laboratory. The food business operator will be notified of the result of any such sample analysis or examination

We do not currently act as a Home Authority or Primary Authority for any food business. Where sampling identifies a problem with food manufactured outside the districts, the relevant primary, home or originating authority will be notified, and a copy of the certificate of analysis or examination forwarded to them.

Food sampling will not normally be undertaken as a constituent part of a food safety intervention. It may take place if, during the intervention, the authorised officer identifies a particular problem that needs further investigation.

Samples of food received as a food complaint may require microbiological examination, chemical analysis or expert identification.

Where a particular premise or food produced in the districts is implicated with a case or cases of food borne disease, food samples may be taken and submitted for examination, for the purpose of identifying any likely source of infection and controlling any risk to public health.

Food samples may be taken and submitted as part of a special investigation e.g. in response to a food hazard warning, or to other intelligence received about potential food safety issues.

The sampling of shellfish and river water in commercial shellfish production areas is carried out in coordination with the FSA and CEFAS for the purpose of maintaining the necessary classifications for those areas and for monitoring the risk of algal toxins. Shellfish and river water is sampled from shellfish beds and their associated depuration plants.

## Appendix 10 Suffolk Coastal Port Health Authority Outline of Sampling activities.

	Total
PASS - Wolverhampton	1,330
West Yorkshire Analytical Services	454
SGS Cambridge Limited	301
Kent Scientific Services	204
Public Health England	187
The Food & Environmental Research Agency	1
CEFAS (Lowestoft)	1
Others	251
<b>Total</b>	<b>2,729</b>

	Total
PASS - Wolverhampton	1,205
West Yorkshire Analytical Services	330
SGS Cambridge Limited	207
Kent Scientific Services	138
Public Health England	126
Others	234
<b>Total</b>	<b>2,240</b>

## Appendix 11 Gastrointestinal disease cases: East Suffolk

Table 1 - Gastrointestinal disease cases in East Suffolk, April 2020 to March 2021 and April 2019 to March 2020. Source - East of England Health Protection Team, Public Health England Centre.

Laboratory reports	2020/21	2019/20
<i>E coli</i> 0157 VTEC	<10	0
Salmonellosis	<10	22
Campylobacteriosis	212	307
Cryptosporidiosis	12	24
Giardiasis	<10	29
Shigella dysentery	0	<10

Table 2 - Gastrointestinal disease cases in East Suffolk, April 2020 to March 2021, rate per 100,000 population\*. Source - East of England Health Protection Team, Public Health England Centre.

Laboratory reports	2020/21	2019/20
<i>E coli</i> 0157 VTEC	<10	0
Salmonellosis	2.0	8.8
Campylobacteriosis	84.7	123.1
Cryptosporidiosis	4.8	9.6
Giardiasis	3.6	11.6
Shigella dysentery	0.0	1.2
<b>Total</b>	<b>96.7</b>	<b>154.3</b>

\* ONS mid-year estimates 2019

## Appendix 12 COVID-19 – Food and Safety Team Response. March 2020 to July 2021.

### COVID-19 – Food and Safety Team Response March 2020 to July 2021

The Food and Safety Team has dedicated itself to advising businesses and enforcing COVID-19 Regulations in order to protect the public through the pandemic. The outline of activities below provides evidence it has played a major role in East Suffolk during the pandemic.

#### 1. Management, coordination and communication

- The former Head of Environmental Services and Port Health jointly established and led, with the Head of SCC Trading Standards, a county-based safer workplace cell to coordinate a county response to COVID-19 in workplaces.
- Attended and contributed to regular multiagency Suffolk Covid Task Group/Workstream Group meetings which have been instrumental in developing, promoting, and coordinating guidance for businesses and tourism across Suffolk.
- Attended the Suffolk Public Health led online System Briefings and cascaded information internally to colleagues and Councillors.
- Initiated and contributed to East Suffolk's COVID-19 Corporate Working Party.
- Liaised with East Suffolk's Community Intervention Team to co-ordinate action and share knowledge of common interest.

#### 2. Disseminating COVID-19 secure information to businesses and the public

Date	Action	Contacts
March 2020	Contacted food premises telling them about Government social distancing criteria and signposting them to further information.	2,753
March - September 2020	Contacted higher risk complex workplaces, e.g. food manufacturers to collect information on their COVID-19 preparedness and provided advice.	57
May 2020	Sent letters and our COVID-19 safe posters to takeaways.	194
June 2020	Sent letters to hospitality businesses giving advice ahead of reopening on 4 July 2020.	1,035
June 2020	Hand delivered letters and our COVID-19 safe posters ahead of the reopening of non-essential shops.	483
August 2020	Contacted close contact services advising of change in PPE guidance.	780
October 2020	Contacted hospitality businesses advising of change in face covering guidance.	721
October 2020	Sent letters to retailers giving updated guidance on the benefits of face coverings.	1,367

Date	Action	Contacts
December 2020	As part of a countywide COVID-19 project, contacted Hackney Carriage proprietors and Private Hire Operators via our Licensing Team to give advice on collecting passenger contact details.	283
December 2020	In conjunction with Suffolk Resilience Forum, emailed hospitality businesses advising them on escalating COVID cases and the importance of not allowing households to mix.	673
December 2020	Emailed, via the New Anglia LEP, food manufacturers and agricultural establishments with over 50 employees advising on arrangements to manage COVID-19 outbreaks and control spread.	10
January 2021	Sent letters to supermarkets and other food retailers giving advice on COVID-19 secure arrangements.	400
February 2021	Sent COVID-19 advice to pharmacies, DIY and department stores highlighting the important measures they could take to keep staff and customers safe whilst there were high numbers of Covid cases in the region.	108
February 2021	Engaged with employers with larger workforces in to promote Lateral Flow Testing.	61
April 2021	Contacted offices, hospitality businesses, non-essential retail shops, close contact services, indoor and outdoor sports and leisure settings, self-contained accommodation and similar settings with Rapid Testing information for employees and additional tailored COVID-19 information.	2,895
	<b>Total</b>	11,820
March 2020 onwards	Webpages on <a href="http://www.eastsuffolk.gov.uk">www.eastsuffolk.gov.uk</a> providing up to-date sources of COVID-19 related food and safety guidance and information.	5,748 web hits
March 2020 onwards	Online form to assist residents reporting various Covid concerns	137 channel hits

### 3. Collaboration with the Health and Safety Executive – spot checks

- Collaborating with the Health and Safety Executive to carry out 3,230 spot checks at the various stages of the lockdown and the Government Roadmap to ensure businesses were COVID secure to protect staff and members of the public. Out of the 3,230 checks carried out, 185 failed stages 1 or 2 and required action at stage 3.

### 4. Event safety

- Worked with Suffolk Public Health and other Suffolk local authorities to adopt a Standard Operating Procedure: Liaison between SCC and the Safety Advisory Groups in relation to large events led to many organised events being cancelled during 2020, this included Latitude festival and a large fireworks event with an estimated crowd of 5,000 people, where the organisers were advised of Direction powers under public health regulations.
- East Suffolk's Safety Advisory Group, led by the Food and Safety Team, continued to recommend that events likely to attract large crowds be postponed until social distancing rules were relaxed in Step 4 of the Government Roadmap.

## 5. Monitored arrangements and practices at venues through physical visits

Date	Action	Contacts
March – September 2020	Monitoring of social distancing at takeaways.	448
December 2020	Monitoring of social distancing and table meal compliance etc.	50
February – March 2021	Monitoring of queue management, signage, hand sanitiser, face covering, cleaning etc at essential retailers etc.	100
Various dates	Partnership working with the Police to identify non-compliance and achieve consistency.	127
April – May 2021	Roadmap step 2 checks made on enclosed spaces at hospitality premises, and the use of visors and face coverings at close contact settings.	254
May - July 2021	Roadmap step 3 checks when emphasis was given to the tracking of the virus and the gathering of essential customer information via the NHS QR codes and alternative systems.	212
	<b>Total</b>	<b>1,191</b>

## 6. Responding to incidents, information and concerns through physical visits

- Made house calls where Test & Trace have been unable to get in touch with a positive case to determine if self-isolating.
- Engaged with the Suffolk Covid Response Hub/Public Health England in response to outbreaks in over 50 workplace settings and other ad hoc situations to control the spread of COVID-19.
- Gathered and fed back information to Suffolk's Contact and Trace Service.
- Responded to 1,493 COVID-19 complaints, requests for advice/enquiries and notifications.
- Assessed 707 Maritime Declarations of Health from vessels using Port of Lowestoft.

## 7. Enforcement action

- As guided by our Compliance and Enforcement Policy, took enforcement using powers under new health protection closure and restriction regulations:
  - Three £1,000 fixed penalty notices were issued.
  - Two of the recipients of the notices chose to pay the penalties.
  - The third did not pay and was found guilty in their absence by the Magistrates' Court for failing to close. The court imposed a fine, victim surcharge and costs totalling £2,930.



## 8. Conclusions

- In conclusion, it is evident that our timely and comprehensive activities together with our guidance, advice and enforcement visits have had a significant impact in ensuring the business and tourist community stay COVID safe.
- Statistical evidence indicates that East Suffolk Council's area has remained one of the safest locations to reside and visit in the country.
- We genuinely believe that the public health contribution from the Food and Safety Team has played an exceptionally important role in keeping COVID-19 case rate infections low in this area and quite probably prevented a number of deaths which may have resulted without our interventions during this pandemic.

