

Public Document Pack



**North East
Derbyshire**
District Council

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Date: Friday, 21 November 2025

To: **Members of the Council**

Please attend a meeting of the Council to be held on Monday, 1 December 2025, at 2.00 pm in Council Chamber, District Council Offices, Mill Lane, Wingerworth, Chesterfield S42 6NG.

The meeting will be live streamed from [The Council's YouTube Channel](#).

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Assistant Director of Governance and Monitoring Officer

Notice of Meeting to be held in Private

It is intended that part of this meeting will be held in private under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The matters to be considered in private are listed under the heading Private Session. The categories of exempt information that are likely to be disclosed during the discussion of these items, as defined in Part 1 of Schedule 12A to the Local Government Act 1972, are listed below each item.

A G E N D A

Public Session

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any items on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of Last Meeting (Pages 5 - 30)

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 22 September 2025, and the Extraordinary Council meetings held on 2 November 2025 and 11 November 2025.

4 Chairman of the Council's Announcements

5 Leader of the Council's Announcements

6 Public Participation

In accordance with Council Procedure Rule No 8 to allow members of the public to ask questions about the Council's activities for a period up to fifteen minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon twelve clear working days before the meeting.

No questions have been submitted under Procedure Rule No 8 for this meeting.

7 Treasury Management Strategy Update - April to September 2025 (Q1 & Q2) (Pages 31 - 51)

Report of Councillor P R Kerry, Deputy Leader of the Council and Portfolio Holder for Strategic Leadership and Finance

8 Adoption of the Council's Statement of Principles under the Gambling Act 2005 (Pages 52 - 117)

Report of the Assistant Director of Environmental Health

9 Proportionality of the Council and Committee Appointments (Pages 118 - 124)

Report of the Assistant Director of Governance and Monitoring Officer.

10 Questions from Members asked under Procedure Rule No 9.2

In accordance with Council Procedure Rule No 9.2 to allow Members to ask

questions about Council activities. The replies to any such questions will be given by the Chair of the Council or relevant Committee or the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon twelve clear working days before the meeting.

The following questions have been submitted:-

Question A – Proposed by Councillor R Welton to Councillor J Barry, Portfolio Holder for Growth and Assets

We welcome the commitment made at the recent EGM 11 November 2025 to a review of the Council's Asset Management Board. Will the Cabinet Member involve cross party elected members in this review through a working group?

Question B – Proposed by Councillor A Dale to Councillor S Pickering, Portfolio Holder for Environment & Place

Can the Portfolio Holder please provide an update on the extension of green bin collections over the winter, as suggested in the recent Simpler Recycling report and the plans for black and burgundy bin collections over the forthcoming Christmas period, with measures to avoid a repeat of the complaints in previous years?

11 Motions from Members under Procedure Rule No 10

In accordance with Council Procedure Rule No 10 to consider Motions on notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon twelve clear working days before the meeting.

No motions have been submitted under Procedure Rule No 10 for this meeting.

12 Chair's Urgent Business

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.

13 Exclusion of Public

The Chair to move:-

That the public be excluded from the meeting during the discussion of the following item(s) of business to avoid the disclosure to them of exempt information as defined in Paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006).

14 Earl Park, Holmewood - New Homes Investment (Pages 125 - 138)

Report of Councillor P Kerry, Deputy Leader of the Council and Portfolio Holder for Finance

(Paragraph 3)

Access for All statement

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- Call with [Relay UK](#) via textphone or app on 0800 500 888 a free phone service
- **Visiting** our offices at 2013 Mill Lane, Wingerworth, S42 6NG

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 22 SEPTEMBER 2025

Present:

Councillor Lee Hartshorne (Chair) (in the Chair)
Councillor Graham Baxter MBE (Vice-Chair)

Councillor Frank Adlington-Stringer	Councillor Pat Antcliff
Councillor Neil Baker	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Richard Beech
Councillor David Cheetham	Councillor Kathy Clegg
Councillor Stephen Clough	Councillor Andrew Cooper
Councillor Suzy Cornwell	Councillor Charlotte Cupit
Councillor Alex Dale	Councillor Lilian Deighton
Councillor Michael Durrant	Councillor Peter Elliott
Councillor Stuart Fawcett	Councillor Clive Fletcher
Councillor Mark Foster	Councillor Christine Gare
Councillor Kevin Gillott	Councillor David Hancock
Councillor Daniel Higgon	Councillor Pam Jones
Councillor William Jones	Councillor Pat Kerry
Councillor Carol Lacey	Councillor Tony Lacey
Councillor Heather Liggett	Councillor Fran Petersen
Councillor Stephen Pickering	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Ross Shipman
Councillor Derrick Skinner	Councillor Caroline Smith
Councillor Christine Smith	Councillor Mick Smith
Councillor Richard Spooner	Councillor Lee Stone
Councillor Martin E Thacker MBE JP	Councillor Richard Welton
Councillor Helen Wetherall	

Also Present:

L Hickin	Managing Director - Head of Paid Service
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance (Monitoring Officer)
A Smith	Legal Services Manager and Deputy Monitoring Officer
A Bryan	Governance Manager
T Fuller	Senior Governance Officer

COU Apologies for Absence **/40/2**

5-26 Apologies for absence had been received from Councillors Joe Birkin, Michelle Emmens, Nicki Morley, Stephen Reed, Carolyn Renwick, Jess Stokes, Kevin Tait, and Pam Windley.

COU Declarations of Interest **/41/2**

5-26 In respect of Motions from Members under Procedure Rule 10 (Motion B), Councillor A Dale declared that he was a Derbyshire County Councillor and was

one of the county council's representatives on the County Council's Network, which was referenced in the Motion, but this would not preclude him from taking part in the item.

In respect of Motions from Members under Procedure Rule 10 (Motion C), Councillor N Baker declared that he was the Chair of Wingerworth Parish Council.

COU Minutes of Last Meeting

/42/2

5-26 RESOLVED – that the Minutes of the Council meeting held on 14 July 2025 be approved as a true and correct record.

COU Chair of the Council's Announcements

/43/2

5-26 The Chair reported, with sadness, the death of former Council member Richard Marriott at the end of July following a battle with cancer. The Chair spoke about Richard's lifelong commitment to Grassmoor, where he was actively involved in the cricket team, youth club, working men's club, and many activities. Richard had raised significant funds for charity following his diagnosis including £2,000 for Weston Park Hospital, £2,000 for Macmillan Cancer Support, and £1,000 had been donated to Ashgate Hospice from funeral contributions. On behalf of the Council, the Chair expressed condolences to Richard's wife Jackie and his family.

The Chair expressed condolences on behalf of the Council to the Royal Family following the death of The Duchess of Kent.

The Chair reported on events he had attended since the last meeting. These included a VJ Day Commemoration, the Army Benevolent Fundraising Dinner at Chatsworth, and the Mayor of Chesterfield's Curry and Quiz Night. The Chair reported that he had also handed over the 100th community grant fund cheque, which had gone to Pig Pals, a men's mental health charity connecting people with animals and nature. Thanks were extended to staff administering the scheme.

The Chair reported that on Wednesday it was National Fitness Day, and he would be visiting all four Council leisure facilities which were participating in the Climb Everest challenge, in support of his Chair's Charity Appeal. The Chair stated that he would personally take part in the challenge at each venue and encouraged members to attend, support participants, and contribute to the fundraising efforts.

Councillor A Dale conveyed the condolences of the Conservative Group following the passing of former Councillor Richard Marriott.

COU Leader of the Council's Announcements

/44/2

5-26 Councillor N Barker, Leader of the Council, expressed deep sadness at the recent losses within the Derbyshire community. Gavin Tomlinson KFSM, former Chief Fire Officer and Chief Executive, had passed away on 27 August 2025, and Rob Taylor, Gavin's successor at Derbyshire Fire and Rescue, who had taken up the role in February had passed away on 10 September 2025, following a sudden illness. Both individuals had served with distinction, and their contributions would not be forgotten. The Leader extended heartfelt condolences to their families and friends.

The Leader also offered condolences to Councillor Trish Gilby, Leader of Chesterfield Borough Council, following the recent passing of her husband, Terry Gilby, who had been a distinguished local councillor for many years.

The Leader reported on a recent visit to the new leisure centre and community hub at Clay Cross Active. Councillor Barker stated that the district now had four high-quality leisure centres, attracting many visitors and supporting active lifestyles and social engagement.

The Leader also reported that in July a rogue waste collector had been sentenced to 13 weeks in prison for illegal rubbish dumping in Eckington, following a successful investigation by Council officers. A closure order had been extended in Arkwright to prevent further antisocial behaviour, and from September to March, customer services drop-in sessions would be held across the community, enabling residents to discuss directly with staff on issues from bin collections to food bank support.

The Leader highlighted ongoing collaborative work with the Integrated Care Board and through the Derbyshire Chief Executives Group, officers had led on the development of a Health Infrastructure Development Model.

The Leader provided an update on the proposals for Local Government Reorganisation.

It was reported that Councillor Mick Smith was the Council's new Armed Forces Champion.

COU Public Participation

/45/2

5-26 No questions from the public had been received.

COU Simpler Recycling

/46/2

5-26 Council considered a report of the Managing Director and Head of Paid Service which sought approval for the Council to recruit and establish 19 FTE operatives for food waste service operation.

The report explained that the background and comprehensive and wider detail of the Simpler Recycling Scheme could be found in the Cabinet report, which was attached to the report at Appendix 1.

The report provided a comprehensive overview of the operational requirements necessary to implement a weekly food waste collection service across the North East Derbyshire District Council area. As outlined in the appendix, the introduction of this new service which had been mandated by recent changes in national waste management policy necessitated the recruitment of an additional nineteen staff members. These roles were critical to ensuring the successful rollout and ongoing delivery of the food waste service, which aimed to improve environmental outcomes, reduce landfill dependency, and align with broader sustainability targets.

Some Members expressed concern that a full briefing on the changes had not been provided. It was agreed that briefing sessions would be arranged.

RESOLVED – That:

- 1) the detail and background contained within the Cabinet report, attached at Appendix 1, be noted.
- 2) the decisions made by Cabinet on 11 September 2025 relating to Simpler Recycling be noted.
- 3) the recruitment and establishment of 19 FTE operatives for implementation of the food waste service operation be approved.

COU **To answer any questions from Members asked under Procedure Rule No 9.2**
/47/2
5-26 The Chair confirmed that one question had been received.

Question A – Proposed by Councillor A Dale to Councillor S Pickering, Portfolio Holder for Environment and Place

Will the Cabinet Member give serious consideration to the 'Option 2' approach set out in the Local Plan Issues and Options consultation, which would plan for fewer homes (330dpa) than the Government's standard method requires, given the significant concern expressed by residents that building nearly 600 homes per year is totally unsustainable for a largely rural district such as ours and that a lower figure, more closely aligned with local needs and infrastructure capacity, should instead be pursued?

Councillor S Pickering acknowledged that most members probably shared the desire to build fewer than 600 houses in North East Derbyshire. Councillor Pickering confirmed that options would continue to be explored through the Local Plan Working Group and focus groups. However, Councillor Pickering stressed that the Council was bound by Government requirements to use the standard method of assessment, which currently set the figure at just over 600 dwellings. The Local Plan must reflect this figure unless robust evidence was provided to justify a lower number. If a Local Plan was submitted without such evidence, it would be rejected by Government, and a plan could be imposed. Therefore, the Council would continue to review the position until submission, but compliance with the standard assessment was mandatory.

As a supplementary question, Councillor A Dale welcomed that it would continue to be reviewed and asked whether factors such as Office for National Statistics population projections, build-out rates, the extent of Green Belt and Peak District National Park within the district, and the rural character and infrastructure limitations would be considered as part of the evidence gathering process.

Councillor S Pickering agreed these were valid points and confirmed that infrastructure and transport considerations would be included in the Local Plan, which set the framework for the next 30 years. He emphasised the need for constructive work at the Local Plan Working Group to develop a strong evidence base.

COU To consider any Motions from Members under Procedure Rule No 10
/48/2

5-26 The Chair confirmed that three Motions had been submitted and that he would take Motion C first.

Motion C – Submitted by Councillor D Hancock

Council notes with concern the recent decision to prohibit fishing at Wingerworth Lido. The Lido is a long-standing community asset, valued for recreation, wellbeing and heritage. For generations, fishing has been an important activity enjoyed by residents of all ages.

Council recognises that decisions affecting such amenities must be taken in a transparent manner, with clear evidence and proper consultation. In this case, many residents feel that the reasoning behind the decision to stop fishing has not been adequately explained or tested in public. This lack of openness risks undermining trust between the Council and the communities it serves.

Council further notes:

- The health and wellbeing benefits associated with angling and outdoor activity.
- The cultural and historic importance of the Lido to Wingerworth residents.
- The expectation from residents that significant changes to local amenities should involve meaningful consultation before final decisions are taken.

Council therefore resolves to:

1. Review the decision to prohibit fishing at Wingerworth Lido, ensuring that the process is transparent, evidence-based, and includes consideration of environmental, maintenance and safety concerns.
2. Undertake a public consultation with residents and local stakeholders on the future use and management of the Lido, including the question of fishing, so that community voices are central to shaping its future.
3. Report back to Council with recommendations that balance environmental stewardship, community wellbeing, and the wishes of residents, ensuring that the outcome is transparent and clearly communicated.

By adopting this approach, the Council can rebuild confidence, ensure fairness in its decision-making, and protect the Lido as a much-loved part of Wingerworth's community life.

Councillor D Hancock moved the Motion. Councillor Hancock talked about the benefits of permitting fishing at the Lido and stated that it was not just the outcome but also the process that had caused concern. This Motion was about conducting a proper consultation and finding a fair middle ground by bringing everyone to the table.

Councillor R Shipman seconded the Motion. He spoke about his and the community's concern regarding the decision to end fishing. He wanted a review that was transparent, and community led, involving stakeholders, Wingerworth

and the wider District. He also stated that the Council was at risk of legal action over this matter.

Councillor N Baker spoke in support of the Motion. He spoke regarding concerns about the process and lack of transparency.

Councillor J Barry spoke and provided details of the timeline of the decision. She stated that the Council had been in correspondence with Clay Cross Angling Club regarding the potential non-renewal of its lease since September 2024, following a report to Asset Management Board (AMB) in August 2024. The lease had originally been granted in 2005 and needed to be reviewed. The AMB considered a number of complaints and representations from the community and sought the views of the three Wingerworth Ward Members. Three months had been allowed for member feedback and in accordance with the expired agreement, the Council then issued a six month notice to quit. Councillor Barry stated that this had been a robust and considered process. The angling club had been given three months' notice of the intention to serve notice and nine months in advance of the fishing rights ending. She added that the process to set up a Friends of Wingerworth Lido Group was already underway.

Councillor J Barry proposed, and Councillor N Barker seconded the following amendment:

Amend the Council resolves section of the Motion, to read:

Council resolves to:

1. Invite the Environment Scrutiny Committee to review the decision of the Asset Management Board regarding the future use of Wingerworth Lido.
2. Ask that Committee to seek the views of stakeholders, including those of local residents and groups, the Parish Council, ward members and the Clay Cross Angling Club before reaching a decision.
3. Submit its conclusions and any recommendations to the Asset Management Board for consideration.

In seconding the amendment Councillor N Barker stated that the Council was not anti-fishing and fully accepted the benefits of angling. He stated that he had been contacted by a number of different people and groups who had expressed different preferences for what to do at the Lido.

Councillor Liggett asked why biodiversity could not run alongside angling.

Councillor A Dale spoke about people in the countryside feeling their way of life was under attack and issues around the governance and transparency of the Asset Management Board. Councillor Dale asked if Councillor J Barry would accept an amendment to report back to full Council to ensure transparency. Councillor Barry did not accept this proposed amendment.

Councillor F Adlington-Stringer spoke about the process that had already been ongoing for a year, and that it needed to be moved forward with everyone involved.

Councillor M Thacker MBE JP expressed concerns regarding a licence being

revoked and stated that he could only support the amendment with more information provided on the framework and timescales for the review.

Councillor M Foster expressed concerns regarding the lack of transparency.

Councillor R Shipman and N Baker spoke against the amendment.

Councillor K Gillott spoke to the amendment and suggested adding a fourth point, to require Asset Management Board to report its conclusion and any action it proposes to take back to the Environment Scrutiny Committee.

Councillor J Barry confirmed she was happy to accept the suggestion and add the fourth point to her amendment.

Councillor D Hancock stated that he would not support the amendment because the process was flawed. He would not accept the Motion unless it was agreeing to come back to Council; not coming back to Council was an attempt to hide what was going on.

In accordance with Council Procedure Rule 14.4 Councillor M Foster requested a recorded vote. This was supported by Councillors D Hancock and R Shipman.

For: 26

Councillors N Barker, J Barry, G Baxter, R Beech, D Cheetham, K Clegg, A Cooper, S Cornwell, M Durrant, S Fawcett, C Fletcher, C Gare, K Gillott, L Hartshorne, D Higgon, P Kerry, C Lacey, T Lacey, F Petersen, S Pickering, K Rouse, D Skinner, Caroline Smith, Christine Smith, M Smith, L Stone

Against: 18

Councillors F Adlington-Stringer, P Antcliff, N Baker, S Clough, C Cupit, A Dale, L Deighton, P Elliott, M Foster, D Hancock, P Jones, W Jones, H Liggett, M Roe, R Shipman, R Spooner, M Thacker, R Welton

The amendment was passed and became the substantive Motion.

Councillor F Adlington-Stringer stated that the best approach would be to have a community group, such as the Friends of Wingerworth Lido, who would make the decision.

Councillor C Cupit urged Cabinet to reflect on the debate and improve engagement.

Councillor D Hancock stated that he was disappointed but there was some form of consultation in the Motion to be voted upon so he would now support it.

The Motion was put to the vote and passed.

RESOLVED -

Council notes with concern the recent decision to prohibit fishing at Wingerworth Lido. The Lido is a long-standing community asset, valued for recreation, wellbeing and heritage. For generations, fishing has been an important activity

enjoyed by residents of all ages.

Council recognises that decisions affecting such amenities must be taken in a transparent manner, with clear evidence and proper consultation. In this case, many residents feel that the reasoning behind the decision to stop fishing has not been adequately explained or tested in public. This lack of openness risks undermining trust between the Council and the communities it serves.

Council further notes:

- The health and wellbeing benefits associated with angling and outdoor activity.
- The cultural and historic importance of the Lido to Wingerworth residents.
- The expectation from residents that significant changes to local amenities should involve meaningful consultation before final decisions are taken.

Council resolves to:

1. Invite the Environment Scrutiny Committee to review the decision of the Asset Management Board regarding the future use of Wingerworth Lido.
2. Ask that Committee to seek the views of stakeholders, including those of local residents and groups, the Parish Council, ward members and the Clay Cross Angling Club before reaching a decision.
3. Submit its conclusions and any recommendations to the Asset Management Board for consideration.
4. To require Asset Management Board to report its conclusion and any action it proposes to take back to the Environment Scrutiny Committee.

Motion A – Submitted by Councillor S Fawcett

Rosh Hashanah

Council notes that Rosh Hashanah begins today at sundown, marking the Jewish New Year—a time of reflection, renewal, and hope. We wish all Jewish residents Shanah Tovah U'Metukah—a good and sweet New Year.

Although only around 100 residents in North East Derbyshire identify as Jewish, they are a valued part of our community. Council reaffirms its commitment to ensuring this district is a safe and welcoming place for all.

Council recognises that antisemitism is rising sharply. The Community Security Trust (CST) recorded 4,103 antisemitic incidents in 2023, the highest annual total on record, with further escalation this year. Incidents have been reported locally, including antisemitic graffiti and intimidation in Chesterfield, proving this hatred is not confined to large cities.

The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, adopted by this Council, states that antisemitism can include anti-Zionist rhetoric that denies Jewish people the right to self-determination. Legitimate criticism of any government is welcome, but language that delegitimises Israel or Jewish identity fuels antisemitism.

Through its role in the Community Safety Partnership (CSP), covering a county

with over 1,000 Jewish residents, this Council is well placed to embed antisemitism awareness into safety and cohesion strategies.

Council resolves to:

1. Publicly reaffirm, through this motion, warm wishes for a sweet New Year to Jewish residents and communities in Derbyshire.
2. Reaffirm adoption of the IHRA definition of antisemitism and endorse its use as a framework for recognising and addressing prejudice.
3. Request the CSP to embed antisemitism awareness in policing and safety strategies, with regular monitoring and review by the Communities Scrutiny Committee.
4. Reject antisemitism in all its forms and work with the Jewish community and CST to prevent and respond to incidents

Councillor Fawcett moved the Motion in recognition of the Jewish New Year, emphasising reflection and resolved. He highlighted the significance of Jewish life as part of British life and referenced recent incidents, including the 7 October 2023 attack—the largest single attack since the Holocaust—and recent hate crimes in the UK. He stressed the role of education and the Community Safety Partnership (CSP) in preventing hate crime and reaffirmed the Council's adoption of the IHRA definition of antisemitism.

Councillor N Barker seconded the Motion and extended warm wishes to the Jewish community and all faiths. He highlighted rising hate crime statistics nationally, including against Muslims. He asked Councillor S Fawcett to accept a friendly amendment to reorder the resolved and change the wording to support all victims of hate crime. The proposed amendment was:

Council resolves to:

1. Publicly reaffirm, through this Motion, warm wishes for a sweet New Year to Jewish residents and communities in Derbyshire.
2. Reaffirm adoption of the IHRA definition of antisemitism and endorse its use as a framework for recognising and addressing prejudice.
3. Reject antisemitism in all its forms and work with the Jewish community and CST (Community Security Trust) to prevent and respond to incidents.
4. Request the Communities Scrutiny Committee to review how this Council, its CSP (Community Safety Partnership) and partners, work to tackle antisemitism and any form of hate crime, including ensuring awareness of it is embedded in its policies and strategies and to submit any recommendations it may reach to Cabinet.

Councillor Fawcett accepted the amendment proposed by Councillor N Barker.

Councillors D Hancock spoke about the right to live free from hate and the need to respect faith without reducing individuals to identity alone. Councillor A Dale supported recognising antisemitism whilst broadening the Motion to address all hate crime. He stressed that internal politics should be separated from local community relations. Councillor M Thacker MBE advocated for practical council action to promote inclusion and improve residents' lives. Councillor M Durrant welcomed the amended Motion, emphasising that one victim was too many and committed to progressing the work through Communities Scrutiny Committee.

Councillor F Adlington Stringer spoke about the need for unity and proposed a friendly amendment to include tackling anti-Palestinian racism. Councillor S Fawcett declined the proposed amendment, citing the need to avoid international political divisions.

The Motion was put to the vote and passed.

RESOLVED –

Rosh Hashanah

Council notes that Rosh Hashanah begins today at sundown, marking the Jewish New Year—a time of reflection, renewal, and hope. We wish all Jewish residents Shanah Tovah U'Metukah—a good and sweet New Year.

Although only around 100 residents in North East Derbyshire identify as Jewish, they are a valued part of our community. Council reaffirms its commitment to ensuring this district is a safe and welcoming place for all.

Council recognises that antisemitism is rising sharply. The Community Security Trust (CST) recorded 4,103 antisemitic incidents in 2023, the highest annual total on record, with further escalation this year. Incidents have been reported locally, including antisemitic graffiti and intimidation in Chesterfield, proving this hatred is not confined to large cities.

The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, adopted by this Council, states that antisemitism can include anti-Zionist rhetoric that denies Jewish people the right to self-determination. Legitimate criticism of any government is welcome, but language that delegitimises Israel or Jewish identity fuels antisemitism.

Through its role in the Community Safety Partnership (CSP), covering a county with over 1,000 Jewish residents, this Council is well placed to embed antisemitism awareness into safety and cohesion strategies.

Council resolves to:

1. Publicly reaffirm, through this Motion, warm wishes for a sweet New Year to Jewish residents and communities in Derbyshire.
2. Reaffirm adoption of the IHRA definition of antisemitism and endorse its use as a framework for recognising and addressing prejudice.
3. Reject antisemitism in all its forms and work with the Jewish community and CST (Community Security Trust) to prevent and respond to incidents.
4. Request the Communities Scrutiny Committee to review how this Council, its CSP (Community Safety Partnership) and partners, work to tackle antisemitism and any form of hate crime, including ensuring awareness of it is embedded in its policies and strategies and to submit any recommendations it may reach to Cabinet.

Motion B – Submitted by Councillor R Shipman

This Council notes with concern the BBC report of 29 August 2025, which revealed that the Government has not undertaken any financial impact assessment of its proposals for local government reorganisation. Instead, Ministers are relying solely on an externally commissioned report prepared for the County Councils Network.

Council believes that proceeding with major structural changes to local government without an independent, government-led cost-benefit analysis is both irresponsible and contrary to the principles of transparency, accountability and prudent financial management. The absence of robust evidence risks significant cost to taxpayers, disruption to services, and undermines public confidence.

While North East Derbyshire District Council is committed to constructive engagement on the future of local government, any proposals must be:

- Based on clear, independently verified evidence;
- Demonstrably cost-effective; and
- Designed to preserve and strengthen local democratic accountability.

Council therefore resolves to:

1. Oppose the Government's current proposals for reorganisation until a full, independent financial impact assessment has been commissioned and published.
2. Call on the Secretary of State to delay any further decisions or implementation until such an assessment is completed and subject to proper public and parliamentary scrutiny.
3. Affirm this Council's willingness to work constructively with partners on any evidence-based reforms which genuinely improve efficiency and protect local democracy.
4. Write to the Secretary of State for Housing, Communities and Local Government, and to copy local MPs, the County Councils Network and the District Councils Network, to convey this Council's position.

Councillor Shipman moved the Motion, raising concerns about the ongoing process of local government reorganisation, citing lack of leadership, accountability, and financial impact assessment. The Motion called for a pause and reconsideration of the process.

Councillor Hancock seconded the Motion, stating that change without financial impact assessment was reckless. He highlighted that reorganisations elsewhere had failed to deliver savings, leaving residents to bear costs.

Councillors A Dale stated that he was not opposed to LGR in principle but criticized the rushed process. He stated that if savings were the sole aim, then existing boundaries could have been retained.

Councillor K Gillott stated that despite ministerial changes, the process continued on the same timescale. He urged Councillors to wait for the Council meeting in November when the full evidence would be presented.

Councillor M Thacker MBE JP expressed strong reservations about the process,

citing minimal public engagement and spiralling costs.

Councillor H Wetherall raised concerns about the financial benefits and democratic deficit and highlighted that simultaneous health reorganisation could create turbulence.

Councillor N Barker acknowledged the concerns but stressed that the process was underway and disengagement would be detrimental. He advocated for shaping the outcome rather than opposing it outright.

In his right of reply Councillor R Shipman argued that the Motion did not prevent engagement but signalled opposition to the current approach.

The Motion was put to the vote and lost.

COU Chair's Urgent Business

/49/2

5-26 There was no urgent business.

COU Exclusion of Public

/50/2

5-26 RESOLVED – that the public be excluded from the meeting during the discussion of the following item of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006).

COU Derby and Derbyshire Strategic Leadership Board - Revised Terms of Reference and Hosting

/51/2

5-26

The Managing Director and Head of Paid Service introduced a report to update and seek views from Council on the revisions to the terms of reference and hosting arrangements of the Derby and Derbyshire Strategic Leadership Board (D2 SLB).

Councillors H Wetherall and N Barker spoke on the item.

RESOLVED – That Council recommends to Cabinet:

- a) The approval of the revised terms of reference set out in Appendix 1.
- b) Agreement that South Derbyshire District Council (SDDC) acts as Host Authority in place of Derbyshire County Council (DCC).
- c) The approval of the annual payment to SDDC of £34,500 per annum for the purposes of hosting and providing hosting support. The sum to be paid from the Retained Business Rates (held by Derbyshire County Council as the Accountable Body) and to be uplifted by 5% per annum.
- d) The approval of the payment of £2,000 to SDDC from the Retained

Business Rates (held by Derbyshire County Council as the Accountable Body) for the purposes of obtaining advice and assistance in relation to the transfer of hosting of the Board and the revised terms of reference.

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 3 NOVEMBER 2025

Present:

Councillor Lee Hartshorne (Chair) (in the Chair)
Councillor Graham Baxter MBE (Vice-Chair)

Councillor Frank Adlington-Stringer	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Richard Beech
Councillor Joseph Birkin	Councillor David Cheetham
Councillor Kathy Clegg	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Suzy Cornwell
Councillor Charlotte Cupit	Councillor Alex Dale
Councillor Michael Durrant	Councillor Peter Elliott
Councillor Stuart Fawcett	Councillor Clive Fletcher
Councillor Mark Foster	Councillor Christine Gare
Councillor Kevin Gillott	Councillor David Hancock
Councillor Daniel Higgon	Councillor Pat Kerry
Councillor Carol Lacey	Councillor Tony Lacey
Councillor Heather Liggett	Councillor Nicki Morley
Councillor Fran Petersen	Councillor Stephen Pickering
Councillor Stephen Reed	Councillor Carolyn Renwick
Councillor Michael Roe	Councillor Kathy Rouse
Councillor Ross Shipman	Councillor Derrick Skinner
Councillor Mick Smith	Councillor Richard Spooner
Councillor Lee Stone	Councillor Helen Wetherall
Councillor Pam Windley	

Also Present:

L Hickin	Managing Director - Head of Paid Service
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance (Monitoring Officer)
A Smith	Legal Services Manager and Deputy Monitoring Officer
A Bryan	Governance Manager
T Fuller	Senior Governance Officer

COU Apologies for Absence

/52/2

5-26 Apologies for absence were received from Councillors Pat Antcliff, Neil Baker, Lilian Deighton, Michelle Emmens, Pam Jones, William Jones, Caroline Smith, Christine Smith, Jess Stokes, Kevin Tait, Martin Thacker MBE JP, and Richard Welton.

COU Declarations of Interest

/53/2

5-26 Councillor A Dale stated that he been granted a dispensation by Standards Committee, which enabled him to participate and vote in relation to the local government reorganisation when he would otherwise have a Disclosable

Pecuniary Interest because he was a Derbyshire County Councillor.

Councillor S Reed stated that as he was a Councillor and Cabinet Member at Derbyshire County Council he would abstain on the vote.

Councillors M Smith and J Barry both declared a Non-registerable Interest as employees of Derbyshire County Council.

COU Local Government Reorganisation Submission

/54/2

5-26

The Managing Director and Head of Paid Service, Director of Finance and Resources (Section 151 Officer), and Director of Growth and Assets delivered a comprehensive presentation regarding the proposed Local Government Reorganisation (LGR) for Derbyshire. The presentation encompassed a review of the preparatory steps leading to the interim submission, an overview of the evaluation criteria set by the Ministry of Housing, Communities and Local Government (MHCLG), a detailed outline of the proposal itself, the outcomes of the consultation process, the development of the various options considered, the financial rationale underpinning the proposal, and the proposed implementation approach.

Councillor N Morley left the meeting.

Councillors were given the opportunity to ask questions of officers.

Councillor R Shipman asked about the proposed reduction in democratic representation under the proposals. Using Clay Cross and Tupton as an example, it was noted that the current representation included nine councillors (district and county), which would reduce to two under the new model. Officers responded, acknowledging the reduction and its potential impact. The need for change was emphasized and highlighted the current complexity of managing 447 councillors across 10 authorities in Derbyshire. The proposal aimed to streamline governance and improve efficiency.

Councillor R Shipman also asked about the financial impact of council tax harmonisation, specifically the increase for North East Derbyshire residents if harmonised to the highest rate. The officer responded that modelling had been completed and could be shared with members. The decision on harmonisation would rest with the new council and would depend on its Medium-Term Financial Plan (MTFP). Multiple scenarios had been modelled, including highest rate, lowest rate, and weighted average.

Councillor R Shipman asked a further question about the total debt of councils involved in the proposed North Derbyshire unitary authority, particularly under the worst-case scenario. The officer noted that most debt was Housing Revenue Account (HRA) related and tied to properties. It was approximately £560 million and included in the submission documentation.

Councillor R Shipman's final question was regarding the independent financial assessments conducted on the four models submitted to government. The officer confirmed that financial risk assessments had been completed, including input from all nine Section 151 officers, KPMG (including their QA team), and independent consultants. These assessments were documented in the financial

risk register.

Councillor A Dale expressed appreciation to officers for their work on the LGR presentation and their ongoing contributions throughout the process. It was noted that North East Derbyshire had played a significant role and had been highly engaged. He observed that while LGR was being presented as a move toward greater efficiency, it appeared that residents may face increased council tax. It was noted that projected savings may be absorbed by existing budget shortfalls, rather than resulting in reduced costs for residents. He highlighted that North East Derbyshire was currently the second highest in council tax rates in the area, behind Bolsover, suggesting that the impact on local residents may be less severe than in other districts. Officers confirmed that North East Derbyshire sat in the middle of the proposed harmonisation range. The final impact would depend on the new council's budget and chosen harmonisation model. Officers acknowledged the financial risks, referencing Appendix 2 of the submission, which outlined assumptions and associated risks. A financial risk register had been developed, identifying delivery risks and modelling savings primarily in years three and four to reflect realistic implementation timelines. The most significant risk identified was the alignment of staffing, terms and conditions across the new authority, and the integration of IT systems.

Councillor S Fawcett thanked officers for their work and stated that there was often public confusion stemming from the two-tier local authority system, and residents sometimes struggled to distinguish between district and county responsibilities. He stated that the issue of land ownership and asset management was an area where clarity and community involvement was needed, emphasizing the importance of enfranchising parish councils. He asked a question regarding the principles that would guide disposals during the transition to the new authority. Officers confirmed that at some point a freeze date would be established following the issue of a Structural Changes Order by the Government. After this point, major decisions, would be made by the new organisation. In the interim, Section 151 officers were working to develop guiding principles to ensure decisions were made sensibly and collaboratively across the current authorities. Officers stressed that business as usual would continue, and decisions would remain aligned within existing policies and strategies, including the Strategic Asset Management Plan.

Councillor S Fawcett also asked about the level of debt. Officers stated that Derbyshire's overall debt position was healthy, but with significant differences between authorities based on whether they held HRAs. The key concern was not the debt itself but the ability to service interest payments, especially under increasing pressure.

Councillor M Foster raised concerns regarding the language used around council tax harmonisation, that it presented an opportunity to generate additional income. He suggested that the language implied a predisposition toward increasing council tax. Officers responded that the modelling presented was purely financial and based on assumptions necessary for planning purposes. Final decisions regarding council tax harmonisation would be made by the two new councils, based on their respective Medium-Term Financial Plans (MTFPs).

Councillor H Wetherall asked about how risk management and benefit realisation

would be handled and communicated. Officers stated that the choice was not simply between raising council tax or maintaining the status quo but rather addressing the unsustainable trajectory of current service delivery under the two-tier system. Risk management would be handled proficiently and technically, whilst benefit realisation required strong leadership and strategic vision from both officers and elected members. Internally, staff have been kept informed through employee liaison groups, trade union engagement, and balanced messaging. The officer stressed that the goal was not merely structural change (e.g., fewer councillors or managers), but the creation of a more agile and responsive governance model that better served communities.

Councillor H Wetherall also asked about budget implications, specifically regarding services like SEND and children's social care, which were currently underwritten by central government. Officers responded that the statutory override currently in place for SEND and children's social care deficits had been extended to April 2028, but this was not a long-term solution. The financial risk associated with this had been included in the proposal's risk register, with a request for continued support until the new authority was stable. Officers also confirmed that financial modelling had been based on the status quo, as the details of the upcoming Children's Act were not yet known.

Councillor A Dale raised a query regarding another district council's budget allocation to support joint working on LGR. Officers responded that the Council currently held sufficient reserves should further funding be required and if any further financial provision was needed this would be brought forward as part of the MTFP once any requirements were better understood.

Councillor N Barker thanked officers for all their work on this project. He stated that the initial reaction had been disappointment and frustration; however, the Council had chosen to engage constructively to secure the best outcome for North East Derbyshire. The process had involved extensive meetings, consultations, and communications with ministers, all of which had confirmed that reorganisation was progressing and not likely to be withdrawn. He emphasised that the reorganisation was only the beginning of a broader transformation in local government. The goal was to create joined-up, seamless services built around real people. He stressed the importance of financial resilience, sustainable use of public funds and transparent service delivery. He stated that the creation of mayoral authorities had highlighted the unsustainability of current structures, particularly the limited influence of district councils. The proposed unitary authorities were expected to strengthen regional representation and improve integration with the mayoral framework.

Councillor N Barker went on to highlight key statements from the proposal document, including the opportunity to create a brighter and more responsive future, unify and coordinate social care, and sharpen focus on wellbeing and prevention to address inequalities. He talked about the evaluation of the options and why he considered Option A1 to be the way forward. He stated that option A1 built on the strength of option A, reflected both technical data and lived experience, used parish boundaries for clarity, offered strategic flexibility for Derby City's growth, and aligned with government criteria and community realities.

Councillor N Barker moved the following Motion:

‘That Council recommends to Cabinet that the proposal for local government reorganisation in Derbyshire “Case for Change” is approved and submitted to government on or before 28th November 2025 with option A as the base case supported by modification A1 as the preferred boundary option.’

Councillor P Kerry seconded the Motion.

Councillor D Hancock expressed his concerns regarding the LGR proposal. He stated that the proposal did not reflect a people first approach, despite claims to the contrary. Councillor Hancock stated that the proposed change would significantly dilute democratic representation. The complexity of merging multiple authorities with distinct operational cultures, particularly in housing and environmental services, was highlighted. Examples from other reorganisations were cited, noting prolonged transitional periods, cultural misalignment and delayed savings. Councillor Hancock challenged the framing of the “do nothing” option in the report, noting that legislation did not require a proposal to be submitted and that he would not vote for the proposal.

Councillor G Baxter left the meeting.

Councillor F Adlington-Stringer spoke, expressing concerns on the proposed LGR, raising concerns about democratic representation, service delivery, and the impact on younger residents. The proposal would result in the loss of valuable local knowledge and erase North East Derbyshire from the map. He noted that the vote was symbolic, as the final decision rested with central government. He also expressed scepticism about promised efficiencies, citing previous examples when efficiencies had failed to materialise. Councillor Adlington-Stringer concluded by thanking council staff for their work and dedication.

Councillor M Foster reaffirmed his longstanding opposition to LGR. He stated that he was supportive of shared services but emphasised the importance of maintaining local accountability. He also expressed concern that Neighbourhood Area Committees lacked detail and would not be embedded in day-to-day decision-making. He noted that 49% of consultation respondents had disagreed with the proposal, citing loss of local accountability. Councillor Foster expressed doubt that the savings would materialise, and the proposal could potentially cost more than it saved.

Councillor C Cupit stated that she had previously supported exploration of reorganisation when a County Councillor but none of the options presented offered a clear, workable solution. She highlighted the low level of public engagement, with fewer than 1% of residents submitting responses to the consultation, and only 35% of respondents in Amber Valley supporting Option A. She also expressed discomfort with the idea of separating Amber Valley to facilitate Derby City’s expansion, arguing that such a decision should rest with Amber Valley itself. Councillor Cupit proposed that rather than submitting a preferred option, the Council should submit a formal response acknowledging the divided views and request that the government support a referendum to provide a clearer democratic mandate.

Councillor A Dale spoke against the Motion, stating that he did not object to LGR in principle but expressed concern about the current proposal. He referred to the absence of alternative models, such as a county/city option, which had not been presented for consideration. It was suggested that the proposal could be made more localised, particularly in areas like social care, which was inherently locality based. He argued that residents were more concerned with service quality than the administrative location of service delivery. He noted that none of the options presented would resolve long-standing challenges in SEND, adult social care, and children's services, which required national reform rather than structural reorganisation.

Councillor S Pickering spoke about the significance of the issue under discussion and described his initial reaction to the announcement as one of shock and stated he continued to hold concerns and reservations. He also raised concerns about the potential loss of local democracy, citing past experiences where district-level advocacy was necessary to prompt county-level action. Councillor Pickering noted that there was little difference between the options overall, but expressed a preference for Option A1, citing the need to begin spending from day one and a more balanced distribution of resources.