Date of report: 12 August 2021

**Mark Sims**

Food and Safety Manager

[Mark.sims@eastsuffolk.gov.uk](mailto:Mark.sims@eastsuffolk.gov.uk)

## Appendix 13 Key Liaison Organisations.

	Food Safety and Health & Safety Service	Suffolk Coastal Port Health Authority	Corporate Health and Safety
Government Departments/Agencies, public bodies	Food Standards Agency	FSA Import and Export Division	
		FSA Contaminants Division	
	Animal and Plant Health Agency	Animal and Plant Health Agency	
		DEFRA – Organic Imports Section	
		DEFRA - International Trade Division	
		Marine Management Organisation	
		Maritime and Coastguard Agency	
	Health Protection Team and Public Health England	Health Protection Team and Public Health England	
	Fire, Police, NHS, East of England Ambulance NHS Trust, and Maritime Coastguard Agency		Fire, Police, NHS, East of England Ambulance NHS Trust, and Maritime Coastguard Agency
	Suffolk Public Health	Suffolk Public Health	
	SCC Trading Standards	SCC Trading Standards	
	Suffolk Adult Safeguarding Board		
	Suffolk Joint Emergency Planning Unit		
	Suffolk Resilience Forum		
		State Veterinary Service	
		Other Enforcement Authorities	
		HMRC, Border Force, PHSI, HMI, Forestry Commission, MHRA	
		Other Government Departments: Cabinet Office, BPDG, EU Exit Readiness Teams	
	Department for Business, Energy & Industrial Strategy		
	Health and Safety Executive		Health and Safety Executive
	Environment Agency		
	Care Quality Commission		
	Home Office Security Industry Authority		
	Coroner and Coroner's Office		
	Office for Standards in Education, Children's Services and Skills (Ofsted)		

	Food Safety and Health & Safety Service	Suffolk Coastal Port Health Authority	Corporate Health and Safety
Operational and Service Delivery Organisations	Public Analyst(s)	PASS – Public Analyst Scientific Services	
		West Yorkshire Analytical Services	
		SGS Cambridge Limited	
		Kent Scientific Services	
		The Food & Environmental Research Agency	
	Public Health England/ Food Water Environmental Microbiology Services	Public Health England/ Food Water Environmental Microbiology Services	
		Laboratory of the Government Chemist	
	CEFAS – Centre for Environment, Fisheries and Aquaculture Services	CEFAS – Centre for Environment, Fisheries and Aquaculture Services	
	Campden BRI		
	Other teams e.g. communications, HR, finance legal services, licensing, planning and building control.	Other teams e.g. communications, HR, finance and legal services.	Other teams e.g. communications, HR, finance, legal services, licensing, planning and building control.
		BSI – British Standard Institute	
		Other UK Port Health Authorities	
	Other local authorities	Other local authorities	Other local authorities

Other organisations and working groups			Suffolk and North Essex Occupational Safety Group
		Commercial bodies, traders (imports / agents), liaison groups, trade bodies.	
			Waveney Safety and Environment Group
	Associated British Ports		
			Eastern Region Corporate Health and Safety Group
			Institute of Occupational Safety and Health
	Thames Estuary, Essex and Suffolk Shellfish Liaison Group		
	Suffolk Food Liaison Group		
	Norfolk and Suffolk Health and Safety Liaison Group		
	New Anglia Better Business for All		
	New Anglia LEP		
	Chartered Institute of Environmental Health	Chartered Institute of Environmental Health	
	Chambers of Trade and Commerce, Business Associations and other networks		

## Appendix 14 Summary of food interventions, enforcement actions and compliance data for East Suffolk.

Source: LAEMS return for 2019/20.

LAEMS Criteria		2019/20 Interventions
Total % of interventions achieved by premises category. Interventions include: inspections and audits, verification and surveillance, sampling visits, advice and education visits, and information/ intelligence gathering.	A	11 (100%)
	B	63 (92.65%)
	C	254 (94.78%)
	D	488 (89.54%)
	E	395 (97.53%)
	Unrated	100 interventions

LAEMS Criteria	Other activity
% Broadly compliant. All categories (excluding unrated and outside)	98.2%
% Broadly compliant. All categories (including unrated)	96.08%
No. of establishments subject to:	
• Written warnings	504
• Improvement notices	0
• Emergency Prohibition notices	0
• Prohibition Orders	0
• Voluntary closures	1
• Seizure, detention and surrender of food	0
• Remedial Action Notices	0
• Prosecutions	0
• Simple cautions	0
• Suspension/ revocation of approval	0
Samples taken	53
Complaint investigations - food	49
Complaint investigations – hygiene of premises	249

## Appendix 15 Food and Health and Safety additional statistics: 2019/20 and 2020/21

Activity	2019/20	2020/21
<b>Service Requests</b>		
Food safety advice/assistance	284	334
Food registrations/changes to registrations	335	463
Ship Sanitation Control Certificates/Ship Sanitation Control Exemption Certificates	31	53
Food/Health Export Certificates/Attestations	16	19
<b>FHRS safeguards</b>		
Revisit requests	30	1
Right to Reply	0	0
Appeals - upheld	0	0
Appeals - not upheld	0	0
Appeals - over 21 days	0	0
Early publication of FHRS rating	2	1
<b>Food Hygiene Training</b>		
Candidates attending the full day Level 2 Award in Food Safety in Catering	35	0
Level 2 Award in Food Safety in Catering first time pass rate	100%	Not applicable
Level 2 Award in Food Safety in Catering customer satisfaction	Very good: 69% Good: 31%	Not applicable
<b>Healthy Eating Awards (as of August 2021)</b>		
Eat Out Eat Well	13 gold 20 silver 4 bronze	
Take Out Eat Well	12 awards	
<b>Skin piercing registrations</b>		
Skin piercing registrations - premises	15	18
Skin piercing registrations - personal	27	18
<b>Health and safety advice/assistance/complaints</b>		
Health and safety advice/assistance	28	28
Health and safety complaints	70	59
<b>Asbestos</b>		
Asbestos Notifications (ASB5)	4	0
<b>Lifting Operations and Lifting Equipment Regulations reports</b>		
Lifting Operations and Lifting Equipment Regulations - reports of defects involving an existing or imminent risk of serious personal injury	6	7
<b>Freedom of Information/Environmental Information Regulations requests</b>		
Freedom of Information/Environmental Information Regulations requests	20	24

## Appendix 16 LAE1 Local Authority Health and Safety Return summary 2019/21

LAE1 Criteria	2019/20	2020/21*
Proactive inspections	43	245
Non-inspection interventions	18	0
Any other targeted contact (not face to face) to educate, advise or engage duty holders	33	602
Reactive visits	31	11
Revisits following earlier intervention	4	7
Improvement Notices	2	0
Deferred Prohibition Notices	0	0
Immediate Prohibition Notices	2	0
Simple cautions	0	0
Prosecutions resulting in conviction	0	0

\*Not reported  
via LAE1 return

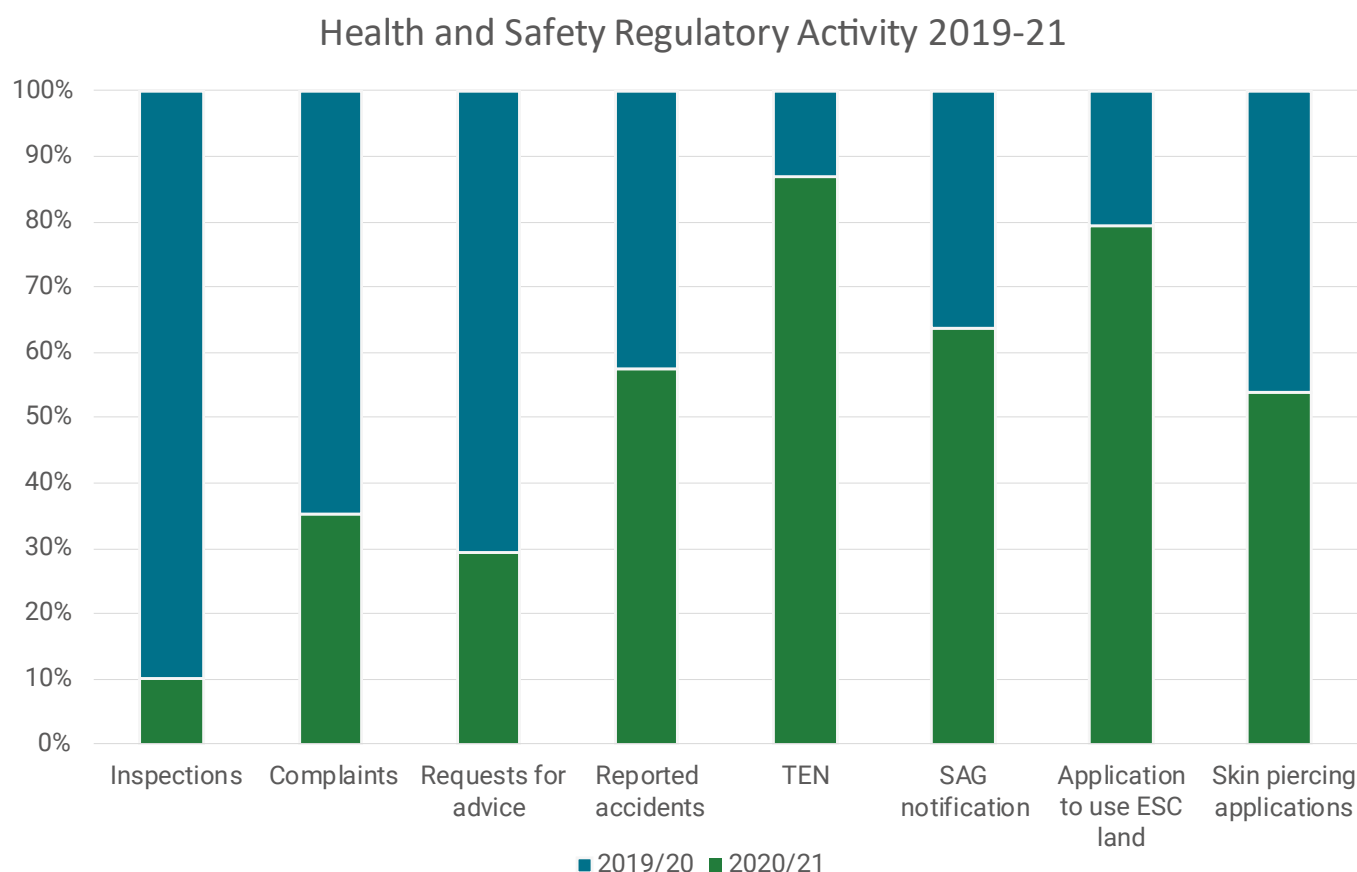
## Appendix 17 Summary of food interventions data for East Suffolk.