Councillor M Durrant thanked council officers for their hard work and acknowledged the potential job losses under the proposed changes and emphasised that the proposal was not a panacea, especially in areas such as SEND. Councillor Durrant stated that rejecting all options outright would not halt the process. Instead, the council should aim to steer the reorganisation to secure the best possible outcome for North East Derbyshire residents.

Councillor H Wetherall spoke on the Motion. She noted that for some larger services, the reorganisation could potentially improve representation and agreed that reform of local government was necessary but expressed concern about the astronomical cost of the current proposal. Councillor Wetherall also spoke about the projected 3% savings, highlighting scepticism about whether they would be realised.

Councillor R Shipman spoke against the Motion and stated the proposal was not in the best interests of residents. He stated that the proposal would weaken local democracy, removing a valuable tier of local government. He stressed that the public opposition must be acknowledged and respected and the loss of hundreds of councillors was a significant democratic deficit. Councillor Shipman questioned the projected 3% savings, suggesting the margin was so small it could easily be negated by cost overruns.

Councillor K Gillott talked about his previous opposition to reorganisation. He highlighted the emergence of a three-tier system with the introduction of the Mayor, noting that district councils no longer had a seat at the top decision-making table. He stated that he had attended the last EMCCA Board meeting as a public observer and expressed concern that billions of pounds were being spent without direct district representation. Councillor Gillott talked about his 28 years serving in local councils and acknowledged the difficulty in seeing them potentially dissolved. He emphasised the commitment to serving the community, not just the Council, and acknowledged that this involved making difficult decisions. He cited Storm Babet and issues in Clay Cross as examples of fragmented service

responsibilities between authorities, as well as Disabled Facilities Grant, and planning processes as current service delivery challenges. The current system was no longer working, especially with the permanence of mayoral governance, and expressed support for Option A1, stating it was the best choice for North East Derbyshire residents, while acknowledging that Option B1 may be more suitable for southern areas. Councillor Gillott emphasised the need to submit a base option with potential for modification, rather than relying solely on scoring metrics.

Councillor N Barker expressed sympathy with some of the concerns raised during the meeting but acknowledged the current position and the need to act in the best interests of North East Derbyshire.

The Motion was put to the vote and passed.

RESOLVED - That Council recommends to Cabinet that the proposal for local government reorganisation in Derbyshire “Case for Change” is approved and submitted to government on or before 28th November 2025 with option A as the base case supported by modification A1 as the preferred boundary option.

COUNCIL

MINUTES OF MEETING HELD ON TUESDAY, 11 NOVEMBER 2025

Present:

Councillor Lee Hartshorne (Chair) (in the Chair)
Councillor Graham Baxter MBE (Vice-Chair)

Councillor Frank Adlington-Stringer	Councillor Neil Baker
Councillor Nigel Barker	Councillor Jayne Barry
Councillor Richard Beech	Councillor Joseph Birkin
Councillor David Cheetham	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Suzy Cornwell
Councillor Charlotte Cupit	Councillor Alex Dale
Councillor Peter Elliott	Councillor Clive Fletcher
Councillor Christine Gare	Councillor Kevin Gillott
Councillor David Hancock	Councillor Daniel Higgon
Councillor Pat Kerry	Councillor Carol Lacey
Councillor Tony Lacey	Councillor Heather Liggett
Councillor Fran Petersen	Councillor Stephen Pickering
Councillor Stephen Reed	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Ross Shipman
Councillor Derrick Skinner	Councillor Caroline Smith
Councillor Christine Smith	Councillor Mick Smith
Councillor Jessica Stokes	Councillor Lee Stone
Councillor Martin E Thacker MBE JP	Councillor Richard Welton
Councillor Helen Wetherall	Councillor Pam Windley

Also Present:

L Hickin	Managing Director - Head of Paid Service
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance (Monitoring Officer)
A Smith	Legal Services Manager and Deputy Monitoring Officer
A Bryan	Governance Manager
M E Derbyshire	Members ICT & Training Officer

At the start of the meeting the Council observed a minute's silence to mark Armistice Day.

COU Apologies for Absence

/55/2

5-26 Apologies were received from Councillors Pat Antcliff, Kathy Clegg, Michael Durrant, Michelle Emmens, Stuart Fawcett, Mark Foster, Pam Jones, William Jones, Nicki Morley, Carolyn Renwick, Richard Spooner, and Kevin Tait.

COU Declarations of Interest

/56/2

5-26 There were no declarations of interest.

Requisition to call an Extraordinary Meeting of Council under Section 3.1 of the Constitution

The Chair of the Council had agreed to a requisition, signed by five Members of the Council (Councillors R Shipman, D Hancock, P Antcliff, H Liggett, and R Spooner) to hold an Extraordinary Meeting of Council, as provided for under Section 3.1 of the Constitution, to consider and determine a Motion proposed by Councillor R Shipman.

As the Motion called to rescind a decision arising from a Motion moved and adopted at a Council meeting within the past six months, one third of all Councillors had to sign the notice of Motion, as set out in Section 13.1 of the Council Procedure Rules. The required number of signatures had been received, the following Councillors had signed: Councillors P Antcliff, H Liggett, R Spooner, P Windley, J Stokes, A Dale, R Welton, N Baker, M Foster, W Jones, P Jones, S Clough, D Hancock, R Shipman, M Roe, H Wetherall, C Renwick, and K Tait.

The Assistant Director of Governance and Monitoring Officer read out a statement in response to an email from Councillor D Hancock to all Members in advance of the meeting. This outlined the legal position and confirmed the professional view of both the Monitoring Officer and the external legal advisors that the motion of 22 September 2025 was lawful. It also confirmed that the Environment Scrutiny Committee could carry out this review without a motion from Council. A copy of the statement by the Monitoring Officer was tabled at the meeting. Members were offered the opportunity to ask any questions of clarity.

Councillor D Hancock queried what he believed to be an apparent contradiction in the advice; that only a court of judicial review would determine legality, yet the wording suggested that the Motion would not be found unlawful. The officer clarified that the phrase reflected professional opinion, including that of an external solicitor, and confirmed that only a court can make a legal determination.

Councillor K Gillott sought confirmation that the legal advice remained consistent throughout proceedings. It was confirmed that it had.

Questions were raised regarding whether Asset Management Board or Cabinet held authority for asset-related decisions. The Assistant Director of Governance and Monitoring Officer confirmed that under law and the Council's Constitution, formal decisions on assets could only be made by Cabinet. Asset Management Board may make recommendations or express opinions, but not formal decisions. It was also confirmed that the decision to terminate the lease had been made by an officer under delegated authority, not by Cabinet or Asset Management Board, and the final decision on the asset's future remained with Cabinet.

Questions were also raised regarding the wording of the Motion agreed at Council on 22 September 2025, asserting that it explicitly placed decision-making with the Asset Management Board. The Assistant Director of Governance and Monitoring Officer confirmed that constitutional law prevailed regardless of the wording.

A Councillor queried whether the alteration of an amendment complied with the Council Procedure Rules. The Assistant Director of Governance and Monitoring Officer responded that an amendment was a Motion, and consent had been

demonstrated by the vote that had been taken.

Motion A – Submitted by Councillor R Shipman

Council notes:

- Concerns that Clay Cross Angling Club are being asked to remove fish from Wingerworth Lido “without further delay.”
- NEDDC hasn’t paused the Friends of Wingerworth Lido group process while an open and transparent review is conducted by Environment Scrutiny Committee.
- Fishing is currently not allowed at Wingerworth Lido.
- NEDDC has not carried out any pond maintenance, or equality impact assessments or evaluated the environmental implications of any proposed changes.

Council resolves to:

- (1) Rescind Motion ‘C’ (Council on 22 September 2025)
- (2) Immediately allow Clay Cross Angling Club to maintain the welfare of the fish stock, and allow angling permits for Wingerworth Lido to be applied for (through NEDDC or Wingerworth Parish Council or an angling club), prohibit any fish removal or site alterations, and stop the Friends of Wingerworth Lido proposal.
- (3) Conduct an open and transparent public consultation on the Lido’s future including, but not limited to, the question of angling.
- (4) Report back to Full Council within 6 months on the consultations’ findings, and recommended implementation plan for approval and recommendation by Council, to Cabinet for a formal decision.
- (5) Conduct an Environmental Impact Assessment, and if the consultation leads to a proposed change of use, an Equality Impact Assessment.

Public Consultation plan

The Information and Improvement Team will lead an open and transparent consultation with the public and stakeholders to determine the future of the Lido.

1. Methods for feedback:

Online and In-person opportunities

2. Consultation Data Handling

- Information and Improvement Team to:
- Collate all responses.
- Fact-check submissions where required.

- Produce a comprehensive report summarising key findings.

3. Post-Consultation Process

- The Information and Improvement Manager will establish a multi-stakeholder Working Group (including NEDDC, WPC, CCAC, and community representatives).
- The Working Group will review the findings and develop a long-term plan for the Lido.

Councillor R Shipman moved the Motion and spoke regarding the delays in officers providing legal advice prior to the meeting, concerns over governance failures, procedural errors, and constitutional issues during the 22 September 2025 meeting. He asserted that Council had voted on instructions placing decision-making with the Asset Management Board, which had no constitutional authority to make formal decisions, which rendered the previous resolution ultra vires. He stated that there was public support for transparent consultation and interim reinstatement of angling at the Lido.

Councillor D Hancock seconded the Motion and stated that voting on wording that was factually incorrect made the motion invalid. He referenced *Anisminic v Foreign Compensation Commission* and *Credit Suisse v Allerdale Borough Council*. He stated that Council had voted on wording that misidentified the decision-maker which had created a constitutional defect and the remedy should be rescission and proper reconsideration, not retrospective interpretation. Councillor Hancock concluded that the Motion aimed to correct the record, ensure future consultation and decisions were lawful and transparent, and to protect the Council's integrity and mitigate reputational and legal risk.

Councillor H Wetherall thanked officers for all their work and referenced the core principles from the Code of Corporate Governance, including integrity, respect for the rule of law, openness, stakeholder engagement and transparency. She suggested restarting the process with clear community involvement and consultation.

Councillor N Barker reaffirmed that neither he nor the Council opposed fishing and the process aimed to meet legal obligations regarding biodiversity at the Lido, which was a designated Local Wildlife Site. He stressed that future plans could include fishing, alongside wider community involvement. Concern was expressed over the time and cost that had been spent on this and criticised claims of procedural unlawfulness, noting that the Monitoring Officer and external solicitors had confirmed that the Council had acted lawfully and constitutionally. He called the questioning of officer integrity and professionalism inappropriate. Councillor Barker stated that he wished to correct some inaccuracies. These included that the removal of fish had been instigated by the Council when in fact it was the Angling Association. He confirmed that the Council had engaged with all stakeholders and encouraged submissions to the Environment Scrutiny Committee and weekly maintenance inspections had continued. He highlighted the statutory biodiversity duty the Council had, and the ongoing work with Derbyshire Wildlife Trust. He concluded that rescinding the September decision was unnecessary given the scrutiny process and consultation was underway.

Councillor N Baker stated that Wingerworth Parish Council had not refused involvement, and offered to share experiences of permit administration but the Parish Council had not yet voted to take on responsibility. He stated there was a perception that meetings were taking place behind closed doors and advocated for temporary fishing arrangements until a full decision on the Lido's future could be made.

Councillor A Dale acknowledged that there was concern and a lack of clarity around the Asset Management Board processes but expressed discomfort at the tone towards officers and also between Councillors. He favoured resetting the process by rescinding the Motion and starting afresh, and called for lessons to be learnt including a review of the Asset Management Board governance.

As a point of personal explanation, Councillor D Hancock stated that he had not questioned officer integrity, he had only disagreed with the Monitoring Officer's interpretation of law. He also stated that he had not threatened judicial review as one had already been filed.

Councillor H Liggett expressed confusion at the comments about Derbyshire Wildlife Trust involvement, citing previous information that they only acted on its own land. She supported calls for transparency, suggesting a full reset. She also highlighted the coexistence of fishing and biodiversity at Ogston Reservoir, which was a SSSI site.

Councillor J Barry, as the Portfolio Holder for Growth and Assets, provided background information, including that complaints had been received about environmental concerns and antisocial behaviour. The lease with Clay Cross Angling Association had expired 14 years ago and was unfit for purpose. She cited the Environment Act 2021 obligations, which required biodiversity enhancement and conservation. The temporary pause of fishing had been necessary to assess ecological impact and to ensure the Council was complying with its statutory duties. She stated that external legal advice had confirmed that decisions and processes had been lawful but acknowledged that there was confusion over the Asset Management Board's role and a review of the Disposals and Acquisitions strategy, including Asset Management Board governance, had been initiated. Councillor Barry concluded that she would vote against the Motion, and the current scrutiny process should continue.

Councillor F Adlington Stringer expressed disappointment at the tone of the meeting, and raised concerns about the implications of the Motion, including halting the Friends of Wingerworth Lido group and pre-empting scrutiny outcomes. He proposed that the Motion should be taken in two parts, one vote to rescind the previous Motion, and the remaining provisions in a second vote.

Councillor S Reed was prepared to second the proposed amendment, but it was confirmed that it was not an acceptable amendment and the Motion would be taken as one vote.

Councillor S Pickering stated that the Motion agreed in September had already agreed a process for review and consultation, and it would go back to Cabinet and that process needed to be followed through. He added that rescinding the

Motion was unnecessary given the legal advice confirming lawfulness.

Councillor R Shipman, in his right of reply, criticised the lack of leadership and failure to challenge officers on the original decision-making, and emphasised that the Motion aimed to restore transparency and public confidence, not to seek political advantage. He reiterated his belief that the previous decision was constitutionally flawed, and the Motion presented a means to correct governance failures.

The Motion was put to the vote and lost.

North East Derbyshire District Council

Council

1 December 2025

Treasury Management Strategy Update, April – September 2025 (Q1 & Q2)

Report of the Deputy Leader of the Council with responsibility for Finance

Classification: This report is public

Report By: **Jayne Dethick, Director of Finance and Resources (S151 Officer)**

Contact Officer: **Jayne Dethick**

PURPOSE / SUMMARY

To present to Council a summary of the Treasury Management position for the first and second quarters of 2025/26.

RECOMMENDATIONS

1. That Council note the report concerning the Council's Treasury Management report for Quarter 2.

Approved by Cllr P Kerry, Deputy Leader with Responsibility for Finance

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details:

These are detailed in the attached report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

There are no legal issues arising directly from this report.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

There are no staffing issues arising directly from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none">Completed EIA stage 1 to be appended if not required to do a stage 2	No, not applicable, report for noting only.
Stage 2 full assessment undertaken <ul style="list-style-type: none">Completed EIA stage 2 needs to be appended to the report	No, not applicable
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Plan priorities;

- **A great place that cares for the environment**
- **A great place to live well**
- **A great place to work**
- **A great place to access good public services**

All

REPORT DETAILS

1 Background *(reasons for bringing the report)*

- 1.1 In January 2023, the Council adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Council to approve treasury management semi-annual and annual outturn reports.
- 1.2 As per the Code requirements, quarterly reporting of the treasury management indicators and the prudential indicators is now mandatory.

2. Details of Proposal or Information

Treasury Management

- 2.1 The treasury management function covers the borrowing and investment of Council funds. All transactions are conducted in accordance with the Council's approved strategy and the CIPFA Code of Practice. Good treasury management plays an important role in the sound financial management of the Council's resources.
- 2.2 The Council approved the 2025/26 Treasury Management Strategy at its meeting on 27 January 2025. Appendix 1 identifies the Treasury Management activity undertaken in the first two quarters of 2025/26. This includes reporting on the treasury management indicators as required by the Code such as the maturity structure of borrowing.

Prudential Indicators

- 2.3 Since 1 April 2023 there has been a requirement that monitoring of prudential indicators should be reported quarterly. Prudential Indicators are a means of demonstrating that capital expenditure plans are affordable to aid decision making. Appendix 2 identifies the impact on the Prudential Indicators from the treasury management activity in the first two quarters of 2025/26.

3 Reasons for Recommendation

- 3.1 To ensure that Council is kept informed of the latest position concerning treasury management.

4 **Alternative Options and Reasons for Rejection**

- 4.1 This report is concerned with monitoring the position against the Council's previously approved treasury management strategy. Accordingly, the report does not set out any options where a decision is required by Members.

DOCUMENT INFORMATION

Appendix No	Title
Appendix 1	Treasury Management Monitoring Q2 2025/26
Appendix 2	Prudential Indicators Monitoring Q2 2025/26
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

Treasury Management Report - Quarter 2 2025/26

Introduction

In January 2023, the Council adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Council to approve, as a minimum, treasury management semi-annual and annual outturn reports.

This report includes the requirement in the 2021 code of quarterly reporting of the treasury management prudential indicators.

The Council's treasury management strategy for 2025/26 was approved at a meeting on 27th January 2025. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's treasury management strategy.

External Context

Economic background: The first quarter was dominated by the fallout from the US trade tariffs and their impact on equity and bond markets. The second quarter, still rife with uncertainty, saw equity markets making gains and a divergence in US and UK government bond yields, which had been moving relatively closely together.

From late June, amid a UK backdrop of economic uncertainty, concerns around the government's fiscal position and speculation around the autumn Budget, yields on medium and longer term gilts pushed higher, including the 30-year which hit its highest level for almost 30 years.

UK headline annual consumer price inflation (CPI) increased over the period, rising from 2.6% in March to 3.8% in August, still well above the Bank of England's 2% target. Core inflation also rose, from 3.4% to 3.6% over the same period, albeit the August reading was down % from 3.8% the previous month. Services inflation also fell from July to August, to 4.7% from 5.0%.

The UK economy expanded by 0.7% in the first quarter of the calendar year and by 0.3% in the second quarter. In the final version of the Q2 2025 GDP report, annual growth was revised upwards to 1.4% y/y. However, monthly figures showed zero growth in July, in line with expectations, indicating a sluggish start to Q3.

Labour market data continued to soften throughout the period, with the unemployment rate rising and earnings growth easing, but probably not to an extent that would make the more hawkish MPC members comfortable with further rate cuts. In addition, the employment rate rose while the economic inactivity rate and number of vacancies fell.

The BoE's Monetary Policy Committee (MPC) cut Bank Rate from 4.5% to 4.25% in May and to 4.0% in August after an unprecedented second round of voting. The final 5-4 vote was for a 25bps cut, with the minority wanting no change. In September, seven MPC members voted to hold rates while two preferred a 25bps cut. The Committee's views still differ on whether the upside risks from inflation expectations and wage setting outweigh downside risks from weaker demand and growth.

The August BoE Monetary Policy Report highlighted that after peaking in Q3 2025, inflation is projected to fall back to target by mid-2027, helped by increasing spare capacity in the economy and the ongoing effects from past tighter policy rates. GDP is expected to remain weak in the near-term while over the medium term outlook will be influenced by domestic and global developments.

Arlingclose, the Council's treasury adviser, maintained its central view that Bank Rate would be cut further as the BoE focused on weak GDP growth more than higher inflation. One more cut is currently expected during 2025/26, taking Bank Rate to 3.75%. The risks to the forecast are balanced in the near-term but weighted to the downside further out as weak consumer sentiment and business confidence and investment continue to constrain growth. There is also considerable uncertainty around the autumn Budget and the impact this will have on the outlook.

Against a backdrop of uncertain US trade policy and pressure from President Trump, the US Federal Reserve held interest rates steady for most of the period, before cutting the Fed Funds Rate to 4.00%-4.25% in September. Fed policymakers also published their new economic projections at the same time. These pointed to a 0.50% lower Fed Funds Rate by the end of 2025 and 0.25% lower in 2026, alongside GDP growth of 1.6% in 2025, inflation of 3%, and an unemployment rate of 4.5%.

The European Central Bank cut rates in June, reducing its main refinancing rate from 2.25% to 2.0%, before keeping it on hold through to the end of the period. New ECB projections predicted inflation averaging 2.1% in 2025, before falling below target in 2026, alongside improving GDP growth, for which the risks are deemed more balanced and the disinflationary process over.

Financial markets: After the sharp declines seen early in the period, sentiment in financial markets improved, but risky assets have generally remained volatile. Early in the period bond yields fell, but ongoing uncertainty, particularly in the UK, has seen medium and longer yields rise with bond investors requiring an increasingly higher return against the perceived elevated risk of UK plc. Since the sell-off in April, equity markets have gained back the previous declines, with investors continuing to remain bullish in the face of ongoing uncertainty.

Over the period, the 10-year UK benchmark gilt yield started at 4.65% and ended at 4.70%. However, these six months saw significant volatility with the 10-year yield hitting a low of 4.45% and a high of 4.82%. It was a broadly similar picture for the 20-year gilt which started at 5.18% and ended at 5.39% with a low and high of 5.10%

and 5.55% respectively. The Sterling Overnight Rate (SONIA) averaged 4.19% over the six months to 30th September.

Credit review: Arlingclose maintained its recommended maximum unsecured duration limit on the majority of the banks on its counterparty list at 6 months. The other banks remain on 100 days.

Early in the period, Fitch upgraded NatWest Group and related entities to AA- from A+ and placed Clydesdale Bank's long-term A- rating on Rating Watch Positive. While Moody's downgraded the long term rating on the United States sovereign to Aa1 in May and also affirmed OP Corporate's rating at Aa3.

Then in the second quarter, Fitch upgraded Clydesdale Bank and also HSBC, downgraded Lancashire CC and Close Brothers while Moody's upgraded Transport for London, Allied Irish Banks, Bank of Ireland and Toronto-Dominion Bank.

After spiking in early April following the US trade tariff announcements, UK credit default swap prices have since generally trended downwards and ended the period at levels broadly in line with those in the first quarter of the calendar year and throughout most of 2024.

European banks' CDS prices has followed a fairly similar pattern to the UK, as have Singaporean and Australian lenders, while Canadian bank CDS prices remain modestly elevated compared to earlier in 2025 and in 2024.

Overall, at the end of the period CDS prices for all banks on Arlingclose's counterparty list remained within limits deemed satisfactory for maintaining credit advice at current durations.

Financial market volatility is expected to remain a feature, at least in the near term and, credit default swap levels will be monitored for signs of ongoing credit stress. As ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remain under constant review

Local Context

On 31st March 2025, the Council had net borrowing of £145.2m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while balance sheet resources are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31.3.25 Actual £m	31.3.26 Forecast £m
General Fund CFR	35.2	35.9
HRA CFR	164.2	198.4
Total CFR	199.4	234.3
Less: *Other debt liabilities	0	(0.8)
Borrowing CFR	199.4	233.5
External borrowing**	(161.3)	(168.5)
Internal borrowing	38.1	65.0
Less: Balance sheet resources	(50.1)	(75.0)
Net	12.0	10.0

* leases, PFI liabilities and transferred debt that form part of the Council's total debt

** shows only loans to which the Council is committed and excludes optional refinancing

The treasury management position at 30th September and the change over the six months is shown in Table 2 below.

Table 2: Treasury Management Summary

	31.3.25 Balance £m	Movement £m	30.9.25 Balance £m	30.9.25 Rate %
Long Term Borrowing – PWLB	161.3	6.7	168.0	3.92
Total Borrowing	161.3	6.7	168.0	3.92
Short-Term Investments	(12.0)	(14.0)	(26.0)	(4.06)
Cash and cash Equivalents	(4.1)	3.4	(0.7)	(3.90)
Total Investments	(16.1)	(10.6)	(26.7)	(4.04)
Net Borrowing	145.2	(3.9)	141.3	

Borrowing strategy and activity

As outlined in the treasury strategy, the Council's chief objective when borrowing has been to strike an appropriate risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary

objective. The Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

After substantial rises in interest rates since 2021 central banks have now begun to reduce their policy rates, albeit slowly. Gilt yields however have increased over the H1 period amid concerns about inflation, the UK government's fiscal position and general economic uncertainty.

The PWLB certainty rate for 10-year maturity loans was 5.38% at the beginning of the period and 5.53% at the end. The lowest available 10-year maturity certainty rate was 5.17% and the highest was 5.62%. Rates for 20-year maturity loans ranged from 5.71% to 6.30% during the period, and 50-year maturity loans from 5.46% to 6.14%. The cost of short-term borrowing from other local authorities has been similar to Base Rate during the period at 4.0% to 4.5%.

CIPFA's 2021 Prudential Code is clear that local authorities must not borrow to invest primarily for financial return and that it is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement and so may lead to new borrowing, unless directly and primarily related to the functions of the Council. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield unless these loans are for refinancing purposes. The Council has no new plans to borrow to invest primarily for financial return.

The PWLB HRA rate which is 0.4% below the certainty rate is available up to March 2026. This discounted rate is to support local authorities borrowing for the Housing Revenue Account and for refinancing existing HRA loans, providing a window of opportunity for HRA-related borrowing and to replace the Council's loans relating to the HRA maturing during this time frame. During 2025/26 the Council has utilised the PWLB HRA rate for all borrowing to date.

Loans Portfolio: On 30th September the Council held £168.0m of loans, an increase of £6.7m since 31st March 2025, as part of its strategy for funding previous and current years' capital programmes. Outstanding loans on 30th September are summarised in Table 3A below.

Table 3A: Borrowing Position

PWLB Borrowing	Maturity Profile 31 March 2025 £'000	Net Movement £'000	Maturity Profile 30 September 2025 £'000
Term			
12 Months	9,800	(8,850)	950
1 - 2 years	11,897	1,000	12,897
2 - 5 years	16,680	3,000	19,680
5 - 10 years	35,833	8,000	43,833
10 - 15 years	42,000	3,500	45,500
Over 15 years	45,090	0	45,090
Total PWLB Debt	161,300	6,650	167,950

The Council's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short-term and long-term borrowing was maintained.

There remains a strong argument for diversifying funding sources, particularly if rates can be achieved on alternatives which are below gilt yields + 0.80%. The Council will evaluate and pursue these lower cost solutions and opportunities with its advisor Arlingclose.

The UK Infrastructure Bank is one alternative source of funding which offers funding at gilt yields + 0.40% (0.40% below the PWLB certainty rate) and the possibility of more flexible funding structures than the PWLB. Funding from UKIB is generally only available for certain types of projects that meet its criteria of green energy, transport, digital, water and waste. The minimum loan size is £5 million.

Treasury Management Investment Activity

The CIPFA Treasury Management Code defines treasury management investments as those investments which arise from the Council's cash flows or treasury risk management activity that ultimately represents balances that need to be invested until the cash is required for use in the course of business.

The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £10.0 and £38.0 million due to timing differences between income and expenditure. The investment position is shown in table 4 below.

Table 4: Treasury Investment Position

Bank Name	Duration of Loan	B/Fwd 01/04/25 £000's	Amount Invested 2025/26 £000's	Amount Returned 2025/26 £000's	Balance Invested 30/09/25 £000's	Interest Received 30/09/25 £000's
Federated Fund 3	Call	3,000	2,606	(606)	5,000	(106)
Aberdeen Standard	Call	0	18,031	(13,031)	5,000	(31)
CCLA Public Sector Deposit Fund	1 Day Call	0	9,059	(4,059)	5,000	(59)
Aviva	Call	5,000	108	(108)	5,000	(108)
Invesco	Call	4,000	14,078	(13,078)	5,000	(78)
JP Morgan	Call	0	3,002	(3,002)	0	(2)
Goldman Sachs	Call	0	7,509	(7,509)	0	(9)
SSGA	Call	0	11,035	(10,035)	1,000	(35)
Total		12,000	65,428	(51,428)	26,000	(428)

Overnight Investments

The balance of the daily surplus funds can be placed as overnight investments with the Councils bank which is Lloyds. The maximum amount invested with Lloyds in the first two quarters of the financial year was £4.907m. There has been no breach of the £5m limit set in the Treasury Management Strategy. For clarity, this limit relates to the amount invested and doesn't include interest accruing as a result. The interest earned from daily balances up to 30 September 2025 is £49,591.43.

Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

As demonstrated by the liability benchmark in this report, the Council expects to be a long-term investor and treasury investments therefore include both short-term low risk instruments to manage day-to-day cash flows and longer-term instruments where limited additional risk is accepted in return for higher investment income to support local public services.

Bank Rate reduced from 4.50% to 4.25% in May 2025, followed by a further reduction to 4.00% in August 2025. Short term interest rates have largely followed these levels.

Money Market Rates ranged between 4.02% and 4.3% by the end of September 2025.

The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking in Table 5 below.

Table 5: Investment Benchmarking – Treasury investments managed in-house

	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return %
31.03.2025 30.09.2025	4.71	A+	81%	1	4.06
Similar Las/All LAs	4.53	A+	64%	53	4.06

*Weighted average maturity

Statutory override: Further to consultations in April 2023 and December 2024 MHCLG wrote to finance directors in England in February 2025 regarding the statutory override on accounting for gains and losses in pooled investment funds. On the assumption that when published regulations follow this policy announcement, the statutory override will be extended up until the 1st April 2029 for investments already in place before 1st April 2024. The override will not apply to any new investments taken out on or after 1st April 2024.

ESG policy: Environmental, social and governance (ESG) considerations are increasingly a factor in global investors' decision making, but the framework for evaluating investment opportunities is still developing and therefore the Council's strategy does not currently include ESG scoring or other real-time ESG criteria at an individual investment level. When investing in banks and funds, the Council will prioritise banks that are signatories to the UN Principles for Responsible Banking and funds operated by managers that are signatories to the UN Principles for Responsible Investment, the Net Zero Asset Managers Alliance and/or the UK Stewardship Code.

Non-Treasury Investments

The definition of investments in the Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e. management of surplus cash) are

categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).

Investment Guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG) and Welsh Government also includes within the definition of investments all such assets held partially or wholly for financial return.

The Council also held £13.264m of such investments in

- Loans to Rykneld Homes Ltd £6.238m
- Loans to Northwood Group Ltd £7.026m

The Council held £23.3m of investments made for commercial purposes

- Directly owned property £23.3m

These investments generated £2.063m of investment income for the Council after taking account of direct costs, representing a rate of return of 8.85% as at 30th September 2025.

Treasury Performance

The Council measures the financial performance of its treasury management activities both in terms of its impact on the revenue budget and its relationship to benchmark interest rates, as shown in table 6 below.

Table 6: Performance

	Actual £m	Budget £m	Over/ under	Actual %	Benchmark %	Over/ under
PWLB Borrowing	168.0	168.5	Under	3.92	4.86	Under
Total borrowing	168.0	168.5	Under	3.92	4.86	Under
Total debt	168.0	168.5	Under	3.92	4.86	Under
Investments (see table 4)	26.0	10.0	Over	4.04	4.50	Under
Total treasury investments	26.0	10.0	Over	4.04	4.50	Under

Compliance

The S151 Officer reports that all treasury management activities undertaken during the half year complied fully with the principles in the Treasury Management Code and the Council's approved Treasury Management Strategy. Compliance with specific investment limits is demonstrated in table 7 below.

Table 7: Investment Limits

	2025/26 Maximum per counterparty	30.09.25 Actual	2025/26 Limit	Complied?
The UK Government	Unlimited	£0m	n/a	Yes
Local authorities & other government entities	£5m	£0m	Unlimited	Yes
Secured investments	£5m	£0m	Unlimited	Yes
Banks (unsecured)	£5m	£0m	Unlimited	Yes
Building societies (unsecured)	£5m	£0m	£20m	Yes
Registered providers (unsecured)	£5m	£0m	£20m	Yes
Money market funds	£5m	£26.0m	Unlimited	Yes
Strategic pooled funds	£5m	£0m	£20m	Yes
Real Estate Investment Trusts	£5m	£0m	£20m	Yes
Other investments	£5m	£0m	£20m	Yes

Compliance with the Authorised Limit and Operational Boundary for external debt is demonstrated in table 8 below.

Table 8: Debt and the Authorised Limit and Operational Boundary

	Q2 2025/26 Maximum £m	30.09.25 Actual £m	2025/26 Operational Boundary £m	2025/26 Authorised Limit £m	Complied?
Borrowing	168.5	168.0	239.3	244.3	Yes
Total debt	168.5	168.0	239.3	244.3	Yes

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

Treasury Management Prudential Indicators

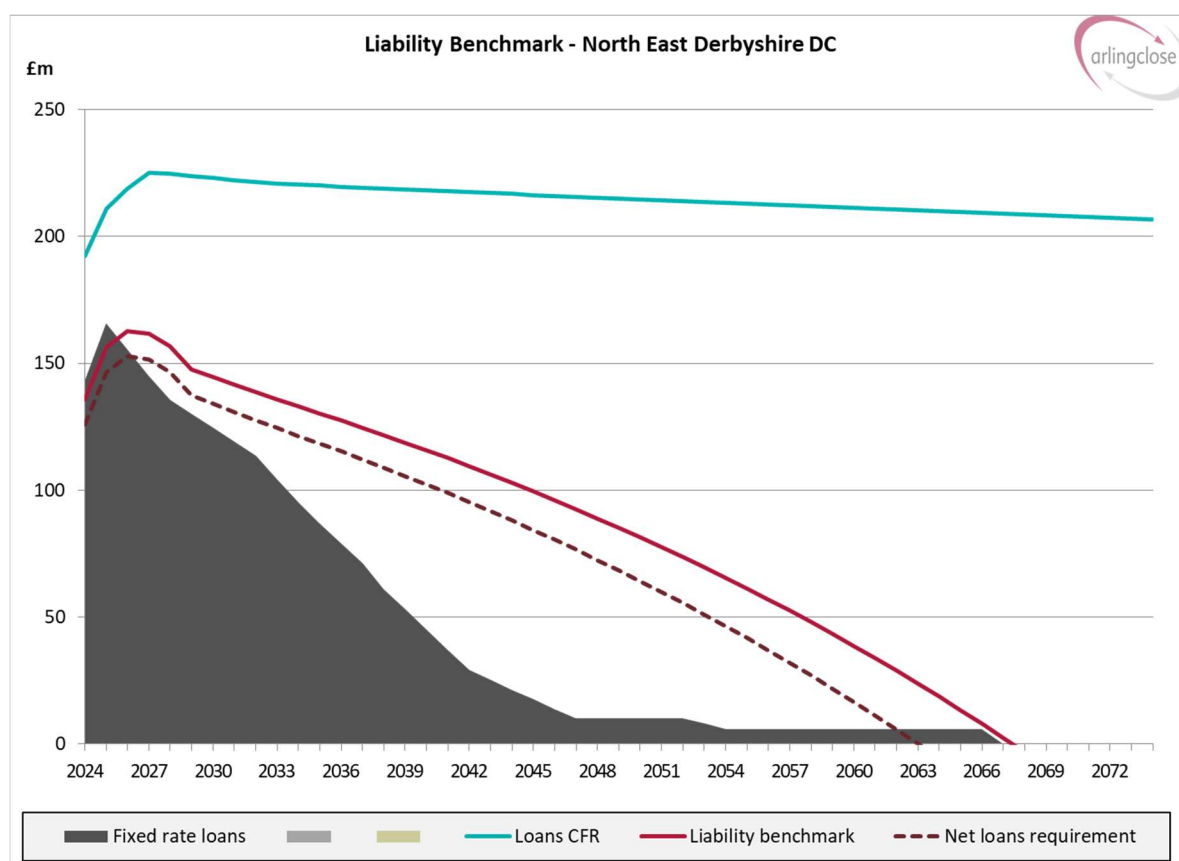
As required by the 2021 CIPFA Treasury Management Code, the Council monitors and measures the following treasury management prudential indicators.

1. Liability Benchmark:

This indicator compares the Council's actual existing borrowing against a liability benchmark that has been calculated to show the lowest risk level of borrowing. The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. It represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level of £10m required to manage day-to-day cash flow.

	31.3.25 Actual	31.3.26 Forecast	31.3.27 Forecast	31.3.28 Forecast
Loans CFR	199.4	234.3	237.0	234.0
Less: Balance sheet resources	(50.8)	(75.0)	(71.3)	(69.3)
Net loans requirement	148.6	159.3	165.7	164.7
Plus: Liquidity allowance	10.0	10.0	10.0	10.0
Liability benchmark	158.6	169.3	175.7	174.7
Existing borrowing	161.3	168.5	175.1	174.2

Following on from the medium-term forecast above, the long-term liability benchmark assumes capital expenditure funded by borrowing of £14.9m in 2025/26, minimum revenue provision on new capital expenditure based on a 50-year asset life. This is shown in the chart below together with the maturity profile of the Council's existing borrowing.



Whilst borrowing may be above the liability benchmark, strategies involving borrowing which is significantly above the liability benchmark carry higher risk.

2. Maturity Structure of Borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	Upper Limit	Lower Limit	30.09.25 Actual	Complied?
Under 12 months	20%	0%	5.81%	Yes
12 months and within 24 months	20%	0%	7.27%	Yes
24 months and within 5 years	40%	0%	11.10%	Yes
5 years and within 10 years	40%	0%	24.72%	Yes
10 years and above	90%	0%	51.09%	Yes

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

3. Long-term Treasury Management Investments: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The prudential limits on the long-term treasury management limits are:

	2025/26	2026/27	2027/28	No fixed date
Limit on principal invested beyond year end	£20m	£20m	£20m	£20m
Actual principal invested beyond year end	£0m	£0m	£0m	£0m
Complied?	Yes	Yes	Yes	Yes

Long-term investments with no fixed maturity date include strategic pooled funds, real estate investment trusts and directly held equity but exclude money market funds and bank accounts with no fixed maturity date as these are considered short-term.

Additional indicators

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	2025/26 Target	30.09.25 Actual	Complied?
Portfolio average credit rating	<3.0	4.00	No

Liquidity: The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing / it can borrow each period without giving prior notice.

	2025/26 Target £m	30.09.25 Actual £m	Complied?
Total cash available within 3 months	10.0	26.0	Yes

Interest Rate Exposures: This indicator is set to control the Council's exposure to interest rate risk.

Interest rate risk indicator	2025/26 Target	30.09.25 Actual	Complied
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£1.75m	£0.0m	Yes
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	(£1.75m)	£0.0m	Yes

For context, the changes in interest rates during the half year were:

	<u>01/04/25</u>	<u>30/09/25</u>
Bank Rate	4.50%	4.00%
1-year PWLB certainty rate, maturity loans	4.62%	4.38%
5-year PWLB certainty rate, maturity loans	4.74%	4.75%
10-year PWLB certainty rate, maturity loans	5.18%	5.33%
20-year PWLB certainty rate, maturity loans	5.68%	5.94%
50-year PWLB certainty rate, maturity loans	5.43%	5.78%

The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at new market rates.

Prudential Indicators - Quarter 2 2025/26

The Council measures and manages its capital expenditure, borrowing and commercial and service investments with references to the following indicators.

It is now a requirement of the CIPFA Prudential Code that these are reported on a quarterly basis.

Capital Expenditure:

The Council has undertaken and is planning capital expenditure as summarised below.

	2024/25 actual £m	2025/26 forecast £m	2026/27 budget £m	2027/28 budget £m
General Fund services	£20.696	£8.084	£2.004	£1.960
Council housing (HRA)	£33.035	£27.276	£24.717	£16.523
Capital investments	£0.000	£0.000	£0.000	£0.000
Total	£53.731	£35.360	£26.721	£18.483

The main General Fund capital projects to date have included General Asset Refurbishment Schemes, Mill Lane Asset Refurbishment Scheme, Coney Green Telephony System Replacement, Vehicle Replacement, Clay Cross Towns Fund Projects, the rebuilding of Sharley Park Active Community Hub, the fuel island project and Southern Vehicle Hub. HRA capital expenditure is recorded separately and to date includes capital works on Council Dwellings including the warm homes project, North Wingfield New build Project and Stonebroom replacement housing and a stock purchase programme.

Capital Financing Requirement:

The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP/loans fund repayments and capital receipts used to replace debt.