Source: LAEMS return for 2020/21.

LAEMS Criteria	Premises category	Interventions carried out	Carried forward
Total of interventions achieved by premises category. Interventions include: inspections and audits, verification and surveillance, sampling visits, advice and education visits, and information/intelligence gathering.	A	2	1
	B	28	20
	C	2	253
	D	1	475
	E	0	393
	Unrated	88	456

LAEMS Criteria	Other activities
Samples taken	5
Complaint investigations - food	108
Complaint investigations – hygiene of premises	73

## Appendix 18 Chart showing how the health and safety regulatory activity changed during the COVID-19 pandemic.





## Appendix 19 Corporate complaints

Corporate complaint statistics: 1 April 2019 to 31 March 2020				
	Total complaints	Justified	Unjustified	To be determined
Food and Safety Team	0	0	0	0
Suffolk Coastal Port Health Authority	9	6	3	0
Corporate Health and Safety Team	0	0	0	0

Corporate complaint statistics: 1 April 2020 to 31 March 2021				
	Total complaints	Justified	Unjustified	To be determined
Food and Safety Team	4	1 (part upheld)	3	0
Suffolk Coastal Port Health Authority	9	6	3	0
Corporate Health and Safety Team	0	0	0	0

## Appendix 20 Customer satisfaction

2019/20

Course Evaluation (51 responses)				
	Very good	Good	Average	Poor
How satisfied were you with the course overall?	59%	39%	2%	0%

2020/21

Business satisfaction (98 responses)					
	Strongly agree	Agree	Neither agree/ disagree	Disagree	Disagree strongly
I felt my business was treated fairly.	80%	17%	2%	1%	0%
I felt the contact was helpful.	84%	14%	2%	0%	0%
Communication was clear.	81%	17%	2%	0%	0%

**COUNCIL**

Wednesday, 24 November 2021

**CABINET MEMBERS' REPORT AND OUTSIDE BODIES REPRESENTATIVES' REPORT TO COUNCIL**
**EXECUTIVE SUMMARY**

To receive the Cabinet Members' Report and the Outside Bodies Representatives' Report to Council, for information.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	All Wards in the District
<b>Cabinet Member:</b>	Councillor Steve Gallant Leader of the Council

## CABINET MEMBERS' REPORTS TO COUNCIL

<b>Cabinet Member:</b>	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
<b>Contact Details:</b>	<a href="mailto:mary.rudd@eastsoffolk.gov.uk">mary.rudd@eastsoffolk.gov.uk</a> Tel: 07867 372976

Licensing Services is continuing to support licensed premises and drivers during this pandemic. Most licensed premises have now reopened and are operating without any legally mandated social distancing. It has been a difficult time for licensed premises and drivers but hopefully the worst of the pandemic is over, and our licensed businesses can begin to recover.

In terms of numbers

- (a) In relation to alcohol and entertainment, in October 2020 there were 1072 licensed premises and clubs in East Suffolk and in October 2021 there has actually been a small increase in this number, against a decrease in the number of licensed premises nationally year on year (since 2012 in the case of drink led premises and since 2017 in the case of food led premises), to 1091 Premises and Club Premises Licences issued in East Suffolk.
- (b) In relation to taxis, there was a significant reduction in the number of licensed hackney carriage and private hire vehicles in East Suffolk over the last 12 months and a small increase in the number of private hire operators. In October 2020, there were 107 licensed hackney carriage vehicles, 299 licensed private hire vehicles and 75 private hire operators in East Suffolk. In October 2021, there were 94 licensed hackney carriage vehicles, 319 licensed private hire vehicles and 79 private hire operators. It appears now that drivers are starting to return to the trade, with 413 vehicles now licensed.
- (c) In relation to gambling establishments in East Suffolk, in October 2020, there were 40 Gambling Premises Licences issued and by October 2021 there was a small reduction to 37 Gambling Premises Licences in East Suffolk.

In terms of festivals, members will be aware Latitude went ahead as a government test event between 22 and 25 July 2021. Officers from Licensing Services who were there to monitor compliance with the Premises Licence and carry out enforcement checks on site. Sadly, the Suffolk Show and Harvest Moon Festival Beccles Quay have both been cancelled. It is hoped that they will return next year.

Licensees in East Suffolk have had to be very resilient over the last year as Covid-19 has severely impacted their businesses with a significant drop in income through loss of custom coupled with an increase in expenditure to make their premises Covid secure during those periods when they have been able to be open and trade. East Suffolk Council has been able to provide some financial support to premises during this difficult time with grant funding of up to £25,000 per eligible business through the Additional Restrictions Grant. It is hoped that as we hopefully come out of the pandemic, businesses will be able to recover their losses and grow their businesses in East Suffolk where the hospitality sector and night time economy are of great importance to everyone who lives, works in and visits East Suffolk.

<b>Cabinet Member:</b>	Councillor Stephen Burroughes, Cabinet Member with responsibility for Customer Services, ICT and Commercial Partnerships
<b>Contact Details:</b>	<a href="mailto:stephen.burroughes@eastsuffolk.gov.uk">stephen.burroughes@eastsuffolk.gov.uk</a> Tel: 07783 357940

## • CUSTOMER EXPERIENCE

The customer experience teams continue to work closely to build momentum around the customer experience agenda. Reviewing some areas around handling planning complaints based on current data research and comparing with previous complaints data and the increased workload planning teams have experienced and the increase for 'all correspondence' around FOI's (Freedom of Information) requests in relation to developers. Assistance is also being provided to service teams across the council to build additional strength around communications with customers and partners. This work is still within the initial creative stage.

Customer engagement is key, and the programme continues with work around a campaign of undertaking customer led mystery shopping and this will be developed with the hope of a rolling programme of engagement in early 2022. The customer feedback survey has grown from initially requesting simple feedback forms to a much-developed approach including a direct mailbox, web chat etc. The next customer access survey is about to go live to better understand customer needs, expectations and contact channels to utilise and ensure we are able to meet customer needs.

The customer experience front desk continues to be very successful, the most recent example being the Gateway to Homechoice. Our customer experience specialists have been revising and analysing processes and application processing times have reduced from 15 to 6.5 weeks. The teams are also looking at taking on housing repair enquiries in the new year. The plan is continuing successful channel shift momentum to free up resource to better support our customers with complex needs and continue to free up other ESC teams as has been the case with housing triage, garden waste, parking, planning enquiries within existing resources which has been challenging but has seen teams step up and deliver excellent service.

## • COMMERCIAL PARTNERSHIPS

In order to give greater steerage in a time of change and drive business improvement and development, a new business improvement manager, Robert Stammers, has been appointed to ESC to anticipate the change in govt waste collection policy, and forward thinking. The business improvement manager role is intended to provide subject matter expertise in the area of waste collection and to work with our partner, East Suffolk Norse, on a number of areas where it is felt service delivery can be improved.

Robert joined ESC on 1<sup>st</sup> October joining us from SERCO, where he had been responsible for delivering waste contracts to a range of London Boroughs. Prior to this he was head of waste at London Energy which managed the waste of 6 North London boroughs. One of the main areas of responsibility is

improvements to service delivery provided by East Suffolk Norse Joint Venture. These are referred to as Business Improvement Projects (or BIP's).

- **ICT & DIGITAL**

The team have built a new GIS platform to launch better working practises around utilising special data and upgraded areas of key infrastructure to ensure we remain secure and resilient. A major upgrade to the council's Uniform system has been undertaken – a key enterprise-wide system supporting the delivery of many statutory services such as Planning and Environmental Health.

ESC has now placed order to confirm delivery of the Lowestoft and Felixstowe elements of the newly renamed 'Digital Towns' project previously known as 'Smart' towns. The ambition and drive to secure these digital towns to help them understand their digital profile is a fundamental part of the council trajectory for delivering transformational change.

We also launched a 'digital' survey in conjunction with SALC to all Town and Parish Councils to better understand their digital profiles and requirements, what connectivity they had and how it worked for them. Early responses have been poor and we are looking to raise the game and encourage greater participation by redoing the survey.

Finally, East Suffolk Council online services continue to attract excellent star ratings with 4.26 out of 5.0 stars from a response of 13,370 ratings. Pretty good I'll hope you will agree.