	31.3.2025 actual £m	31.3.2026 forecast £m	31.3.2027 budget £m	31.3.2028 budget £m
General Fund services	£35.173	£35.931	£31.745	£28.650
Council housing (HRA)	£164.191	£198.326	£205.320	£205.319
Capital investments	£0.000	£0.000	£0.000	£0.000
TOTAL CFR	£199.364	£234.256	£237.065	£233.969

Gross Debt and the Capital Financing Requirement:

Statutory guidance is that debt should remain below the capital financing requirement, except in the short term. The Council has complied and expects to continue to comply with this requirement in the medium term as is shown below.

	31.3.2025 actual £m	31.3.2026 forecast £m	31.3.2027 budget £m	31.3.2028 budget £m	Debt at 30.09.2025 £m
Debt (incl. PFI & leases)	£161.300	£168.500	£175.103	£174.209	£167.950
Capital Financing Requirement	£199.364	£234.256	£237.065	£233.969	

Debt and the Authorised Limit and Operational Boundary:

The Authority is legally obliged to set an affordable borrowing limit (also termed the Authorised Limit for external debt) each year. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit.

	Maximum debt Q2 2025/26 £m	Debt at 30.09.25 £m	2025/26 Authorised Limit £m	2025/26 Operational Boundary £m	Complied?
Borrowing	£168.500	£167.950	£244.260	£239.260	Yes
Total debt	£168.500	£167.950	£244.260	£239.260	Yes

Since the operational boundary is a management tool for in-year monitoring it is not significant if the boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

Net Income from Commercial and Service Investments to Net Revenue Stream:

The Council's income from commercial and service investments as a proportion of its net revenue stream has been and is expected to be as indicated below.

	2024/25 actual £m	2025/26 forecast £m	2026/27 budget £m	2027/28 budget £m
Total net income from service and commercial investments	1.212	0.978	0.828	0.703
Proportion of net revenue stream	7.20%	5.00%	4.19%	3.45%

Proportion of Financing Costs to Net Revenue Stream:

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue.

The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

	2024/25 actual	2025/26 forecast	2026/27 budget	2027/28 budget
Financing costs (£m)	(0.640)	0.720	1.099	1.293
Proportion of net revenue stream	(3.80%)	3.68%	5.56%	6.34%

Treasury Management Indicators:

These indicators (Liability Benchmark, Maturity Structure of Borrowing, Long-Term Treasury Management Investments) are within the TM Appendix 1 Treasury Management Q2 Monitoring 2025/26.

North East Derbyshire District Council

Council

1 December 2025

Adoption of the Council's Statement of Principles under the Gambling Act 2005

Report of the Joint Assistant Director for Environmental Health

Classification: This report is public

Report By: Charmaine Terry

Contact Officer: Charmaine Terry

PURPOSE / SUMMARY

To invite Council to adopt the revised draft Gambling Act 2005 Statement of Licensing Principles together with the draft Gambling Act 2005 Local Area Profile.

DECISION ROUTE AND REASON FOR DECISION BEING BROUGHT TO COUNCIL

The Statement of Licensing Principles under the Gambling Act 2005 is a matter reserved to Council and only Council can determine the matter.

RECOMMENDATIONS

1. That Council approves the final draft Gambling Act 2005: Statement of Principles and accompanying Local Area Profile, as recommended by the Licensing and Gambling Acts Committee, for adoption no later than 16 March 2026.
2. That Council authorises the Environmental Health Service Manager to take all necessary steps to publish and formally adopt the Gambling Act 2005: Statement of Principles and Local Area Profile in accordance with the statutory requirements set out in legislation.

Approved by the Portfolio Holder – Cllr S Pickering, Cabinet Member for Environment & Place

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details:

There will be a minor cost associated with the implementation of the policies. This can be accommodated from within existing budgets.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes ☒

No ☐

Details:

It is a legal requirement under the Gambling Act 2005 that a licensing authority prepare and publish a statement of principles every three years. Having a Policy which is up to date, compliant with the legislation, fit for purpose and clear to Licence Holders and Applicants could assist in implementing rules while preventing a legal challenge by way of appeal or judicial review.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐

No ☒

Details:

There are no staffing implications of the proposals in this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All

Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Yes, superseded by stage 2
Stage 2 full assessment undertaken <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	Yes, appended.
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Licensing and Gambling Acts Committee Public Stakeholders Portfolio Holder for Environmental Health and Licensing Senior Management Team

Links to Council Plan priorities, including Climate Change, Economic and Health implications.
All

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 Under *The Gambling Act 2005*, the Council is responsible for issuing premises licences for casinos, bingo halls, betting offices, adult gaming centres and licensed family entertainment centres, as well as permits for gaming machines in pubs, clubs and other alcohol licensed premises.
- 1.2 The Act sets out three licensing objectives, which the Authority must have regard to when acting in its capacity as the licensing authority. These objectives are central to the regulatory regime established by the Act and are:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 1.3 *The Gambling Act 2005* imposes a statutory duty upon North East Derbyshire District Council, as the Licensing Authority, to prepare a Statement of Principles (also referred to as the Policy). This Policy serves as the Council's tool for regulating gambling within the district and sets out the controls the Council considers necessary for the effective management of gambling activities. It also provides guidance to Members, applicants, responsible authorities, and the public, with the aim of promoting fair, consistent, and proportionate decision making.
- 1.4 *The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006* set out the requirements for the form and publication of the Policy.
- 1.5 The Act requires the Council to review and publish its Policy every three years. The revised Policy must be published at least four weeks before the current version expires. The existing Policy, along with a Local Area Profile ('LAP'), was published on 16 February 2023 and came into effect on 16 March 2023. To comply with legislative requirements, the Council must approve an updated Policy and publish it no later than 16 February 2026.
- 1.6 The Joint Environmental Health Service conducted a review of the existing Policy and LAP and identified several changes needed to ensure the Policy remains up to date, fit for purpose and consistent with the format used by neighbouring authorities.
- 1.7 Following consideration of the draft Policy and LAP by the Licensing and Gambling Acts Committee, a 12-week public consultation was held from 2 June 2025 to 24 August 2025. The consultation was published on the Ask Derbyshire website, publicised via the Council's website and social media platforms, and targeted a range of stakeholders through direct consultation.
- 1.8 Only one response was received during the consultation period, which expressed support for the revised Policy. The response was considered by the Licensing and Gambling Acts Committee on 14 October 2025.
- 1.9 The Committee noted the single supportive response to the consultation and viewed the overall lack of feedback as a positive indication that the revised Policy is fit for purpose and meets stakeholder' expectations. As a result, the Committee approved the draft Policy and LAP for consideration at Council.

2. Details of Proposal or Information

- 2.1 The revised draft Gambling Act 2005: Statement of Principles and Local Area Profile have been drafted in line with the legislation and current guidance issued by the Gambling Commission and can be found attached as **Appendix 1 and 2**.
- 2.2 The fundamental principles of the revised Policy remain the same, and the draft proposals aim to achieve the following:

- Modify the format of the Policy to ensure it remains cohesive and consistent with that of neighbouring local authorities;
 - Ensure the Policy is consistent with legislation and statutory guidance;
 - Increase the clarity of the Policy;
 - Update local demographics; and
 - Provide clarity on delegations.
- 2.3 Following an extensive public consultation and thorough member scrutiny, the final draft Policy and Local Area Profile were approved by the Licensing and Gambling Acts Committee on 14 October 2025, subject to final approval at Council.
- 2.4 To adopt the revised Policy and Local Area Profile, the Council must comply with the requirements set out in *The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006*. Specifically the Council must:
- Publish the revised Policy on the Council website for a minimum of four weeks prior to the date it comes into effect;
 - Make the revised Policy available for inspection at the Council offices for at least four weeks before it comes into effect, and
 - Display a notice of the Council's intention to publish the revised Policy on a public notice board located in or near the Council offices, no later than the first day the Policy is published in line with the requirements above.

3 Reasons for Recommendation

- 3.1 The Council has a statutory duty to prepare and publish a Statement of Principles under the Gambling Act 2005 every three years.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can choose not to prepare and publish a new Statement of Principles; however this would leave the authority open to successful legal challenge by way of appeal against decisions on licensing matters or judicial review.

DOCUMENT INFORMATION

Appendix No	Title
1	Final Draft GA 2005 Statement of Principles
2	Final Draft GA 2005 Local Area Profile
3	Equality Impact Assessment

Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)

[Derbyshire Joint Strategic Needs Assessment - Gambling](#)
[Gambling-related harms evidence review: summary - GOV.UK](#)

Statistical information from the Council's systems.

Gambling Act 2005
Statement of Licensing Principles
2025 – 2028
FINAL DRAFT

DRAFT

Equalities Statement

North East Derbyshire District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone** - [01246 231111](tel:01246231111)
- **Email** - connectne@ne-derbyshire.gov.uk
- **Text** - [07800 00 24 25](tel:07800002425)
- **BSL Video Call** – a three way video call with us and a BSL interpreter. It is free to call North East Derbyshire District Council with Sign Solutions, you just need wifi or mobile data to make the video call, or call into the offices at Wingerworth.
- Call with [Relay UK](#) – it is a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real time conversation with us by text.
- **Visiting** our [offices](#) at Wingerworth – 2013 Mill lane, [S42 6NG](#)

CONTROL SHEET FOR Gambling Act 2005 Statement of Licensing Principles

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Gambling Act 2005 Statement of Licensing Principles 2026-2029
Current status – i.e. first draft, version 2 or final version	Final Draft
Policy author (post title only)	Environmental Health Team Manager (Licensing)
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive
Relevant Cabinet Member (if applicable)	Steve Pickering
Equality Impact Assessment approval date	TBC
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Licensing Committee and Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

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PART A - Introduction and Scope

1.0 Introduction

- 1.1 Section 349(1) of the Gambling Act 2005 [“the Act”] imposes a statutory requirement upon North East Derbyshire District Council as the statutory Licensing Authority [“the Authority”] to prepare a Statement of Principles [“the Statement”] and to review and publish it every three years. The Statement will come into effect on **[DATE]** and will have effect until **[DATE]**. However, the Authority may review and alter the Statement from ‘time to time’ within that period. Any alterations will be consulted on and re-published.
- 1.2 This Statement of Principles will be published on the North East Derbyshire District Council website at www.ne-derbyshire.gov.uk.
- 1.3 The aim of the Authority in this Statement is to effectively manage the impact of gambling activities within the district and ensure they are conducted in a fair, responsible, safe and transparent manner, while minimising the potential harm to individuals and the community. The Statement sets out key objectives and guiding principles for regulators, operators, and stakeholders, providing a robust framework for regulatory decision-making. The Authority recognises the positive contribution gambling activity can make to the local economy and seeks to balance this with its responsibility to protect individuals from harm.
- 1.4 When applying the principles outlined in this Statement the Authority will consider each application on its individual merits, taking into account the context of this Statement, any relevant legislation and guidance and codes of practice issued by the Gambling Commission.
- 1.5 This statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

2.0 Declaration

- 2.1 The Authority in preparation of this Statement has had due regard to:
 - The Gambling Act 2005;
 - The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006;
 - Current guidance issued by the Gambling Commission and by the Secretary of State under Section 25 of the Act; and
 - Responses from those consulted on the Statement.

3.0 The North East Derbyshire District and Local Area Profile

3.1 North East Derbyshire is a local government district in Derbyshire, England. It borders the districts of Chesterfield, Bolsover, Amber Valley and Derbyshire Dales in Derbyshire, and Sheffield and Rotherham in South Yorkshire. We have a population of around 102,000 and have four main towns, Clay Cross, Dronfield, Eckington and Killamarsh.

3.2 The District and its surroundings abound in historical attractions, natural beauty with rolling countryside and dramatic landscapes and is an ideal base for any business with excellent transport links.

The District has good road, rail and air connections with M1 junctions, Train stations in the District and five international airports nearby.

3.3 A local area profile will be prepared based on local knowledge and taking into account a wide range of factors, data and information held by the Licensing Authority and its partners. It is anticipated that the local area profile will give operators a better awareness of the local area and the risks, which includes both potential and actual risks. This will be available on the Authorities website at www.ne-derbyshire.gov.uk.

3.4 A map showing the administrative boundaries of the district can be found at **Appendix 1**.

4.0 Consultation

4.1 The Gambling Act requires the Licensing Authority to consult the following on the Licensing Authority Statement of Principles or any subsequent revision:

- In England and Wales the chief officer of Police for the Authority's area;
- One or more persons who appear to the Authority to represent the interests of person carrying on gambling businesses in the Authority's area, and;
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.

4.2 A full list of those consulted is shown in **Appendix 2**.

5.0 Licensing Objectives

5.1 In exercising their functions under the Gambling Act 2005, licensing authorities must have regard to the three licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

6.0 Licensing Authority Functions

6.1 The Act gives licensing authorities several important regulatory functions in relation to gambling. Their main functions are to:

- Issue a Statement of Principles setting expectations about how gambling will be regulated in the district;
- License premises where gambling activities are to take place;
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by means of issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs;
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission;
- Maintain registers of licences and permits that are issued and small society lottery registrations.

6.2 The following matters are not dealt with by the Authority, and are the responsibility of the Gambling Commission:

- Operator Licences
- Personal Licences
- Remote Gambling
- The National Lottery

6.3 In carrying out its licensing functions within the framework established by this Statement, the Authority will have particular regard to:

- maintaining a close working relationship with the responsible authorities;
- taking necessary and appropriate steps for the protection of children and other vulnerable persons, and;
- the need to treat each application on its own merits taking into account the individual circumstances at each premise.

7.0 Responsible Authorities

- 7.1 Responsible authorities are public bodies that must be notified of all premises licence applications and are entitled to make representations to the Authority. They also have the power to apply for a review of a premises licence. They are listed in full at section 157 of the Act.
- 7.2 The Authority is required to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 7.3 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, the Authority designates the Derbyshire County Council's Local Safeguarding Children Board for this purpose.

8.0 Interested Parties

- 8.1 Interested parties are those who can make representations about premises licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:
- “For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities
 - b) has business interests that might be affected by the authorised activities, or
 - c) represents persons who satisfy paragraph (a) or (b)”
- 8.2 The Licensing Authority is required to state the principles it will apply in exercising its powers under the Act to determine whether a person is an

interested party. The overriding principle is that each case will be decided upon its merits.

- 8.3 The principles outlined in this section of the Statement ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard.

Principles to be applied in determining if someone is an interested party

8.4 Sufficiently close to the premises

In determining what “sufficiently close to the premises” means, and whether someone has “business interests that might be affected” the Authority may take any or all of the following into account which appear relevant to it:

- the proximity of their home or business to the application premises;
- the nature of their residency (e.g. private resident, commercial tenant, resident in home for the vulnerable etc.);
- the nature of the business making the representation;
- the nature of the authorised activities to be conducted on the application premises;
- the size and capacity of the application premises;
- the likely catchment area for the application premises;
- the routes likely to be taken to and from the application premises;
- the character of the area;
- the density of the built up area;
- the topography of the area;
- local area profile, and;
- mitigating measures contained within the applicants’ risk assessment.

- 8.5 The Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

- 8.6 Similarly, a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants’ associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a councillor, MP or legal representative.

- 8.7 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, then without further evidence relating to the licensing objectives supporting the representation, the Authority would not consider this to be a relevant representation because it relates to “demand” or competition.

- 8.8 It is for the Authority to determine on a case-by-case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given

authority for representations to be made on their behalf. In cases which are not clear-cut, the benefit of the doubt will usually be exercised in favour of the person making the representation. Evidence will not be sought from elected members who are representing the ward likely to be affected.

9.0 Representations

Form of representation

- 9.1 When dealing with applications made pursuant to the Act, the Authority must consider representations from “responsible authorities” and “interested parties”. The Authority deems it appropriate to set clear guidance on the form and content of representations to be submitted to them.
- 9.2 No part of this Statement aims to undermine a person’s right to make a representation and all representations will be considered on a case by case basis.
- 9.3 All representations must be made in writing unless there are exceptional circumstances under the Equality Act which mean they may be made in another form. They must be received by the Authority within the time limits set by the relevant regulations. For a representation to be relevant it should:
 - be positively tied or linked by a causal connection to particular premises, and;
 - relate to the licensing objectives, or;
 - raise issues under this Statement, the Commission’s Guidance or Codes of Practice.
- 9.4 Representations received outside the statutory period for making such representations or which otherwise does not comply with the Regulations will be invalid and will not be taken into consideration when the application is determined.

Content of representation

- 9.5 A representation should indicate the following:
 - (i) The name, address and a contact number for the person making the representation.
 - (ii) The capacity in which the representation is made (e.g. interested party, responsible authority, licensee) and if made as a representative should indicate who is being represented.
 - (iii) The name and address of the premises in respect of which the representation is being made.
 - (iv) The licensing objective(s) relevant to the representation.
 - (v) Why it is felt that the application:

- is not reasonably consistent with the licensing objectives, or;
 - is not in accordance with this Statement, the Commission's Guidance, or the relevant Codes of Practice, or;
 - otherwise, should not be granted, or;
 - should only be granted subject to certain specified conditions.
- (vi) Details of the evidence supporting the opinion in (v).

- 9.6 It is in the interest of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.
- 9.7 A preferred form of representation is available and can be downloaded at www.ne-derbyshire.gov.uk or requested directly from the Licensing Team.
- 9.8 Ordinarily, where representations are received the Authority will hold a hearing. However a hearing does not have to be held where the Authority thinks that a representation is frivolous, vexatious, will certainly not influence the Authority's determination of the matter, are not relevant, or are substantially the same as previous representations relating to the same premises. It is for the Authority to determine whether a representation falls within these categories, however, representations which comply with this part of the Statement are unlikely to do so.

Irrelevant considerations

- 9.9 Whilst not intended to provide an exhaustive list, the following matters may not be taken into account and representations relating to them are likely to be discounted:
- need and demand for the relevant premises;
 - issues relating to nuisance;
 - traffic congestion and parking;
 - likelihood of the premises receiving planning permission or building regulation approval, and;
 - moral grounds.
- 9.10 Any person seeking to operate gambling premises must first have applied for or obtained an operating licence from the Gambling Commission. The Commission will therefore have made a judgement as to the applicant's suitability to operate the proposed form of gambling and therefore this issue is not relevant to the subsequent assessment of the premises licence application.

The only exception is in relation to track premises licences. In this case an operator's licence is not required and the suitability of the applicant may, in appropriate cases, be taken into consideration.

- 9.11 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement of principle, Codes of Practice local area profile and the premises licence holders local risk assessment.

10.0 Exchange of Information

- 10.1 The Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 and General Data Protection Regulation (GDPR) 2018 will not be contravened.
- 10.2 The Authority will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 10.3 The Authority has measures in place to ensure compliance with Data Protection. More information can be found on the Authorities' website www.ne-derbyshire.gov.uk.

11.0 Equality and Diversity

- 11.1 North East Derbyshire District Council is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Council will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and employment opportunities are accessible to all. Everyone will be treated fairly and with respect. Diverse needs will be understood and valued. The Council will aim to eradicate all forms of discrimination.
- 11.2 Further information on the Authorities' Statement can be found on the website www.ne-derbyshire.gov.uk.

12.0 Enforcement

- 12.1 Part 15 of the Act gives "authorised persons" power of investigation and section 346 enables licensing authorities to institute criminal proceedings in respect of offences described in that section. In exercising these powers the Authority will endeavour to follow the Authorities' Corporate Enforcement Policy, and the

Regulator's Compliance Code. The principles require that enforcement should be:

- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly, and;
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

- 12.2 It is the intention of the Authority to establish and maintain enforcement protocols with other enforcement agencies. The Authority will work closely with the Gambling Commission and exchange information on suspected illegal gambling and any proposed action that the Authority considers necessary.
- 12.3 The main enforcement and compliance role for the Authority in terms of the Act will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for operator and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission.
- 12.4 The Authority may institute proceedings in respect of a number of offences as identified in section 346 of the Act. Where illegal gambling is contained to one premises or one local area, the Authority will take the lead on the investigation and, where appropriate, the prosecution of illegal gambling. In general, the Gambling Commission will take the lead where there is a potential for national or regional impact.
- 12.5 Where a licensed premise is situated in more than one administrative area, then the Authority will liaise with the other authority to determine the most appropriate course of action and who will lead any investigation or prosecution.
- 12.6 The Authority will avoid duplication with other regulatory regimes so far as possible.