<b>Cabinet Member:</b>	Councillor Craig Rivett, Deputy Leader and Cabinet Member with responsibility for Economic Development
<b>Contact Details:</b>	<a href="mailto:craig.rivett@eastsuffolk.gov.uk">craig.rivett@eastsuffolk.gov.uk</a> Tel: 07931 341440

### **Freeport East**

The Outline Business Case (OBC) was submitted to government in September and the Freeport East working group is now addressing the critical actions raised. It is anticipated that Freeport East will be designated in January as by this date we will have an approved OBC and at least one live Tax Site.

Work continues on the Full Business Case (FBC) which is due to be submitted in March 2022. Approval of the FBC will result in Freeport East being able to access its share of the Freeports Seed Capital Fund – up to £25m.

The Freeport East Shadow Supervisory Board is also progressing recruitment of the Chair and CEX – JDs have been developed and positions will be advertised in January. In parallel with this, partners are also progressing the establishment of a Freeport East Company. Once established this will employ all Freeport East staff. It is anticipated that the new company will be established by March 2022

### **HE and Arts Council Visit**

On 14th October ESC hosted Historic England (HE) on a tour of Lowestoft, this included 17 commissioners as well as members of the management team who have been involved with the Heritage Action Zones (HAZ).

Aim of the visit:

- understand ESC's regeneration plans for Lowestoft,
- see first-hand the impact of the HAZ areas
- hear about how ESC and GYBC working together (particular focus on the City of Culture BID)

The CEX and Leader presented on the Lowestoft Town Investment Plan and members of the Regen team updated on the HAZ.

A tour of the town to explain some of the planned changes and interventions to date, especially within the HAZ area also took place. Great networking opportunity with key stakeholders over lunch which enabled partners to explain their ambition for heritage and culture in the area.

Feedback provided by HE and our stakeholders was extremely positive with Commissioner's Chairman Sir Laurie Magnus saying "we were really inspired by what we saw in the two Heritage Action Zones in Lowestoft. ESC's support for the roles of heritage and culture in acting as catalysts for regeneration was very evident and we were delighted by the close working relationship that you and your team have so clearly developed with our colleagues in the East of England region".

### **Arts Council Visit**

The following week, the Regen Team hosted a visit by the Arts Council (AC) which included the recently appointed Chief Executive Darren Henley and Regional Director Hazel Edwards. The visit was undertaken to understand some of the challenges and opportunities which East Suffolk faces with the arts. The meeting began at the Marina Theatre with CEX providing an overview of the Lowestoft investment Plan.

Followed by a tour of the town including the Marina Theatre and the challenges they faced through COVID and their aspirations for the future. Also included plans for the Cultural Quarter, the former Post Office and East Point Pavilion, this provided an opportunity to introduce the AC to stakeholders including SCC and the First Light Festival CIC.

The visit also provided a platform to detail our ambition for the town and highlight the need for a successful outcome to our Cultural Development Fund bid, recently submitted to the AC. The following day ESC attended a working lunch with colleagues from GYBC, AC and the National Trust, there was a focus on the CoC bid and again feedback was positive.

### **South Seafront Masterplan**

As part of the southern HAZ and to help inform the business case for the seafront towns deal project a masterplan for the seafront has been undertaken. This has included extensive public consultation which has informed the concept design to enhance the seafront and its connectivity to Kirkley Village and the town centre. It also considers future uses, current investment and how Lowestoft can transform its offer from a traditional bucket and spade resort. The masterplan will shortly be available online and help to shape future funding applications.

### **Scores Masterplan**

Delivered through the High Street Heritage Action plan, the scores masterplan provides a concept development to bring the scores back into full working use as a tourist attraction and improving

connectivity between the High Street, the Ness and the commercial areas of the town. The masterplan will help to guide the development of this towns deal project.

### **Towns Deal**

As reported to Full Council in April 2021, we were successful in our £24.9m application through the town deal, this is subject to completing business cases for five projects detailed within the Investment Plan. The decision at Full Council was for Cabinet to approve the business cases before submission in March 2022.

A further £750k was provided through the towns deal Accelerator fund to undertake development at the East Point Pavilion.

As part of the development of the business cases a wide range of feasibility studies and viabilities studies have been completed, this has flagged up increased development costs and the subsequent value engineering of the projects. The team have discussed this directly with government (Cities & Local Growth Unit) who were pleased with progress to date and the justification for project adjustments.

Whilst we as a council are responsible for the management of the funds and project evaluation, the Cities and Local Growth unit were keen to highlight that it should be the Place Board which approves the projects and any adjustments. As a result, the business case summary document will go to the Place Board in December 2021 in advance of Cabinet in February 2022.

### **The 5 projects include:**

**The Port Gateway Project** – this will improve the appearance of areas around the port with the majority of funding supporting the delivery of ABP's Lowestoft Eastern Energy Facility (LEEF) that will provide new berthing facilities supporting clean energy growth and delivering 300 local jobs.

**The Seafront Vision** – The project will deliver new public realm around Royal Plain and Royal Green complementing the investment in the East Point Pavilion and will include improvements to the Royal Plain fountains, the design will follow the concepts provided within the South Seafront masterplan.

**Historic Quarter** – provide financial funding to Lowestoft Town Council to bring the vacant Town Hall building back into use as well as improving the scores.

**Station Quarter** – redevelopment of the former Post Office, sorting office and the station building which overlooks Station Square.

**Cultural Quarter** – redevelopment of the former Battery Green Car park and customer service centre into a new leisure & culture facility which will support new day and night time uses. The project also includes a financial grant to the Marina Theatre for upgrades to the backstage area.

### **Energy Projects Update**

The range of major energy projects East Suffolk council is having to consider is continuing to grow alongside the challenge the country is facing in securing energy supply for the long term. If all these projects were to be consented, East Suffolk could host approximately 30% of the country's electricity energy that is being generated here or coming through our district. This is hugely important for the country but it places huge challenges, as well as opportunities before us which we have been tackling head on. Some of these projects could lead to significant investment in our area and large job



opportunities in our district. Some, though, will not create substantial economic benefits but could result in the industrialisation of parts of our countryside amplified by what appears to be a lack of coordination between projects to ensure cumulative impacts are reduced.

Firstly I will report that the Examination into the Sizewell C New Nuclear development finished on the 14th October with a decision expected from the Secretary of State at BEIS in mid April 2022. The government has also separately put before parliament a potential funding approach for new nuclear development and indicated it is expected to enable one new nuclear station to commence construction before the end of this parliament. This is highly likely to be Sizewell C and in last month's Budget the Chancellor announced a £1.7b fund for bringing forward new nuclear opportunities.

The Council is also expecting the decisions from the Secretary of State at BEIS on the Scottish Power EA1N and EA2 off shore windfarm proposals in early January 2022. If consented it is anticipated, subject to funding, they should be commenced in 2023. The onshore elements for these windfarms will come ashore and connect to a new substation complex to be sited at Friston.

It is this proposal that has led to significant and legitimate concerns from the local community, as well as ESC, regarding the strategy for bringing ashore off shore generated energy as well as connecting UK energy with Europe through interconnectors. Each project is currently looked at individually with the nomination of a grid connection acting as the catalyst for project development.

Notwithstanding the understandable aim of the government to reach our 2030 targets for 40GW of off shore wind there is no current mechanism for having an holistic joined up strategy for coordinating the routes for taking the generated off shore energy to where it is needed. However separately from the current applications a review has been commenced through the Offshore Transmission Network Review (OTNR). We have been heavily engaged in this process and so have our affected communities.

#### **Recent consultations held in respect of this OTNR work on:**

- Outcomes of Early Opportunities workstream, Pathway to 2030 workstream and MPI workstream – ESC provided a response in September.
- Future System Operator – ESC provided a response in September.
- Enduring Regime – ESC reviewing and will provide a response in November.
- Draft National Policy Statements consultation which sets clear expectation of coordination. ESC submitted a response.

#### **Early Opportunities workstream**

- 16 developers have 'opted in' as pathfinders – this is currently voluntary
- NG-ESO are continuing to engage with developers to assess the pathfinder proposals and consider how to facilitate greater coordination. NG-ESO are working with developers to find a way to coordinate and minimise impacts whilst still maintaining their connection dates. NG-ESO considering models such as those outlined below:
  - o Multi-Purpose Interconnectors – connection of offshore wind to an interconnector.
  - o Shared Offshore Transmission system – multi generator using a single offshore transmission system.
  - o Quasi bootstrap – circuit between substations of different projects – reinforcing system but doesn't reduce onshore infrastructure.
  - o TO owned Bootstrap – connection of offshore wind to a subsea between two points in onshore transmission system.

o Connection of electricity storage to an offshore transmission system - This concept may involve the connection of electricity storage or a demand customer, such as an electrolyser, to the onshore or offshore elements of an offshore transmission system. The principle could also allow for the electrification of oil and gas platforms. This would allow for coordination across energy vectors, not only of electricity transmission infrastructure.

- NG-ESO cannot provide the names of the developers or projects but have published an open letter (27.09.2021) setting out BEIS and Ofgem's very clear criteria for in-scope projects. Projects in-scope of this workstream are those which have been through the CION process but not yet been granted planning consent or CfD.
- NG-ESO looking to be able to establish changes needed to facilitate models by March 2022 and in some instances commence changes.

This is complex work and the early opportunities, and next steps, may provide better solutions but the fundamental concern, especially in the communities around Friston is that if the EA1N and EA2 proposals are consented there is no requirement for these schemes to be considered as part of a wider coordinated programme but the site would be seen as the potential location for coordination.

To compound these concerns the council has recently responded to a non-statutory consultation undertaken by National Grid Ventures ( the commercial arm of National Grid) to build an interconnector to Belgium but with a grid connection offer to connect at Friston if EA1N and EA2 are built. We have responded to that consultation raising significant concerns and objections. The response also acknowledged that we are also expecting another interconnector in this area to link to the Netherlands (Eurolink) and another link , to be known as Sealink, to connect to Kent. These interconnector projects cause significant local harm but deliver very limited economic benefit and we remain to be satisfied that there is not a better national strategy or approach to delivering energy infrastructure notwithstanding the urgency of securing supply.

We are also engaged with proposed extensions to the Greater Gabbard and Galloper windfarm extensions but it is understood they have not been offered a grid connection in East Suffolk but this has not been officially confirmed. These projects are known as Five Estuaries and North Falls.

Therefore there are huge challenges for the council with all these projects. I am grateful to the officer team for supporting me but also seeking to ensure there is a joined up conversation between all projects to maximise the opportunity for coordination. We are yet to see true coordination but be assured East Suffolk council will be seeking to achieve the best outcome , and although we are not the decision maker in any of these schemes , our position as the host authority and the approach we are taking is positively challenging project development. All the details of the responses to consultations and letters we have sent to government are available on the website.

## **Asset Updates**

### **EPP**

Within the last two months, Cabinet has approved the operational model for the EPP and also an increased expenditure to ensure the construction of the site is completed by April 2022 for First Light CIC to open the premises as a food and events hub. ESC and FLF CIC are working closely to ensure the internal fit out is undertaken and practical operation of the space is thought out ahead of the launch next year. ESC continue to take professional advice from Quarterbridge who specialise in food halls across the UK and regular meetings are held between ESC and FLF CIC as part of a joint board to oversee the implementation of this project.

## Boardwalk

Asset Management is working together with Economic Regeneration to deliver a proposed boardwalk at Lowestoft beach. A specification has been drawn up and is going through Procurement so that it can be put out to tender. The installation is proposed in early Spring 2022 however we are seeking to award a contract in good time to ensure it is delivered in line with the other projects along the seafront.

## Felixstowe Café

The Martello Park café transaction has completed and subject to the tenants fit out they are aiming to open next May, ideally for Mother's day. The tenant is Dedham Boathouse Ltd and ESC has entered into a 20 year lease.

<b>Cabinet Member:</b>	Councillor James Mallinder, Cabinet Member with responsibility for The Environment
<b>Contact Details:</b>	<a href="mailto:james.mallinder@eassuffolk.gov.uk">james.mallinder@eassuffolk.gov.uk</a> Tel: 07810 815879

I attended the Suffolk Waste Partnership ( SWP ) meeting.

You will be pleased to know preparations have started in exploratory work in relation to the impact of the Environment Bill.

Discussions took place about changes in revenue sources, there will be some impact on residents and changes to equipment - household bins and refuse trucks.

Work continues across Suffolk to recycle more, while recycling along with advertising recycling centres. As I am Chair of SWP, I have requested the new Chair of STAG (Suffolk fly Tipping Action Group) to attend the next SWP meeting to understand the work of this group, along with a request to be more proactive in their approach, especially involving all stakeholders.

I continue to focus the group to link all waste concerns with the climate emergency and articulate the message that dealing with waste in the correct manner is a positive action that residents can take, in tackling our climate concerns.

## Outside Bodies Representatives Reports

<b>District Council's Network</b>
-----------------------------------

<b>Representative:</b>	Councillor Steve Gallant – Leader of the Council
<b>Contact Details:</b>	<a href="mailto:steve.gallant@eastsoffolk.gov.uk">steve.gallant@eastsoffolk.gov.uk</a> Tel: 07860 478192

I attended the Annual District Councils' Network (DCN) Conference on 21 and 22 October in Warwickshire along with 170 other Leaders and Chief Executives.

By way of reminder, the DCN is a cross-party Member led network of 183 councils and is a Special Interest Group of the Local Government Association (LGA). Its purpose is to provide a single voice for district services within the LGA.

Cllr Sam Chapman-Allen, Leader of Breckland District Council, has replaced Cllr John Fuller as the new Chairman. Cllr Fuller held this position for a significant number of years.

The opportunity was taken to reflect on some of the DCN's key successes over the last 12 months which included:

- helping to shape the business grant schemes and schemes to compensate for loss of income from sales, fees and charges including the leisure support grant
- working with Cabinet Office to shape COVID secure elections in May
- working with officials to shape Test and Trace self-isolation payments
- making the case for true devolution to districts, working in partnership with counties, as the best way to achieve Levelling Up

The theme of the conference was 'Power in Place' and saw the launch of the DCN's new strategic priorities which reflect the Government's ambition to see beyond Covid and focus on the big strategic challenges of levelling up, economic recovery, net zero and health & social care. The new strategic priorities are:

- levelled up local places
- better social outcomes
- greener communities
- strong local governance
- fair and resilient finance

The DCN will deliver these priorities by working in partnership with experts from a wide range of districts/unitaries and by using data and evidence in support.

Over the two days we received a number of presentations which are all available to view on the DCN's website. However, I have picked out the salient points of three of these which may be of particular interest.

#### **Local Government and Net Zero – presentation by the National Audit Office (NAO)**

The NAO highlighted areas where it feels the Government still has work to do in order to achieve its net zero objectives:

- It has not yet developed (with local authorities) any overall expectations about their role in achieving the national net zero target. NAO recommends that the Government works in partnership with local authorities to develop decarbonisation strategies which set out how key actions, decisions and responsibilities will be split across national, regional and local government bodies.
- There is little consistency in local authority reporting of plans and progress on net zero, which makes it difficult to get an overall picture of what has been achieved. NAO recommends that a

local and central government working group is established to create simple standards for local authority reporting on net zero.

- Government departments have started to coordinate their engagement with local authorities on net zero but there is no single senior point of responsibility for making more fundamental improvements. NAO recommends that a clear Government lead is established to coordinate the way departments work with local authorities on net zero.
- Government has not assessed the totality of the funding it provides to local government that is linked with net zero. NAO recommends that departments should carry out an overall outline analysis of local authority funding for net zero.

### **Levelling Up Health – presentation by the Health Foundation**

The greatest influences on our health are the circumstances in which we live and good health is essential for individuals, and society, to thrive. Before the pandemic there was a 20-year healthy life expectancy gap between the least and most deprived areas. Higher healthy life expectancy is associated with higher income. Working age COVID mortality rates were nearly four times higher in the most deprived areas.

Levelling up health is therefore key to levelling up the economy.

Opportunities to improve health:

- shaping policies for the pandemic recovery
- the levelling up White Paper and the establishment of the Office for Health Improvement and Disparities
- the development of Integrated Care Systems
- tackling longer term pressures from an ageing society and the environment

Partnerships with local government that aim to improve health:

- a grant programme which aims to strengthen local relationships and better understand how economic development can improve health and reduce inequalities locally
- support up to four partnerships across the UK across a range of interventions including employment, skills and developing anchor networks
- partnerships will be led by a local authority or a statutory regional body and will bring together a range of organisations including an academic and collaboration partner
- a joint grant programme with the LGA for councils to work with partners from their local area to improve health and address health inequalities
- provision of learning on how to make changes that impact on the wider determinants of health
- the scheme will support food insecurity, mental health, and crime and anti social behaviour

### **Preventing Hardship and Homelessness – presentation by Shelter**

- What is homelessness? Homelessness is caused by being unable to compete in the housing market and a lack of state provision.
- The main reason people can't compete in the market is affordability.
- People become homeless when they lose their settled home and can't find a suitable alternative without help. They may or may not be entitled to statutory homelessness assistance or accommodation. They have no recourse to public funds.
- The two biggest triggers are no longer being able to stay with friends/family or the ending of an assured shorthold tenancy.
- While personal problems, such as physical and mental ill health (including addictions) or social problems can exacerbate homelessness, they're symptoms rather than the main cause.

- Housing Benefit (Local Housing Allowance) was intended to cover the cheapest 30% of local rentals but 36% of private renters are now claiming.
- Making Housing Benefit fit for purpose would prevent and relieve homelessness.
- ‘Everyone In’ – more than three quarters of people brought in have not yet moved into a settled home.
- Shelter’s roadmap out of homelessness:
  - PROTECT everyone at risk
  - PREVENT with financial assistance
  - BUILD permanent new homes
  - SUPPORT people to settle into their new home and live sustainably
  - INVOLVE people with experience in finding workable solutions

Leiston Together	
<b>Representative:</b>	Cllr Tony Cooper
<b>Contact Details:</b>	<a href="mailto:tony.cooper@eastsuffolk.gov.uk">tony.cooper@eastsuffolk.gov.uk</a> Tel: 07884 054882

History.

It was proposed for the development of a robust partnership structure which will support Leiston in developing and delivering its locally identified priorities. These priorities were identified as part of the 2015 Our place review and focus on the town centre regeneration, health & wellbeing, and young adults. Subsequent to this review a further priority around enterprise has also been identified.

Current Structure.

Leiston Together was established as a place-based initiative in January 2017 by two funding partners, the then SCDC and Leiston cum Sizewell Town Council. The original three-year funding agreement is due December 2019. The initiative has made significant progress against its objectives since its inception and is highly regarded by all partners and local community.