13.0 Inspections

- 13.1 The Authority will inspect gambling premises and facilities for compliance with the Act and any licence conditions through the application of a risk-based inspection programme.
- 13.2 The inspection programme will in principle operate a light touch in respect of low-risk premises whilst applying greater attention to those premises which are considered to present a higher risk.

- 13.3 In addition to programmed inspections, the Authority will also investigate any evidence-based complaints that it receives.
- 13.4 The Authority will adopt a risk based assessment approach for determining the frequency of compliance inspections. The risk rating will be based broadly on the following factors:
- location of the premises and their impact on the surrounding area;
 - enforcement history of the premises;
 - nature of the licensed or permitted operation;
 - potential to have an adverse effect on the licensing objectives, and;
 - management record.

14.0 Duplication with other regulatory regimes

- 14.1 In complying with the provisions of the Gambling Act 2005, whilst the Authority recognises the requirements of other legislation this Statement is not intended to duplicate the existing legislation and regulatory orders which incur statutory obligations.
- 14.2 In particular, in making a determination in respect of any application, the Authority will not take into account irrelevant matters, such as the likelihood of the application receiving planning permission or building regulation approval.

15.0 “Demand” for gaming premises

- 15.1 The Authority will not consider the demand for gaming premises when making decisions about applications for a premises licence under the Act.

PART B – Premises Licences

16.0 General Principles

- 16.1 Premises licences will be subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions detailed in regulations issued by the Secretary of State. This Licensing Authority may exclude default conditions and also attach others, where it is believed to be appropriate.
- 16.2 In exercising their functions under Section 153 of the Act, the Authority shall aim to permit the use of premises for gambling in so far as it thinks is:
- In accordance with any relevant code of practice issued by the Gambling Commission;

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

16.3 In determining applications, the Authority will take into consideration all relevant matters and representations. What the Authority considers to be relevant and irrelevant are detailed in 1.6 to 1.9 of this Statement.

17.0 Definition of Premises

- 17.1 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence provided they are for different parts of the building and different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track, or shopping mall to obtain discrete premises licences where safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and ensure that mandatory conditions relating to access between premises are observed. Premises cannot be properly regarded as different premises if they are separated only by temporary or removable partitions.
- 17.2 In relation to an application to split existing licensed premises, thereby creating multiple premises, the Authority will expect the primary use of each premises to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business.

18.0 Applications and Conditions

- 18.1 The Gambling Commission plays a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. Except for applicants for track premises, anyone applying to the Authority for a premises licence will have to hold an operating licence from the Commission before a premises licence can be issued. The Authority will not generally therefore be concerned with the suitability of an applicant. Where concerns arise about a person's suitability, the Authority will bring those concerns to the attention of the Commission.
- 18.2 The Authority will however be concerned with issues such as the impact of the licensed premises in terms of crime and disorder and matters such as the

location of the premises and their internal layout in terms of protecting children and vulnerable persons. Such issues are discussed in more detail in the paragraphs below relating to the specific types of gambling premises. See local risk assessments at section 2.4.

- 18.3 The procedure for obtaining premises licences is set by regulations. Should a licence be granted it will be made subject to mandatory and/or default conditions set by the Secretary of State. The Authority may choose to exclude default conditions if it thinks it appropriate and may also impose other specific conditions which are appropriate to the application.
- 18.4 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- 18.5 Decisions upon individual conditions will be made on a case-by-case basis. The Authority cannot attach the following conditions to a premises licence:
- any condition on the premises licence which makes it impossible to comply with an operating licensing condition.
 - conditions relating to gaming machine categories, numbers, or methods 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.

19.0 Licensing Objectives

- 19.1 Premises licences granted must be reasonably consistent with the licensing objectives. Regarding these objectives, this Authority has considered the Gambling Commissions' Guidance to Local Authorities and comments below.

Preventing gambling from being a source of Crime and Disorder

- 19.2 The Gambling Commission will play a leading role in preventing gambling from becoming a source of crime and will maintain rigorous licensing procedures that aim to prevent inappropriate people from providing facilities for gambling.
- 19.3 The Authority places considerable importance on the prevention of crime and disorder and will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area. A high

standard of control is therefore expected to be exercised over licensed premises.

- 19.4 The Authority will, when determining applications, consider whether the granting of a premises licence will result in an increase in crime and disorder.
- 19.5 The Authority will have particular regard to the likely impact of licensing on related crime and disorder in the district particularly when considering the location, impact, operation and management of all proposed licence applications.
- 19.6 In considering licence applications, the Authority will particularly take into account the following:
- the design and layout of the premises;
 - the training given to staff in crime prevention measures appropriate to those premises;
 - physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
 - where premises are subject to age restrictions, the procedures in place to conduct age verification checks, and;
 - the likelihood of any violence, public order, or policing problem if the licence is granted.
- 19.7 Where an application is received in relation to premises in an area noted for particular problems with organised crime, part of this determination will include consultation with the Police and other relevant authorities. The Authority may then consider whether specific controls, such as a requirement for the provision of door supervisors, need to be applied in order to prevent those premises being a source of crime.
- 19.8 As far as disorder is concerned, there are already powers in existing anti-social behaviour and environmental protection legislation to deal with nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Authority does not therefore intend to use the Act to deal with general nuisance issues, for example parking problems, which can easily be dealt with using alternative powers. The Authority has no jurisdiction under the Act to deal with general nuisance issues.
- 19.9 In accordance with the Guidance, the Authority will only seek to address issues of disorder under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if Police assistance was required to deal with it. Another factor the Authority is likely to take into account is how threatening the behaviour was to those who could see or hear it and whether those people live sufficiently close to be affected or have business interests that might be affected.

- 19.10 The Authority will consult with the Police and other responsible authorities when making decisions in this regard and will give due weight to any comments made by the Police or other responsible authorities.

[Ensuring gambling is conducted in a Fair and Open Way](#)

- 19.11 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business (and therefore relevant to the Operating Licence) or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence). Both issues will be addressed by the Commission through the operating and personal licensing regime. This is achieved by ensuring that:

- operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
- easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
- the rules are fair;
- advertising is not misleading;
- the results of events and competitions on which commercial gambling takes place are made public, and;
- machines, equipment, and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.

- 19.12 Because betting track operators do not need an operating licence from the Commission the Authority may, in certain circumstances, attach conditions to a licence to ensure that the betting is conducted in a fair and open way. The Authority may in these circumstances also consider the suitability of the applicant to hold a track premises licence. Such factors which the Authority may take into consideration are set out below:

- references to adduce good character;
- criminal record of the applicant;
- previous experience of operating a track betting licence, and;
- any other relevant information.

[Protecting children and other vulnerable persons from being harmed or exploited by gambling.](#)

[Access to licensed premises](#)

- 19.13 The access of children and young persons to those gambling premises which are adult only environments will not be permitted.

- 19.14 The Authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.
- 19.15 The Authority may consult with the Derbyshire Safeguarding Children Board and the Derbyshire Safeguarding Adults Board on any application that indicates there may be concerns over access for children or vulnerable persons.
- 19.16 The Authority will judge the merits of each separate application before deciding whether to impose conditions to protect children or vulnerable persons on particular categories of premises. This may include such requirements as:
- supervision of entrances;
 - segregation of gambling areas from areas frequented by children;
 - measures/training covering how staff would deal with unsupervised young children on the premises;
 - supervision of gaming machines in non-adult gambling specific premises, and;
 - appropriate measures/training for staff as regards suspected truant school children on the premises.
- 19.17 The Act provides for a Code of Practice on access to casino premises by children and young persons and the Authority will work closely with the Police to ensure the appropriate enforcement of the law in these types of premises.

Vulnerable persons

- 19.18 The Act does not define “vulnerable persons”.
- 19.19 The Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes that “vulnerable persons” include:
- people who gamble more than they want to;
 - people who gamble beyond their means, and;
 - people who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol, or drugs.
- 19.20 The Authority encourages Applicants to offer controls in their local risk assessment, that limit access to gambling or further access to alcohol where the customer shows signs that they may be a “vulnerable person”.
- 19.21 Where the legislation allows, the Authority will look particularly closely at applications that are made for premises close to sensitive areas or developments, for example:
- Residential areas;
 - Schools and other educational establishments;

- Residential hostels for vulnerable adults, and;
- Premises licensed for alcohol or gambling.

19.22 The Authority will pay particular attention to any Codes of Practice which the Gambling Commission issues as regards the licensing objectives, protecting children and other vulnerable persons from being harmed or exploited by gambling, in relation to specific premises, e.g. casinos.

20.0 Local Risk Assessments

- 20.1 The Gambling Commission's [Licence Conditions and Codes of Practice \(LCCP\)](#) sets out a requirement for operators to consider local risks. Local risk assessments apply to 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.
- 20.2 Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this Statement.
- 20.3 Licensees must review (and update as necessary) their local risk assessments:
- a) when applying for a new premises licence.
 - b) when there are significant changes at a licensee's premises that may affect their existing risk assessment;
 - c) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy; and
 - d) when applying for a variation of a premises licence
- 20.4 Compliance with the requirement to conduct local risk assessments is a condition of licence and failure to comply can result in the Gambling Commission reviewing the operator's licence. 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 at the request of the Authority.
- 20.5 Where concerns do exist, perhaps prompted by new or existing risks, a Licensing Authority may request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of license conditions is required.

- 20.6 The Licensing Authority has an expectation that all local risk assessments will take into account the local social profile of the area and that a copy is retained at the premises for inspection.

21.0 Betting Premises and Tracks

- 21.1 Betting premises relates to those premises operating off-course betting that is other than at a track.
- 21.2 Tracks are sites where races or other sporting events take place. Betting operators may operate self-contained betting premises within track premises, although they would normally only open on event days. There may be several licensed premises at any track.

Permitted activities include:

- off-course betting;
- on-course betting for tracks;
- betting by way of betting machines, and;
- gaming machines as stipulated by regulations.

- 21.3 Factors for consideration when determining the application will be:

- location, particularly in relation to vulnerable persons;
- suitability of the premises;
- size of premises in relation to the number of betting machines;
- the ability of staff to monitor the use or abuse of such machines, and;
- the provision for licence holders to ensure appropriate age limits are adhered to.

This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

- 21.4 All licences will usually be issued subject to the mandatory and default conditions prescribed by the Secretary of State. However, from time to time the Authority may attach additional conditions where there is clear evidence, in the circumstances of the individual case, that they are required to supplement the mandatory and default conditions.
- 21.5 The Authority shall require an appropriately defined plan of the premises to accompany each application.

Matters Relevant to Tracks

- 21.6 The Authority may have a number of premises that could apply for a premises licence to operate as a 'Track' for the purposes of the Gambling Act.
- 21.7 Should the Authority receive an application for a license to operate a Track we would act in accordance with the relevant legislation and Gambling Commission Guidance.
- 21.8 Applicants would be encouraged to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions imposed by the Authority may cover issues such as:
- proof of age schemes
 - CCTV
 - supervision of entrances / machine areas
 - physical separation of areas
 - location of entrances
 - notices / signage
 - specific opening hours
 - self-barring schemes
 - provision of information leaflets / helpline numbers for organisations such as GamCare
- 21.9 This list is not mandatory, nor exhaustive, and is merely indicative of example measures to ensure that any conditions are consistent with the licensing objectives and the Authorities' approach to Gambling regulation.

22.0 Adult Gaming Centre (AGCs)

- 22.1 The Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises.
- 22.2 These premises must be operated by the holder of a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Authority.
- 22.3 Permitted activities include:
- the provision of gaming machines as stipulated by regulations.
- 22.4 Factors for consideration when determining the application for an AGC will include:
- the location;
 - the hours of operation;

- the ability of operators to minimise illegal access by under 18's to the premises.

This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

22.5 Applicants would be encouraged to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions imposed by the Authority may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entrances
- notices / signage
- specific opening hours
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures to ensure that any conditions are consistent with the licensing objectives and the Authority's approach to Gambling regulation.

22.6 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary. Mandatory and default conditions will be attached by regulations issued by the Secretary of State. No one under the age of 18 is permitted to enter an AGC.

23.0 (Licensed) Family Entertainment Centres

23.1 The Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises.

23.2 Permitted activities include:

- the provision of gaming machines as stipulated by regulations.

23.3 Factors for consideration when determining the application for an AGC will include:

- the location;
- the hours of operation;

- the ability of operators to minimise illegal access by under 18's to the premises.

23.4 Applicants would be encouraged to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions imposed by the Authority may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entrances
- notices / signage
- specific opening hours
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare
- measures / training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures to ensure that any conditions are consistent with the licensing objectives and the Authority's approach to Gambling regulation.

24.0 Casinos

- 24.1 This Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this Licensing Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Council.
- 24.2 Guidance issued by the Gambling Commission regarding particular issues concerning casinos, such as suitability and layout, betting machines, monitoring use of machines by children and young persons, or number, nature and circumstances of betting machines will be considered by the Authority when making decisions on casino applications.
- 24.3 Should the Authority receive an application for a casino we would act in accordance with the relevant legislation, Gambling Commission Guidance, and work with the applicant to ensure that any conditions are consistent with the licensing objectives and the Authority's approach to gambling regulation.

25.0 Bingo Premises

- 25.1 The holder of a bingo operating licence will be able to apply for a bingo premises licence to provide any type of bingo game, including cash and prize bingo. Commercial bingo halls will also require a bingo premises licence from the Authority. If the only type of bingo to be provided is prize bingo, then this may be authorised by way of a permit.
- 25.2 If children are allowed to enter premises licensed for bingo, then controls must be in place to prevent them from participating in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted, the Authority will expect to see that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults (over 18s) are permitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - that where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and;
 - at the entrance to, and inside any such an area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 25.3 The Gambling Commission has issued guidance about the need for licensing authorities to take into account the suitability and layout of bingo premises. Therefore plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence. It would be helpful to the Authority and the responsible authorities if the plans were marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown. The Gambling Commission has issued guidance on the division of a building into more than one premises which can be found on the [Gambling Commission website](#).
- 25.4 A limited number of gaming machines may also be made available at bingo licensed premises.
- 25.5 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold as directed by the law, otherwise it will require a bingo operating licence which will have to be obtained from the Gambling Commission.

26.0 Travelling Fairs

- 26.1 Provided a travelling fair allows only category D gaming machines (including coin pushers, cranes, and grabbers) to be made available, and the facilities for gambling (whether by way of gaming machine or otherwise) amount together to no more than an ancillary amusement at the fair, then no application for a licence is required under the Act. Fairground operators must source all their machines from Gambling Commission licensed suppliers and any employees working with the gaming machines must be at least 18 years old.
- 26.2 The Authority will want to satisfy itself from time to time that gambling at a travelling fair is within the definition of section 286 of the Act. A guide for those wishing to operate gambling machines at travelling fairs is available on the Commission's website.

27.0 Provisional Statements

- 27.1 Developers may wish to apply to the Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need to hold an operating licence in order to apply for a provisional statement.
- 27.2 An application for a provisional statement shall include such plans and other information in relation to the construction, alteration or acquisition as prescribed in regulations.
- 27.3 When considering representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- a) which could not have been raised by objectors at the provisional licence stage; or
 - b) which, in the Authority's opinion, reflects a change in the operator's circumstances.
- 27.4 This Authority has noted the Gambling Commissions Guidance that 'A licensing authority should not take into account irrelevant matters; one example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.'

28.0 Reviews

- 28.1 A premises licence may be reviewed by the Authority of its own volition or following the receipt of an application for a review from a responsible authority or interested party. Reviews cannot be delegated to an officer of the Authority – the lowest level of delegation permitted is to a licensing sub-committee.
- 28.2 The Act provides that licensing authorities may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Officers of the Authority or of a responsible authority may be involved in the initial investigations of complaints leading to a review or may try informal mediation or dispute resolution techniques prior to a full-scale review being conducted.
- 28.3 If at any time the Authority considers it necessary in their scheme of delegation, they will establish a system that determines who initiates reviews and that may include a “filter” system to prevent unwarranted reviews from being conducted.
- 28.4 In relation to a class of premises, the Authority may review the use made of premises and, in particular, the arrangements that premises licence holders may have made to comply with licence conditions. In relation to these general reviews, the Authority would most likely be acting as a result of specific concerns or complaints about particular types of premises which would cause it to want, for example, to look at the default conditions that apply to that category of licence. In relation to particular premises, the Authority may review any matter connected to the use made of the premises if it has reason to suspect that licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives it cause to believe that a review may be appropriate.
- 28.5 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement of Principles, Codes of Practice local area profile and the premises licence holders local risk assessment.
- 28.6 For more information on what the Authority deems to be a relevant or irrelevant representation in relation to a review, please see section 1.8 of this Statement above.

PART C - Permits, Temporary Use Notices & Occasional Use Notices

29.0 Prize Gaming Permits

- 29.1 These permits cover gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised

by the gaming - the prize is determined by the operator before play commences.

- 29.2 Any application to the Authority must be accompanied by a plan of the premises. The applicant will be required to set out the types of gaming that they intend to offer, and they should be able to demonstrate:
- that there are policies and procedures in place to protect children and other vulnerable people from harm; and
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible under a Prize Gaming Permit.
- 29.3 Consideration will also be given to the proximity of premises to schools and vulnerable adult centres, residential areas where there may be a high concentration of families with children, and town centre or edge of town centre locations.
- 29.4 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.
- 29.5 The applicant must be 18 years of age or over. Relevant convictions will be taken into account, especially with respect to child protection issues.

30.0 Unlicensed Family Entertainment Centres

- 30.1 There are two classes of Family Entertainment Centres. Licensed Family Entertainment Centres (FECs) and Unlicensed Family Entertainment Centres (UFECs). Licensed FECs are explored in more detail at 2.7 of this Statement.

Under the Act, FECs can provide category C and D gaming machines, whereas UFECs can provide only category D machines. UFECs are regulated through FEC permits. An application for a permit may only be granted if the Authority is satisfied that the premises will be used as an UFEC, and if the Police have been consulted on the application.

- 30.2 Applicants will need to demonstrate:
- that there are policies and procedures in place to protect children and other vulnerable people from harm;
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;
 - that the applicant has no relevant convictions (i.e. those set out in Schedule 7 of the Act), and;
 - that staff are trained to have a full understanding of the maximum stakes and prizes.
- 30.3 The Authority cannot attach conditions to an UFEC permit.

31.0 Alcohol Licensed Premises

- 31.1 The Act provides an automatic entitlement to provide two gaming machines of category C or D (see glossary) in alcohol licensed premises. The premises licence holder must notify the Authority of his or her intention and pay the prescribed fee. Although the Authority has no discretion to refuse the notification, the authorisation may be removed if gaming has taken place on the premises that breaches a condition of section 282 of the Act.
- 31.2 The Authority may also issue “licensed premises gaming machine permits” to premises in this category on application for any additional number of category C and/or D machines. This would replace any automatic entitlement under section 282 of the Act.
- 31.3 The Authority must have regard to the licensing objectives and the Gambling Commission Guidance when granting these permits. Factors for consideration will include:
- location, particularly in relation to children and vulnerable persons;
 - suitability of the premises, size of premises in relation to the number of betting machines;
 - the ability of staff to monitor the use or abuse of such machines, and;
 - the provision for licence holders to ensure appropriate age limits are adhered to.

This is not an exhaustive list, and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

- 31.4 It is a condition of the automatic entitlement to make available two gaming machines (of category C or D) that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with. The Authority will take account of these provisions and the relevant codes of practice are available on the [Gambling Commission website](#).

32.0 Club Gaming Permits and Club Machine Permits

- 32.1 Members’ Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A (no more than one), B4, C or D), equal chance gaming and games of chance.

Members Clubs, Miners’ welfare institutes and Commercial Clubs may apply for a Club Machine Permit. A Club Machine permit will only enable the premises to provide gaming machines (3 machines of categories B3A (no more than

one), B4, C or D). Commercial clubs are not allowed to provide category B3A gaming machines.