In order to build on these achievements and to address further community and economic priorities, it is proposed the East Suffolk Council and Leiston cum Sizewell Town Council fund and extension to the current funding term. The priorities identified for a new programme will included the development of additional capacity to support economic growth and community development which will be sustainable beyond the life of the partnership which will be key in the context of the proposed Sizewell C new nuclear development.

The present committee is represented by:

Mark Straw (Chair), Cllr Tony Cooper, Cllr Russ Rainger (ESC), Cllr TJ Haworth-Culf (SCC) Cllr John Last, Cllr Lesley Hill (LTC) officers from ESC, LTC & outside bodies Caroline Rinder, Paul Wood, Zoe Botten,

Nicole Rickard, Simon Merrett, Sally Connick, Morag McInnes and the new Leiston Together Change Manager Helen Greengrass

The new Leiston Together Change Manager is Helen Greengrass, Helen replaces Joanne Thain who left East Suffolk Council in September for a new role. The Community Land Trust element of the Change Manager role has been separated out and will be part of a new role in the Regeneration Team specifically focussed on Leiston Town Centre regeneration. The Change Manager will now focus on supporting and developing Leiston Together and Sizewell C work. The Sizewell C work will initially focus on further developing the Community Safety programme (which sits under the East Suffolk Community Safety Partnership) and working with partners on the Sizewell C Community Fund (pending the final decision in April 2022). Good progress has been made against the six priorities below:

### Leiston Together – The Six Priorities



Examples of project activity expected to conclude shortly include new signage across the town based on the Town Pocket Maps, work to redesign the Visit Leiston website and revamp the Visitor Information Point. A new Creative Leiston groups is working with businesses on a Christmas market and on projects including yarnbombing and a mural in a key town centre location. There is work on the development of an action plan to address key themes identified in 'Leiston: A Childhood Report', and work to secure a new dentist for the town.

The Community Land Trust Church Garden project is underway with works due to commence in early November 2021 and complete in February 2022. It will be a visually striking project at the heart of the town that represents wider ambitions for the future of the town centre. Work is continuing on the Leiston Net Zero project with a wide range of partners and various key groups and activities have resumed, including Park Run at Sizewell Beach.

Should anyone need further details of the Leiston Together Six Priorities please let me know and I will send details on.

Lowestoft Rising	
<b>Representative:</b>	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
<b>Contact Details:</b>	<a href="mailto:mary.rudd@east Suffolk.gov.uk">mary.rudd@east Suffolk.gov.uk</a> Tel: 07867 372976

The Lowestoft Rising Sponsor Group met most recently on October 21. The focus of the meeting was on some of the key challenges facing the town including challenges for Adult Social Care, some gaps in voluntary sector infrastructure and lack of volunteers, increasing in and out of work poverty leading to increased use of food banks and increased numbers of vulnerable people. The Group also received a presentation from Norfolk and Waveney CCG about the implications of the new Integrated Care System for the town.

It was agreed to convene an additional meeting on December 15<sup>th</sup> to consider the mental health challenges in Lowestoft and to agree what the priorities should be going forward. ESC Cabinet agreed to fund Lowestoft Rising for a further three years at its meeting in July 2021 and a request has been made to the four funding partners – the CCG, Police/PCC, Suffolk County Council and Lowestoft Town Council – to confirm their funding position at the next meeting if possible.

<b>Everyone Active Partnership Board</b>	
<b>Representatives:</b>	<p>Councillor Stephen Burroughes, Cabinet Member with responsibility for Customer Experience, ICT &amp; Commercial Partnerships</p> <p>Councillor Letitia Smith, Cabinet Member with responsibility for Communities, Leisure and Tourism</p>
<b>Contact Details:</b>	<p><a href="mailto:stephen.burroughes@eastsuffolk.gov.uk">stephen.burroughes@eastsuffolk.gov.uk</a></p> <p>Tel: 07767 872546</p> <p><a href="mailto:letitia.smith@eassuffolk.gov.uk">letitia.smith@eassuffolk.gov.uk</a></p> <p>Tel: 07596 812358</p>

Following the procurement and successful appointment of SLM Everyone Active as the new leisure operator for the Waterlane and Waveney Valley Leisure Centres (the contract commenced on 1 February this year), I have attended the quarterly board meetings, where EA report on progress and performance against the contract.

The initial commencement of the contract was affected by the refurbishment of the Waterlane Leisure Centre and the Government lockdowns and restrictions due the pandemic. A lot has been achieved since then, with partial re-opening allowed from May and then fully operational from 19 July. The following breaks down some key areas:

#### **Mobilisation Successes**

- . Colleague training – online training and site-based inductions
- . Colleague recruitment & promotions – already developed a colleague to Duty Manager. Recruitment is ongoing, but expect this in the current climate, and with the upheaval for all colleagues (closures plus SLT/PFP/EA)
- . Building handover from refurbishment / Pulse – good relationship (recently even stronger)
- . Covid secure operations – social distancing in the early months, cleaning stations, fogging machine, one-way systems.
- . Relationship with ESC very strong



## **Mobilisation Challenges**

- . Data transfer

Quality of data received – issues with memberships that spanned all SLT facilities

- . TUPE

Isolated issues related to historical furlough payments

Following the mobilisation and gradual re-opening EA have already hosted some events:

## **Events-**

- . Local election count at Waterlane (during COVID measures)
- . During and closure (and partially when reopened) Waterlane was used for Lateral flow testing
- . National Baton Twirling at Waterlane

As part of the contract EA will actively be working on interventions in the community to support improving health and wellbeing and not just restricted to within the leisure centres. This is an area of work that will continue to increase and ESC are also partnering EA on projects.

## **Partnerships**

- . North Suffolk Sport & Health - officially sponsor and host a total of 7 school events - (Pentathlon, Wellbeing, This Girl Can and Everyone Active's Fitness Festivals/ table 3.1) signposting to services like swimming lessons.
- . HAFF - £3,021 providing activities to 41 children on school meals. December funding also successfully awarded.
- . One Life – Know your numbers campaign – free health checks, 9 this time. Also went on to offer a service at the last Cabinet meeting and to be expanded to all Cllrs – 2 smaller checks, and 2 full checks.
- . Schools- Everyone Active Fitness Festival – 45 children took part in events in the sports hall Weds 22<sup>nd</sup>
- . NSFT - Norfolk and Suffolk Foundation Trust/Great Yarmouth and Waveney MIND – 11 people to walk outdoors and regular Health Walks occurred in rural locations. This partnership ensured isolated participants had access and support to activities in areas such as Halesworth, Bungay, Lowestoft and Carlton Colville. These walks were designed to specifically support those adults with Mental Health issues. On average these walks attracted 10 individuals and were led by 2 walk leaders (community development coordinators).

The core business is rebuilding following the pandemic lockdowns and EA are on target to achieve the contract position in April 2022. At the last partnership board performance on memberships and attendance were reported as follows:

## **Participation**

- . Enrolled into our swim school – Waveney Valley 455, Waterlane 624
- . Fitness Memberships – Waveney Valley 536, Waterlane 1784
- . Total visits since April – Waveney Valley 55,363. Waterlane – 106,137

Further developments at the two sites by EA include:

## **Site developments / Investment**

- . Installed new hoist at Waterlane
- . Installed balustrade between pool and teaching pool at Waterlane to improve water safety
- . Gate at entrance to pool, again to improve safety (WL)
- . Pool cover to improve efficiency (WL)

- . PoolView drowning detection installed at both sites
- . Changes to pool store to make safer for colleagues (WL)
- . Virtual Group Exercise being installed at both sites

Finally, ESC is replacing a roof area at Waterlane and recovering a further roof. These works will be completed by the end of March 2022 and EA and ESC are working together to minimise disruption through this.

<b>Coastal Partnership East (CPE)</b>	
<b>Representatives:</b>	<p>Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management</p> <p>Councillor James Mallinder, Cabinet Member with responsibility for The Environment</p>
<b>Contact Details:</b>	<p><a href="mailto:david.ritchie@eastsuffolk.gov.uk">david.ritchie@eastsuffolk.gov.uk</a></p> <p>Tel: 07920 503527</p> <p><a href="mailto:james.mallinder@eassuffolk.gov.uk">james.mallinder@eassuffolk.gov.uk</a></p> <p>Tel: 07810 815879</p>

The Coastal Partnership East (CPE) Update Report is attached as Appendix A.

<b>APPENDICES</b>	
<b>Appendix A</b>	<b>Coastal Partnership East Update Report</b>

<b>BACKGROUND PAPERS – None</b>
---------------------------------

# COASTAL PARTNERSHIP EAST

Agenda Item 11

ES/0953

## UPDATE REPORT



## INTRODUCTION

Officially launched on 10th June 2016, Coastal Partnership East brings together the coastal management expertise from three local authorities into a single team. The Maritime Local Authorities of Great Yarmouth Borough Council, North Norfolk District Council, and East Suffolk Council face significant, diverse but also common challenges of a dynamic coastline.

Coastal Partnership East is responsible for 92km of the 173km of coastline in Norfolk and Suffolk, from Holkham in North Norfolk to Landguard Point in Felixstowe. There are approximately 352,000 people who live in the direct coastal zone and many more that work on and visit our coast.

The Norfolk and Suffolk coast is of recreational, environmental, economic and cultural importance but it is also home to industry (energy, ports and logistics, digital, food and drink and creative sector) agriculture and tourism. In addition, there are a large number of second and holiday homes situated in our coastal towns and villages.