32.2 The Authority may only refuse an application on the following grounds:

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

and in the case of (a) or (b) must refuse the permit.

The Authority may grant or refuse a permit, but it may not attach conditions to a permit.

32.3 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police and the grounds on which an application may be refused are:

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

The permit holder must demonstrate compliance with the conditions detailed in the Code of Practice issued by the Gambling Commission and this Licensing Authority would expect the permit holder to implement the best practice set out in the Code of Practice.

33.0 Occasional Use Notices

33.1 A notice must be served by a person who is responsible for the administration of events on the track or by an occupier of the track. The notice must be served on this Licensing Authority and copied to the Chief Officer of Police for the area in which the track is located. The notice must specify the day on which it has effect. Notices may be given in relation to

consecutive days, so long as the overall limit of eight days is not exceeded in the calendar year.

- 33.2 The Authority has little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will need to consider whether a notice in respect of premises can be dealt with under the definition of a “Track”. It will also need to consider whether the Applicant is permitted to avail him/herself of the notice.

34.0 Temporary Use Notices

- 34.1 Temporary Use Notices (TUN) can only be used to permit the provision of facilities for equal chance gaming where the gaming is intended to produce a single overall winner. Premises which are not licensed for gambling may be used by a licensed operator for an aggregate period of 21 days in 12 months for prescribed types of gambling. It is noted that it falls to the Authority to decide what constitutes a “set of premises” where Temporary Use Notices are received relating to the same building/site (see Gambling Commission’s Guidance to Licensing Authorities).
- 34.2 The holder of a relevant operating licence must give notice to the Authority, the Commission, and the Police on the prescribed form with the relevant fee. These responsible authorities are the only authorities permitted to object to a TUN.
- 34.3 This Licensing Authority will have regard to the licensing objectives when considering whether to object to any notice received.

35.0 Small Society Lotteries

- 35.1 The Authority is responsible for the registration of small society lotteries. These are non-commercial societies as defined in the Act as being established and conducted:
- for charitable purposes;
 - for the purpose of enabling participation in, or of supporting, sport, athletics, or a cultural activity; or
 - for any other non-commercial purpose other than that of private gain.

N.B. A society established for the sole purpose of conducting a small society lottery will not meet the definition of the Act. Gambling activity should be ancillary to the main purpose of the society.

- 35.2 This Licensing Authority will exercise its functions under this Act in relation to lotteries in accordance with the principles contained in the guidance issued by the Gambling Commission.
- 35.3 Small society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.
- 35.4 Small society lotteries are required to be registered with the Local Authority in the area where their principal office is located.

PART D – Glossary of Terms and Delegations

36.0 Glossary of Terms

- 36.1 Many of the terms used in this Statement of Licensing Principles are defined in the appropriate section of the Act. Section 353 identifies various terminologies and directs the reader to the relevant section of the Act, where appropriate, for a full and complete meaning of the term.
- 36.2 In the interest of clarity the following terms, which are used in this Statement of Licensing Principles, are defined below.

Terminology	Definition
“the Act”	The Gambling Act 2005 (c19).
“Authority”	This refers to the “Licensing Authority” as defined by section 2 of the Act.
“authorised person”	An officer of a Licensing Authority, and an officer of an Authority other than a licensing Authority, both of whom have been authorised for a purpose relating to premises in that Authority’s area.
“authorised Local Authority officer”	An officer of a Licensing Authority who is an authorised person for a purpose relating to premises in that Authority’s area.
“gambling commission”	An organisation established under section 20 of the Act that is responsible for regulating gambling in Great Britain.
“guidance”	“Guidance to Licensing Authorities”, issued by the Gambling Commission under section 25 of the Gambling Act 2005.
“interested parties”	Defined at paragraph 2.3 of this statement of licensing principles.

Terminology	Definition
“mandatory condition”	A condition that must be placed on a licence by virtue of regulations.
“regulations”	Refers to regulations made under the Gambling Act 2005.
“responsible authorities”	Public bodies that must be notified of applications for premises licences and they also have the right to make representations in relation to those applications. They are listed in full in section 157 of the Act.
“Category C & D Machines”	These are machines normally sited in pubs and arcades and are subject to a lower limit for stakes and payout.

37.0 Delegation of Functions

The Authority recognises many of the decisions and functions under the Act are purely administrative in nature. In the interests of speed, efficiency and cost-effectiveness the Authority will implement the suggested delegation of functions as outlined.

Matter to be dealt with	Council	Sub-committee of licensing committee	Officers
Final approval of the Licensing Authority Statement of Principles	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		X	
Application for premises licences		X Where representations have been received and not withdrawn	X Where no representations received/representations have been withdrawn
Application for a variation to a licence		X Where representations have been	X Where no representations received/representations

		received and not withdrawn	tations have been withdrawn
Application for a transfer of a licence		X Where representations have been received from the Commission or responsible authority	X Where no representations have been received from the Commission or responsible authority
Application for a provisional statement		X Where representations have been received and not withdrawn	X Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		X Where objections have been made and not withdrawn	X Where no objections have been made and not withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other authorisations and permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice			X
Decision on whether a representation is irrelevant, or falls within the categories defined within the Act (frivolous,			X

vexatious, repetitive etc).			
To determine whether the Licensing Authority should make a representation, and the content of it.			X
To initiate the review of a Premises Licence			X
Revocation of a Premises Licence for failure to pay the annual fee			X

38.0 Contact Details

The Authority's Environmental Health Service is a joint service with Bolsover District Council. The points of contact for any licensing issues or enquiries are:

By post: Licensing Team
 Joint Environmental Health Service
 District Council Offices
 2013 Mill Lane
 Wingerworth
 S42 6NG

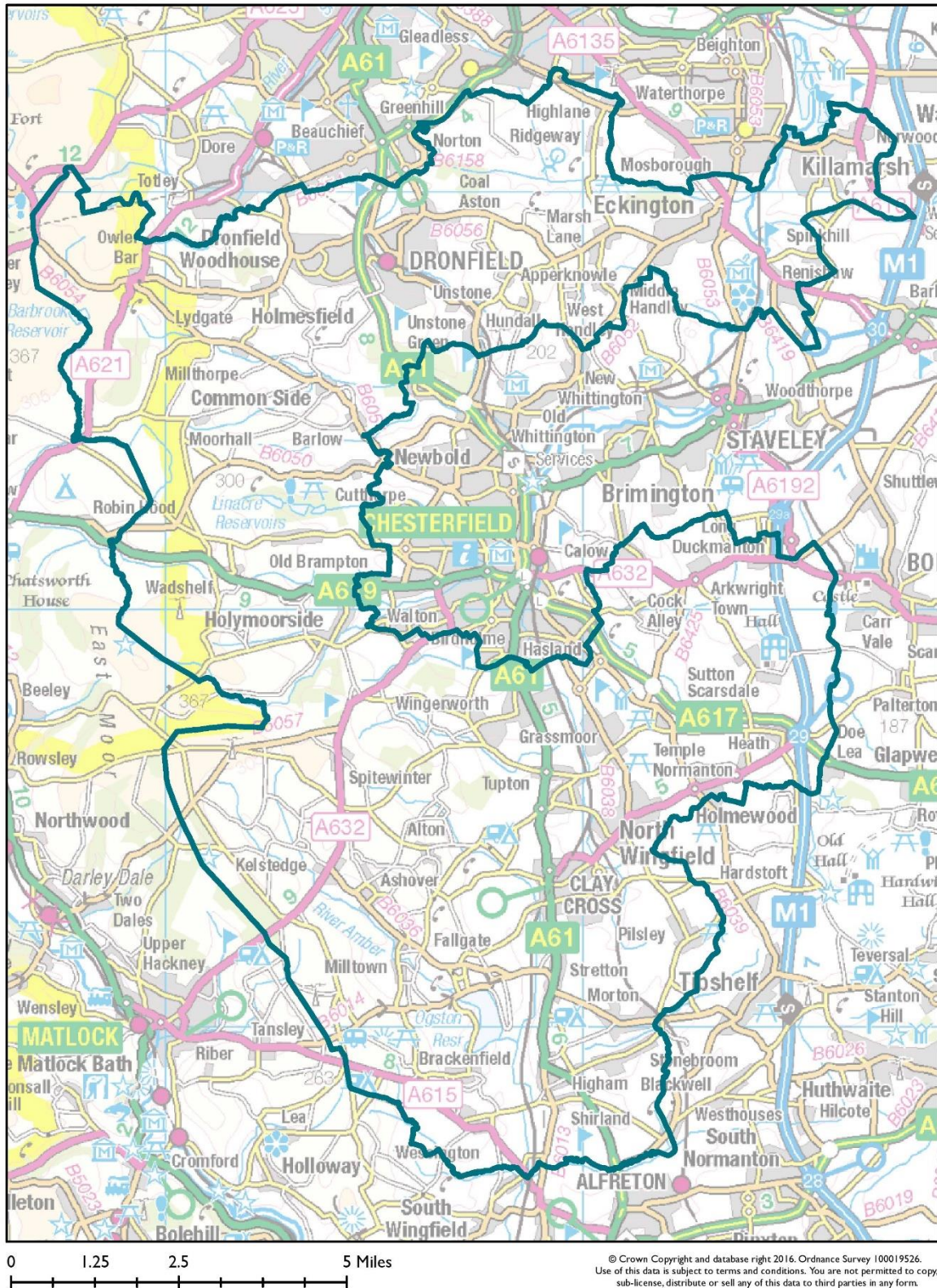
Telephone: 01246 217884/01246 217885/01246 217848
 Email: licensing@ne-derbyshire.gov.uk

A copy of this Statement of Principles is available at www.ne-derbyshire.gov.uk

The Act and the guidance issued by the Gambling Commission is available at www.gamblingcommission.gov.uk .

Appendix 1

North East Derbyshire District Council



Appendix 2

The Council consulted widely upon this Statement before finalising and publishing.

The Council is required to consult with the following under the Gambling Act 2005:

- 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.

The Council consulted with the following:

- All neighbouring Licensing Authorities
- All premises licences holders
- Environmental Health (NEDDC)
- Planning (NEDDC)
- Derbyshire Constabulary
- BACTA
- GamCare
- Gamble Aware
- Gambling Commission
- Her Majesty's Courts Service
- British Beer and Pub Association
- Derbyshire County Council: Safeguarding Adults Team
- Derbyshire County Council: Safeguarding Children Team
- East Midlands Chamber of Commerce and Industry
- Derbyshire Fire and Rescue Service
- Skills & Education Group
- Trading Standards, Derbyshire County Council
- Louise Jones (MP)
- Federation of Licensed Victuallers Associations
- Betting and Gaming Council
- Police and Crime Commissioner
- Remote Gambling Association
- British Horseracing Authority
- North East Derbyshire District Council Members
- Parish Councils
- Youth Offending
- Health and Safety Executive
- National Crime Agency
- Home Office

Gambling Act 2005

Local Area Profile

2026 – 2029

FINAL DRAFT

DRAFT

Equalities Statement

North East Derbyshire District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone** - [01246 231111](tel:01246231111)
- **Email** - connectne@ne-derbyshire.gov.uk
- **Text** - [07800 00 24 25](tel:07800002425)
- **BSL Video Call** – a three way video call with us and a BSL interpreter. It is free to call North East Derbyshire District Council with Sign Solutions, you just need wifi or mobile data to make the video call, or call into the offices at Wingerworth.
- Call with [Relay UK](#) – it is a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real time conversation with us by text.
- **Visiting** our [offices](#) at Wingerworth – 2013 Mill lane, [S42 6NG](#)

Local Area Profile

This document is the North East Derbyshire District Council Local Area Profile, as described by the Gambling Commission Guidance to Local Authorities for Consideration by operators when creating their Local Risk Assessments.

This Local Area Profile is published by the Council concurrently with the Gambling Act Statement of Licensing Principles and published on our website –

www.ne-derbyshire.gov.uk

The Gambling Commission's [Licence conditions and codes of practice](#) (LCCP) formalise the need for operators to consider local risks posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.

Whilst there is no mandatory requirement to have a Local Area Profile, there are a number of significant benefits to both the Licensing Authority and operators, in having a better awareness of the local area and risks:

- it enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it
- greater clarity for operators as to the relevant factors in licensing authority decision making, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application
- it enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge
- it encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

The Council's policy statement sets out its approach to regulation with clear reference to local risks. The Local Area Profile runs alongside the Licensing statement, this is to ensure that this profile can be reviewed and updated regularly without the need for full consultation.

Risk Assessment considerations

This local area profile has been prepared based on local knowledge and taking into account a wide range of factors, data and information held by the Licensing Authority and its partners. It is anticipated that the local area profile will give operators and a better awareness of the local area and the risks, which includes both potential and actual risks. This will be available on the Council's Website.

In assessing Local Area Profiles the licensing authority can also take into account

- (a) Local crime statistics

- (b) Any problems in the area relating to gambling establishments such as anti-social behaviour
- (c) The location of any nearby sensitive premises such as facilities used by vulnerable persons e.g. drug and alcohol addictions; and
- (d) Whether there is any indication of problems with young persons attempting to access adult gambling facilities in that type of gambling premises in the area

NEDDC hopes that the local area profiles will help to inform specific risks that operators will need to address in their risk assessment which will form a part of any new licence application, or an application to vary a licence.

In preparing local risk assessments, operators will need to consider risks in relation to how the premises will be or is run. Identification of risks associated with these elements will be dependent on the type of premises and the local area. Elements to be considered include:

- How the gambling operation will relate to how the operator conducts its business
- What gambling products it provides in the premises
- The facilities to enable gambling within the premises
- The staffing levels within the premises
- The level and requirement for staff training
- Whether loyalty or account cards are used or not
- The policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP
- The security and crime prevention arrangements it has in place
- How it advertises locally and on the premises
- The marketing material within the premises
- The display and provision of information, etc.

Operators are also required to review their local risk assessment if significant changes in local circumstances occur. The following lists sets out some examples of what the Licensing Authority considers to be significant changes in local circumstances:

- Any substantial building development or conversion of existing premises in the local area which may increase the number of vulnerable persons in the area.
- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment.
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g. additional homeless hostels or gambling or mental health care/support facilities are opened in the local area).

The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. The design of the premises is an important factor when considering local risks. Premises which are located

within an area which has a high number of children and young people present throughout the day may identify that the standard external design is not appropriate. Control measures to mitigate the risk of attracting children to gambling or gaining access to restricted premises will need to be considered.

Risks to be considered may include:

- Whether the premises allows a direct line of sight of gaming machines from the cashier counter.
- Whether the premises sufficiently covered by CCTV to enable the identification of offenders.
- Whether the premises windows are screened or covered to obscure the interior of the premises.
- What age verification policies are in place.
- Provision of magnetic door locks.

Operators must ensure that they consider the local area profile, as well as local crime statistics which can be found on the [Derbyshire Constabulary website](#) .

Risk assessments would be expected to include relevant control measures to counteract issues identified by the operator. Where there is a particular area of concern they should contact the most appropriate Responsible Authority before submitting an application for a new licence or variation.

North East Derbyshire District Council

North East Derbyshire is a local government district in Derbyshire, England. It borders the districts of Chesterfield, Bolsover, Amber Valley and Derbyshire Dales in Derbyshire, and Sheffield and Rotherham in South Yorkshire.

We have a population of around 105,000 and have four main towns, Clay Cross, Dronfield, Eckington and Killamarsh. There are a further 46 settlements within the District which consists of more than 20 dwellings.

The District has good road, rail and air connections with M1 junctions, Train stations in the District and five international airports nearby.

The largest Town is Dronfield which is located in the north of the District and has a population of just over 26,000. The industrial history of the town includes coal mining, the wool trade, the production of soap and steel, and engineering. Today a range of manufacturing firms still operate within the town.

Dronfield has the greatest concentration of facilities and services. It provides good levels of public transport which includes its own railway station.

The next largest settlement in the District is Clay Cross which is located in the south of the District which has a population of just over 15,000. Clay Cross has a good level of facilities, services and public transport.

Dronfield and Clay Cross are followed in size and service provisions by the towns of Eckington and Killamarsh which have their own town centres and which play an

important role in serving the day to day shopping and other requirements of the local community and surrounding settlements.

Settlements throughout the District are of a mixed character, some of which are mainly characterised by older properties and other areas are a mix of housing types. Some settlements have listed buildings and are designated as a Conservation areas. The District's settlements have grown and evolved over time, reflecting changes associated with occupations such as mining and agriculture which lends to a diverse and unique character of the District.

At the time of this Local Area Profile being published North East Derbyshire District Council has 4 licensed gambling premises which are all betting shops. An overview map showing the locations across this district and proximity to schools is below. There are then 3 maps for the main centre locations showing the premises and their specific proximity to education establishments.

Town/area	Number licences/permits	Type
Clay Cross	2	Betting Shop
Dronfield	1	Betting Shop
Eckington	1	Betting Shop
TOTAL NUMBER OF PREMISES	4	

For further information about the Local Area profile please contact the Councils licensing department.