Responding proactively to this situation, the three councils covering most of the Norfolk and Suffolk coast agreed to a partnership model to address these jointly shared issues. The partnership enables resources to be managed more effectively and with a higher degree of efficiency resulting in more positive and sustainable outcomes for our communities in the long-term.

# OUR COAST

## DELIVERING VALUE FOR MONEY

### DEVELOPING OUR INNOVATIVE PROCUREMENT AND PARTNERSHIP APPROACHES

Between 2021 and 2027, Coastal Partnership East has a capital programme that consists of 25 projects with an estimated cost of £190m. This includes delivering the £67M Lowestoft Flood Risk Management Project and the new £8.4M Norfolk and Suffolk Coast Transition Programme following our successful Defra Innovative Resilience Fund bid.

To deliver these projects well over this 6-year period, we need to establish the most flexible mechanisms for procuring the expertise and resource needed in addition to our existing Dynamic Purchasing System, particularly for the larger and more complex projects. Our ability to deliver this programme to time and budget will be critical in maximising available funds for our most at-risk coastal communities in an increasingly challenging economic climate as well as enhancing our reputation with the funding bodies. To do this well, we have considered our expanding resource and procurement needs.

In June we shared the options with our Operational Officer Group and Board and recommended that we better utilise the existing SCAPE framework, already in use at North Norfolk District Council, East Suffolk Council and Great Yarmouth Borough Council, alongside our existing Dynamic Purchasing System. We aim to make better use of the capital delivery and professional services support it offers - notably with Balfour Beatty direct as a potential route for delivering this ambitious capital programme. This approach will also align with a similar approach being taken by the Water Management Alliance (WMA), who represent the Internal Drainage Boards across Norfolk and Suffolk, to build a shared capital programme and a pipeline of schemes. This will generate significant efficiencies and deliver additional socio-economic and environmental outcomes. There are significant benefits to taking this approach as we can build capacity, share resource, and give certainty to the Environment Agency (EA) regarding our ability to spend the Flood Defence Grant in Aid that is available. Our Board fully support the approach and our team are now progressing our ambition to create a Centre of Excellence in the East for our Flood and Coastal Erosion Risk Management work. This will be overseen with our WMA and EA partners through a new Delivery Board. All our existing suppliers will also benefit as we will be able to accelerate our programme and offer opportunities across the sector.





# OUR COAST

## REPAIRS & MAINTENANCE

Coastal Partnership East is responsible for repairs and maintenance on in excess of 58km coast protection defences along the coastline between Holkham in north Norfolk to Landguard Point in Felixstowe. We maintain structures such as access points, groynes, revetments, promenades, seawalls, beaches and rock armour.

As well as repairs and maintenance, the team carry out regular and important inspections so they understand what condition the structures are in and this informs future coastal management plans. We set out the work required and then appoint and manage the contractors. We also monitor beach levels, health and safety for the public and the conditions of the cliffs. To see our current works please visit [our website](#)

Total length of linear defences managed by Coastal Partnership East **58km**



Total number of assets managed by Coastal Partnership East **959**



## CROMER



the promenade. The scheme is currently in the design phase and works are programmed to commence in quarter two of 2022 and will last 12 to 18 months.

Coastal Partnership East, on behalf of North Norfolk District Council, have contracted Mott Macdonald to complete the detailed design works for the Cromer Phase 2 Scheme.

This will include a rock revetment, west of the pier for approximately 300m to aid in the reduction of scour of the existing seawalls. Remedial works to a number of the timber groynes and aids to navigations as well as protection from scour to a small area along

We have created a local liaison group with the key stakeholders. The first meeting took place late July 2021, with the second local liaison group meeting planned to take place in November 2021. There are further local liaison group meetings planned to take place at key dates within the scheme. There is a website under development which will be updated with all relevant information as well as a newsletter that will be distributed at key milestones. Once the scheme is in the construction phase, there will be information boards in prominent locations outlining the need for the scheme and what works will be completed.

# OUR COAST

## MUNDESLEY

Coastal Partnership East, on behalf of North Norfolk District Council, have contracted Mott Macdonald to complete the detailed design works for the Mundesley Coastal Management Scheme.

This will consist of a rock revetment to the west which will protect the properties and holiday site on the cliff top. Remedial works to a number of the timber groynes and aids to navigation as well as protection from scour to a small area along the promenade. On the east promenade of Mundesley we are planning on completing improvement works to the promenade to make it accessible for all, this also includes widening a small area to ensure we are able to get machinery of the beach for any future repair and maintenance works. The scheme is currently in the design phase and works are programmed to commence in quarter two of 2022 and will last 12 to 18 months.

We have created a local liaison group with the key stakeholders. The first meeting took place late July 2021, with the second local liaison group meeting planned to take place in November 2021. There are further local liaison group meetings planned to take place at key dates within the scheme.

There is a website under development which will be updated with all relevant information and a newsletter will be distributed at key milestones. Once the scheme is in the construction phase, there will be information boards in prominent locations outlining the need for the scheme and what works will be completed.

## HEMSBY

The coastline from Winterton to Great Yarmouth consists of sand and silt and has been subject to change for thousands of years. We commissioned Jacobs to provide an understanding of how and why the coast is changing and to develop designs for a rock berm to help slow the erosion at Hemsby.

After an initial consultation with the community and local community groups a preferred option of a rock berm was chosen. Based on this feedback a summary of the rock berm options was submitted to Great Yarmouth Borough Council's Environment Committee.

The planning application to Great Yarmouth Borough Council and marine licence application to the Marine Management Organisation for the rock berm were submitted on 1st November. This means that a funding strategy can be developed.





# OUR COAST

## LOWESTOFT

The [Lowestoft Flood Risk Management Project](#) is about developing a way forward to reduce the risk of flooding from the sea, rivers and extreme rainfall. The project has two elements, protection from fluvial and pluvial flooding along the Kirkley stream and from tidal flooding at Lake Lothing.

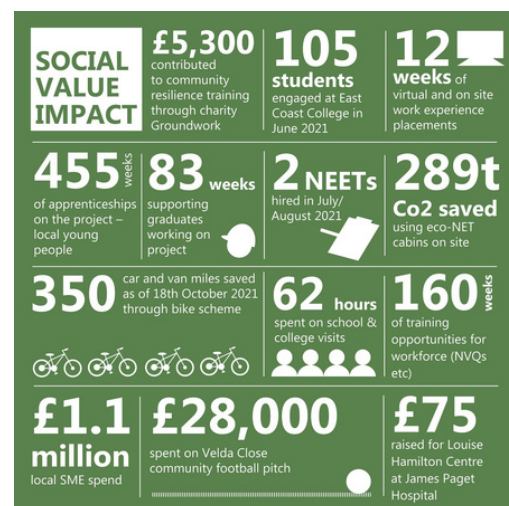
The fluvial and pluvial works have been led by Suffolk County Council and involve the installation of new flood walls and a pumping station at Velda Close. These works were completed in summer 2021. Property Level Resilience (PLR) measures have also been installed in 122 of 123 households. The PLR measures will be installed into the final household shortly. Following final checks, it is anticipated this element of the project will be complete in November 2021.



Construction on package one of the tidal floodwalls officially began in May 2021, with works continuing at a pace along Hamilton Road and Waveney Road. The start of construction on package two of the tidal floodwalls around the Royal Norfolk and Suffolk Yacht Club and South Pier has been delayed due to legal agreements not yet being in place. These works are now expected to start in January 2022 and will be split over two winter seasons, with work stopping in March 2022 and recommencing in October 2022. Work can only take place over the winter months due to the impact construction would have on tourism in the summer.

Work on the concept design of the 40m tidal barrier is now underway which will be completed by the end of the year. The outline and detailed design will then take place next year. As part of the new design a portion of the North tug arm will need to be demolished, which may result in the need for further ground investigations.

In October the project launched a [Virtual Careers Fair](#) at the Norfolk and Suffolk Coast Forum Conference. The careers fair offers young people an unrivalled opportunity to explore routes into civil engineering, from higher education to apprenticeships, and find out about opportunities local to the region. In the first seven days the fair was accessed by 124 times, with a session duration of 11 minutes – much longer than the norm. Further community engagement activities have also taken place, including work placements, apprenticeships, and the hiring of two NEETs. An overview of activities can be seen in the below infographic.



# OUR COAST

## PAKEFIELD



The recent erosion seen at Pakefield since 2019 has exceeded all predictions. There are now four clifftop properties South of Arbor Lane that are at risk of being lost to erosion in the near future and the caravan park have already rolled back static vans and lost concrete bases. To fully understand the future risks and look at possible management options for the frontage, Coastal Partnership East, on behalf of East Suffolk Council, have contracted Mott McDonald to assist in the development of short and longer-term solutions, reviewing the Shoreline Management Plan, and developing an options appraisal study, leading to a preferred option, outline design, planning and short form business case for Pakefield. In a bid to protect the southern end of the frontage whilst this takes place, emergency temporary works have been granted funding by a private/public partnership of Pathfinder funds, councillor grants and contributions from local business owners and private individuals. This was given permission to buy property owners some time over the winter, whilst the options appraisal was carried out, however, the study has shown that any scheme would not be in construction until 2025 and the temporary measure cannot be guaranteed to hold up under weather and tidal events.



We created a [virtual room](#) to share information with the community and are currently asking for their views on what they value about Pakefield. We held a drop-in event in Pakefield Church Hall to bring the virtual room to the community, which was well attended. The Community Steering Group have started to hold further community engagement events to raise awareness and discuss fundraising, we will continue to work closely with the community to build resilience and explore adaptation options.



# OUR COAST

## SOUTHWOLD



The Southwold to Walberswick Flood and Coast Board was set up in February 2021 and members include: Coastal Partnership East, East Suffolk Council, Suffolk County Council, the Environment Agency, Natural England, Southwold Town Council, Reydon Parish Council, Walberswick Parish Council, Blyth Estuary Partnership, Southwold and Reydon Society, and local landowners.

The Board will take a strategic overview of coastal protection and flood prevention projects from Easton Broad in the North, to Westwood Marshes in the South and the A12 in the West, and review plans and provide guidance/ recommendation and support for protection where possible and resilience where unaffordable or unsustainable.

The Board will seek to:

- Integrate coastal protection plans in different areas and from different agencies on the Southwold to Walberswick coast.
- Interrogate monitoring and data provided by responsible agencies for erosion and flooding events.
- Receive updates around predictions from the responsible agencies for future events and possible options for resilience.
- Evaluate the risk and cost of such a future event to the community.
- Investigate funding for these plans.
- Work with responsible agencies and the community to devise resilience measures if the funding is not available
- Review plans from the responsible agencies to create a forward-looking response to sea level rise and climate change locally in the ranges of 10, 20, 50, 100 and 200 years.



# OUR COAST

## NORFOLK & SUFFOLK COAST & ESTUARY CONFERENCE

Since the start of the global pandemic in early 2020 how we engage our communities, keep them involved in and informed of our work on the coast and continue to make good progress, has been challenging. Coastal Partnership East reacted swiftly to that challenge and chose to invest time into researching appropriate virtual platforms to enable that engagement to continue. Since April 2020 communities along the Norfolk and Suffolk coast have found themselves still able to play a full part in shaping developments on the coast and to have their voices heard and changes made as a result of their contributions.

This technology paid additional dividends in reaching age groups which have been previously difficult to fully engage, as well as returning figures that demonstrated more people were engaging with our work. In short, we were reaching more people from a wider demographic with greater success.

With many industries still choosing to host conferences virtually, despite the easing of restrictions, it therefore seemed sensible to make use of the knowledge we had gained in virtual engagement, in the delivery of the first Norfolk and Suffolk Coast Forum coastal and estuarine conference. Not only was this the inaugural conference of both forums but was the first with the Anglian (Eastern) Regional Flood and Coastal Committee as a partner.

The additional challenge was also to view how we might better engage with students across Norfolk and Suffolk, encouraging the next generation of those wanting to work on our coast.

Additionally, having never hosted a virtual conference previously, we were unsure whether we could attract the level of sponsorship required to 'build' an event that would provide return for investment to both delegate and sponsor.

With agreement from both Forums, the conference theme was set to reflect the FCERM 2050 strategy, working with people, nature and science to develop climate resilient coasts and estuaries.

288 people joined the conference on the day.



# OUR COAST

## NORFOLK & SUFFOLK COAST TRANSITION PROGRAMME

The Norfolk & Suffolk Coast Transition Programme developed by Coastal Partnership East is one of 25 projects across England that has been awarded funding by Defra to develop innovative solutions to flood and coastal resilience in their communities.

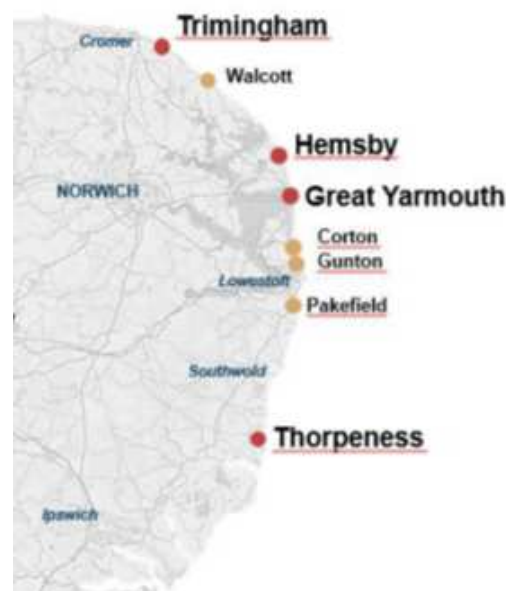
Norfolk and Suffolk have some of the fastest eroding coasts in Europe, with over 2500 homes at direct erosion risk and thousands more properties and businesses directly and indirectly affected by loss of property, infrastructure and utilities within the lifetime of the Shoreline Management Plan. Recent national reports and enquiries have recommended that more is done to support coastal adaptation and resilience including the Climate Change Committee report to Government this June (2021). The framework for transitioning our coast is now in place. Our Innovative Resilience Fund proposal seeks to implement an ambitious resilience programme for the Norfolk and Suffolk coast, that delivers real adaptation and resilience options for our communities. Our proposal offers a complete suite of planning, engagement, technical, financial and policy tools to support coastal transition for Norfolk and Suffolk communities, which could be applied to the rest of the UK coast. We have already established mechanisms to physically roll back homes, relocate properties and have examples of where this has been successful. The next step is to roll this out further with pilot communities and explore mechanisms to self-finance future solutions of this kind. In our four pilot locations of Thorpeness, Great Yarmouth, Hemsby and Trimingham, we already have strong partnerships in place with communities, businesses and partners. Of the four pilot areas, three places have been selected as being at high risk to erosion these are Hemsby, Trimingham and Thorpeness with a total of 298 homes at erosion risk in the next 50-100 years, a further 200+ non-residential properties and business premises and in all locations a key road, utilities or community and heritage assets such as a church or village hall are also at risk.

The map below shows the study area including our pilot places:

- Trimingham, Norfolk
- Hemsby, Norfolk
- Great Yarmouth, Norfolk
- Thorpeness, Suffolk

Learning and good practice will also be shared with 'twin' communities such as:

- Walcott, Norfolk
- Corton, Suffolk
- Gunton, Suffolk
- Pakefield, Suffolk





# OUR TEAM

## MEET THE BOARD

Our Board is responsible for providing strategic direction for and champions the partnership. It ensures the effective and equitable delivery of coastal management services across the Partnership area, agrees the overall work programme, and facilitates appropriate resources. The Board does not have decision making powers; it makes recommendations to each partner authority.



Cllr Penny Carpenter  
Chairman (in rotation) CPE,  
Chairman Environment Committee  
Great Yarmouth Borough Council



Cllr Angie Fitch-Tillett  
Cabinet Member for  
Coastal Management  
North Norfolk District Council



Cllr David Ritchie  
Cabinet Member for Planning  
and Coastal Management  
East Suffolk Council



Cllr James Bensly  
East Flegg Ward Councillor  
Vice Chairman  
Environment Committee  
Great Yarmouth Borough Council



Cllr Dr Clive Stockton  
District Councillor  
for Bacton Ward  
North Norfolk District Council



Cllr James Mallinder  
Cabinet Member for  
the Environment  
East Suffolk Council

Our Operational Officer Group (OOG) provides operational guidance and considers staffing matters. The OOG supports the functions of the Board.



Jane Beck  
Head of Property and  
Asset Management  
Great Yarmouth Borough Council



Steve Blatch  
Chief Executive  
North Norfolk  
District Council



Nick Khan  
Strategic Director  
East Suffolk Council



Philip Ridley  
Head of Planning and  
Coastal Management  
East Suffolk Council

# OUR TEAM

## MEET THE TEAM



Karen Thomas  
Head of Coastal  
Partnership East



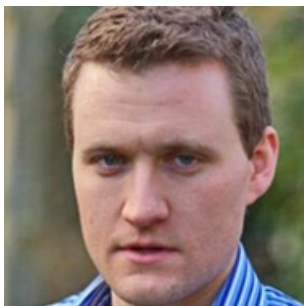
Sharon Bleese  
Coastal Manager  
(South)



Rob Goodliffe  
Coastal Manager  
(North)



Tamzen Pope  
Coastal Engineering  
Manager



Paul Mackie  
Coastal Strategic  
Funding Manager



Paul Patterson  
Senior Coastal  
Engineer



Brian Farrow  
Coastal Engineer



Madeline Fallon  
Senior Coastal  
Advisor South



Thomas Yeung  
Senior Technical  
Funding Officer



Sharon Richardson  
Senior Partnerships &  
Engagement Advisor



Keith Roper  
Coastal Officer  
(Repairs & Maintenance)



Anne Casey  
Coastal Adaptation  
Officer



Tom Chalker  
Funding Officer



Warren Hoskins-Davies  
Coastal Engineering  
Assistant



Charlotte Flight  
Engagement Officer



Fiona Keenaghan  
Assistant Coastal  
Engineer

# OUR TEAM

## MEET THE TEAM



Thomas Walker  
Coastal Management  
Technical Support  
Officer



Isobel Steen  
Coastal Projects  
Coordinator



Alysha Stockman  
Partnerships &  
Engagement  
Support Officer



Thomas Hayden  
Coastal Engineering  
Support Officer



Chloe Bragg  
Funding & Strategy  
Research Admin  
Apprentice



Sophie Day  
Senior Research  
Associate on  
secondment

## CONTACT US



[coastalmanagement@eastsoffolk.gov.uk](mailto:coastalmanagement@eastsoffolk.gov.uk)



[www.coasteast.org.uk](http://www.coasteast.org.uk)



[@CPE\\_NandS](https://twitter.com/CPE_NandS)



[Coastal Partnership East](https://www.linkedin.com/company/coastal-partnership-east)



[@CPENandS](https://www.facebook.com/CPENandS)



[@cpe\\_nands](https://www.instagram.com/cpe_nands)