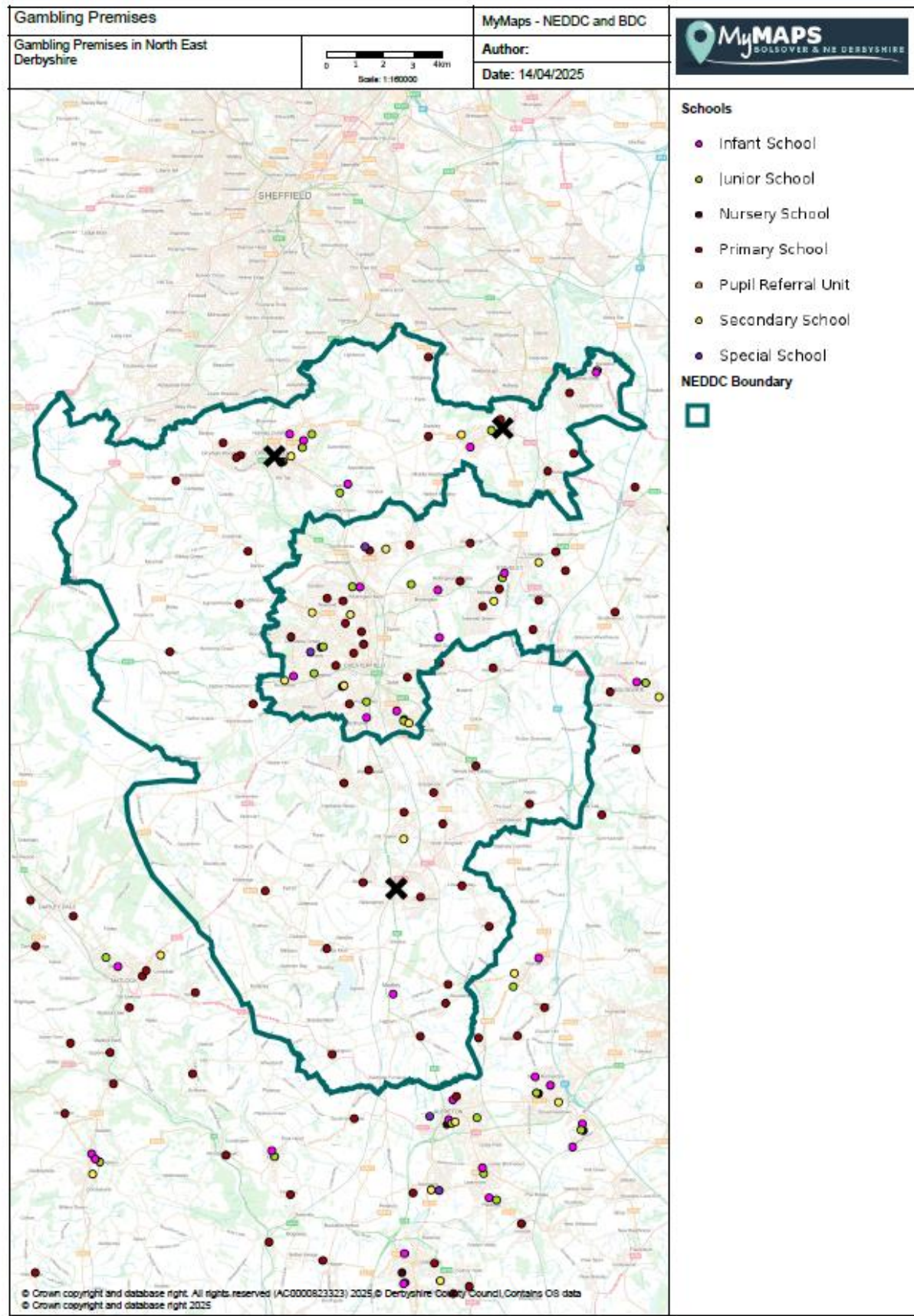
Email: licensing@ne-derbyshire.gov.uk

Telephone: 01246 217884/01246 217885/01246 217848

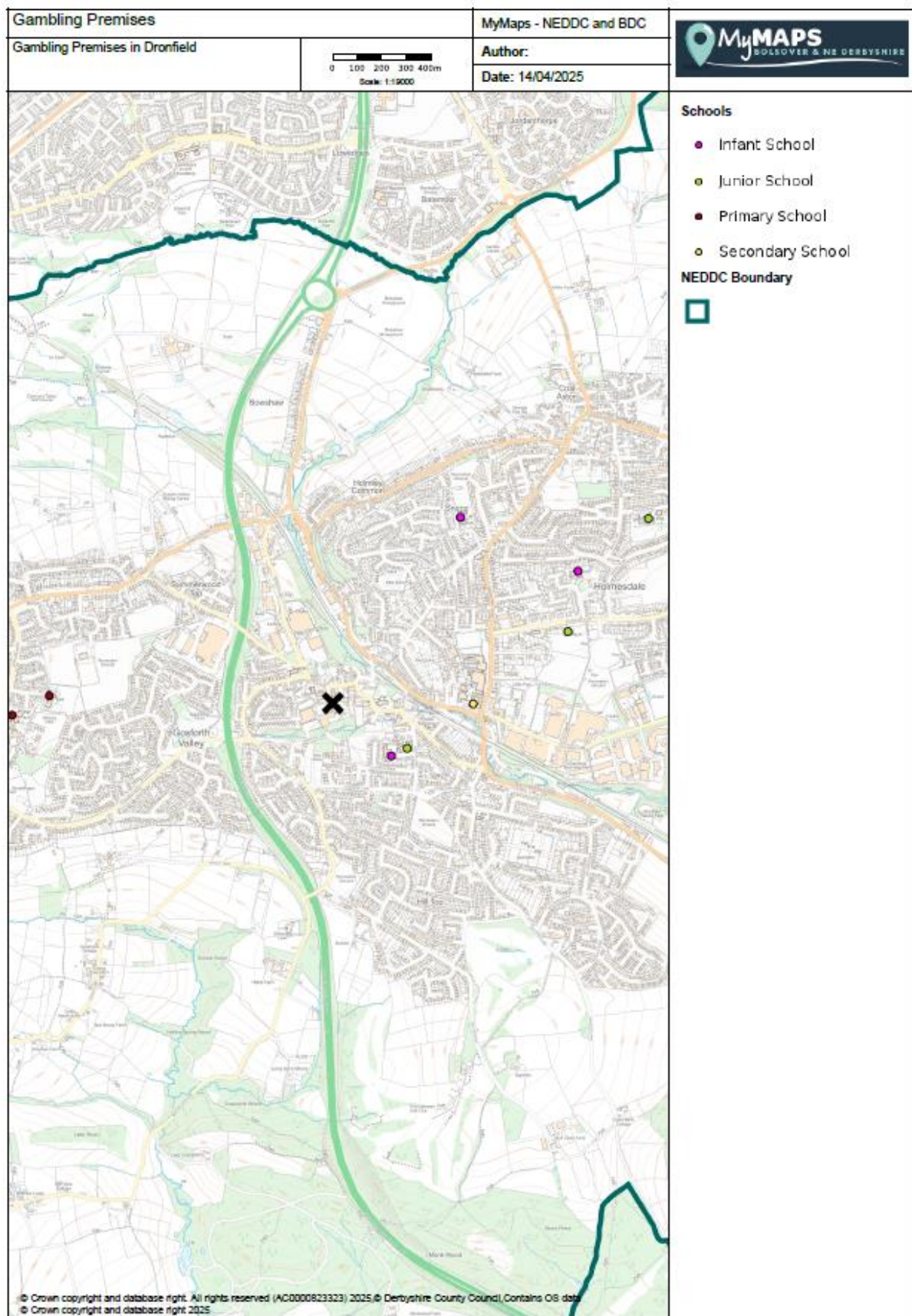
Address: Licensing Team

Joint Environmental Health Service
North East Derbyshire District Council
2013 Mill Lane
Wingerworth
Derbyshire
S42 6NG

NEDDC Overview

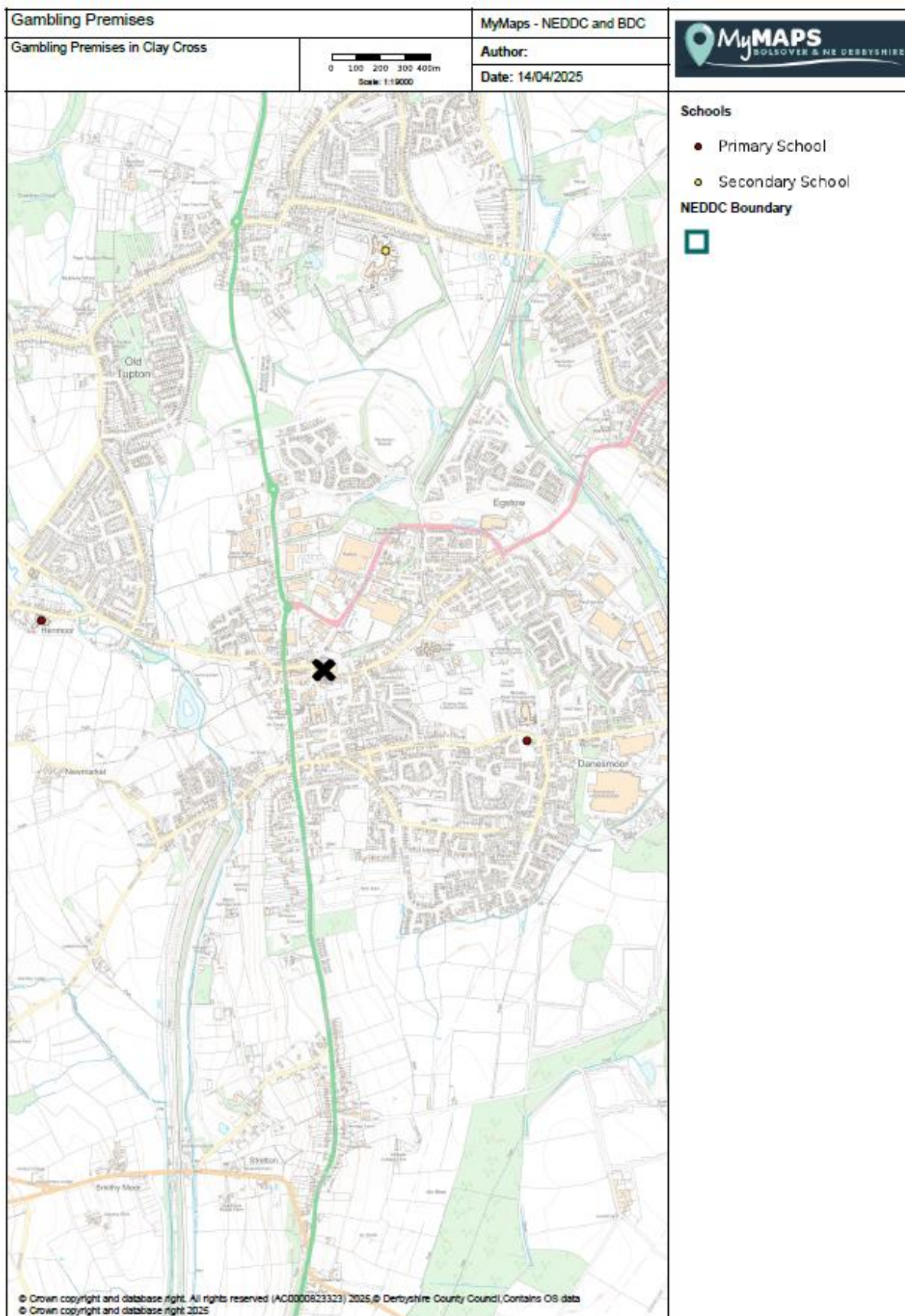


Local area profile Map – Dronfield

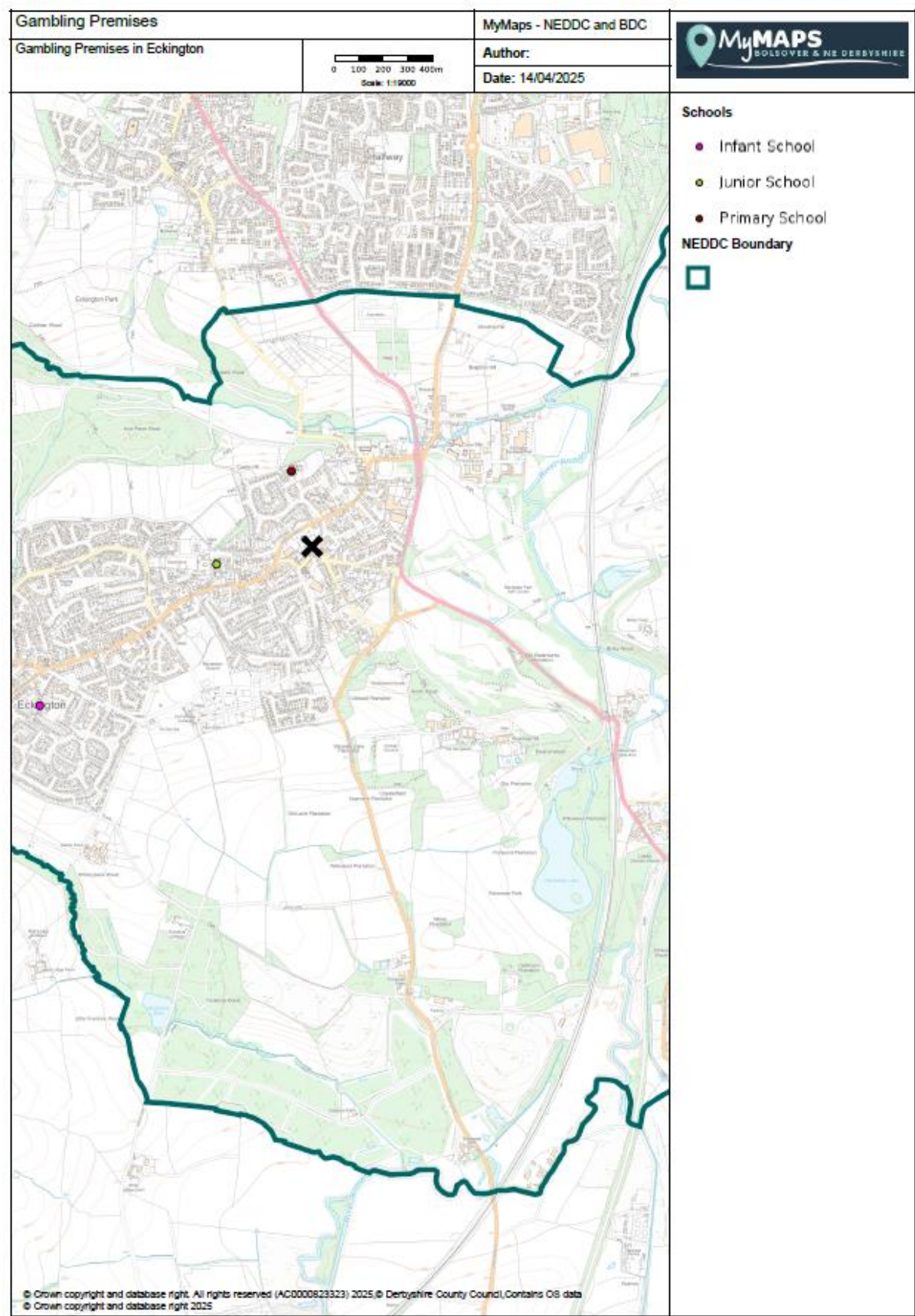


Local Area Profile Map – Clay Cross

DRAFT



Local Area Profile Map – Eckington



Appendix 3

Equality Impact Assessment Form



**North East
Derbyshire**
District Council

Responsibility and Ownership

Name of policy, practice, service or function: Statement of Principles: Gambling Act 2005

Responsible department: Joint Environmental Health Service

Service area: Environmental Health / Licensing Team

Lead Officer: Ken Eastwood

Date of assessment: 19/03/2025

Other members of assessment team

Name	Position	Area of expertise
Charmaine Terry	Environmental Health Team Manager (Licensing)	Licensing
Gill Halliwell	Environmental Health Service Manager	Licensing

Assessment Background

Scope

1	What are the main aims/objectives or purpose of the policy, strategy, practice, service or function?	<p>The Council is required to publish a Statement of Principles under the Gambling Act 2005 every three years.</p> <p>The link to the Gambling Act 2005 is https://www.legislation.gov.uk/ukpga/2005/19/contents</p> <p>In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that arise from gambling activities and prevent gambling related harm.</p>
2	Are there any external factors we need to consider such as new legislation or legislation changes?	Revised guidance issued by the Gambling Commission.
3	Who is responsible for implementing the policy, strategy, practice, service or function?	The Joint Environmental Health Service
4	Who is affected by the policy, strategy, practice, service or function? E.g. businesses, customers, voluntary sector?	Licence holders, business owners, responsible authorities (public sector organisations such as the Police, Fire Service etc) and members of the public
5	What outcomes are we looking to achieve, why and for whom?	<p>To encourage responsible management of gambling activities</p> <p>To encourage licence holders to promote the licensing objectives for the benefit of residents and business owners within North East Derbyshire.</p>
6	What existing information do you have on the impact of the policy, strategy, practice, service or function? E.g. consultation or satisfaction results?	<p>The legislation and guidance highlight best practices and encourages the Council to consider those best practices in line with local knowledge and issues.</p> <p>A public consultation will be carried out prior to adopting the Policy.</p>
7	How is existing information about the policy, practice, service or function publicised?	On the Council's website and directly to licence holders directly affected.

Identifying Potential Equality Impacts

Consider any impacts on each of the protected characteristics set out below. Be mindful that some impacts may affect more than one characteristic e.g. disability/age. Indicate where the policy, practice, service or function could have a positive/negative impact for different groups and your reasons. Specify which data sources have informed your assessment. **The Council has an Equality Plan which provides a profile for the district which may be helpful.**

Race

8	Identify any impacts of the policy or procedure on people who may be affected because of their race/ethnicity		
	White	English / Welsh / Scottish / Northern Irish / British / Irish/ Any other White background	None anticipated
	Asian/Asian British	Indian	Licence applicants and business owners for whom English is not their first language may have difficulty understanding the policy in full or complying with the requirements. The Council has access to telephone interpretation and translation services where necessary.
		Pakistani	
		Bangladeshi	
		Chinese	
		Any other Asian background	
	Black	African	Licence applicants and business owners for whom English is not their first language may have difficulty understanding the policy in full or complying with the requirements. The Council has access to telephone interpretation and translation services where necessary.
		Caribbean	
		Any other Black / African / Caribbean / Black British background	
	Any other ethnicity	Arab	

8	Identify any impacts of the policy or procedure on people who may be affected because of their race/ethnicity		
		Any other ethnic group	Licence applicants and business owners for whom English is not their first language may have difficulty understanding the policy in full or complying with the requirements. The Council has access to telephone interpretation and translation services where necessary.

Sex/Gender

9	Identify any impacts of the policy, practice, service/function on people who may be affected because of their gender		
	Female	Gambling affects all genders. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm.	
	Male	Statistics show that males are more likely to gamble than females. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. Gambling-related harms evidence review: summary - GOV.UK	
	Transgender	Gambling affects all genders. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm.	

Age

10	Identify any impacts of the policy, practice, service/function on people who may be affected because of their age		
	0-18 years	Gambling activities have a more significant adverse impact on this age group. In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and	

10	Identify any impacts of the policy, practice, service/function on people who may be affected because of their age	
		appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. Additional safeguards are factored into the Policy to mitigate the increased risk to young people. Gambling-related harms evidence review: summary - GOV.UK
	19-64 years	None anticipated.
	65 years and over	None anticipated.

Disability		
11	Identify any impacts of the policy, practice, service/function on people who may be affected because of their disability/long-term ill health	
	Physical/mobility impairment	The provision of gambling activities could have a more adverse impact on individuals with health conditions and/or disabilities. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK
	Sensory: hearing/visual or speech	The provision of gambling activities could have a more adverse impact on individuals with health conditions and/or disabilities. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK
	Mental health	The provision of gambling activities could have a more adverse impact on individuals with health conditions and/or disabilities. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK
	Learning disabilities	The provision of gambling activities could have a more adverse impact on individuals with health conditions and/or disabilities. In setting out this Policy North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK

	Non-visible conditions, e.g. epilepsy/diabetes	The provision of gambling activities could have a more adverse impact on individuals with health conditions and/or disabilities. In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK
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Religion or Belief

12	Identify any impacts of the policy, practice, service or function on people who may be affected because of their religion or belief, including non-belief	
	The provision of gambling activities could have a more adverse impact on individuals depending on their religious and moral beliefs. In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK .	

Sexual Orientation

13	Identify any impacts of the policy, practice, service or function on people who may be affected because of their sexual orientation	
	Heterosexual	None anticipated.
	Lesbian	None anticipated.

13	Identify any impacts of the policy, practice, service or function on people who may be affected because of their sexual orientation	
	Gay	None anticipated.
	Bisexual	None anticipated.

Other categories

14	Identify any impacts of the policy, practice, service or function on people who may be affected because of other factors	
	Rural / urban	The provision of gambling activities could have a more adverse impact on individuals who live in town centres/built up areas where there is a higher concentration of gambling activity. In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK
	Carers	None anticipated.
	Travellers	None anticipated.
	Other	The most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm. In setting out this Policy, North East Derbyshire District Council seeks to establish sensible controls and appropriate guidance to encourage responsible gambling practices and prevent gambling related harm. The Policy requires operators to undertake local risk assessments to assess the risk of the gambling activity in relation to the locality of the business. Gambling-related harms evidence review: summary - GOV.UK

Document the assessment evidence (where information is held)

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information / Comments
Customer feedback and complaints	N/A			
Consultation and community involvement	Pending	Public, responsible authorities and other relevant partner organisations		
Performance information	N/A			
Take up and usage data	N/A			
Comparative information or data where no local information available (benchmarking)	Statement of Principles' from other neighbouring local authorities	Other local authorities	Other local authorities take similar approaches	
Census, regional or national statistics	Gambling-related harms evidence review: summary - GOV.UK	Gambling-related harms evidence review: summary - GOV.UK	Gambling-related harms evidence review: summary - GOV.UK	
Access audits or other disability assessments	N/A			
Workforce profile	N/A			
Where service delivered under procurement arrangements	N/A			

Key points	Any groups affected?	Positive Impact/Negative Impact/No impact/Negative impact mitigated?
Licensable activities in general may have an adverse effect on people.	<p>Males</p> <p>0 – 18 year olds</p> <p>People with disabilities or long term ill health</p> <p>Socio-economically deprived and disadvantaged groups</p>	Gambling activities in general may have a negative impact on these groups. However, these activities are largely controlled by legislation. This policy contains measures that aim to mitigate the negative impact of the provision of gambling activities on the groups identified and the wider community.

Recommendations and Decisions

Action by:

Amending the policy, strategy, practice, service or function	N/A
Find alternative means for achieving objectives	N/A
Develop equality objectives and targets for inclusion in the service plan	N/A
Initiate further research	The policy will be reviewed in an attempt to keep up with emerging information.
Undertaking actions identified in the EIA	N/A
Any other method (please state)	N/A

Please list all actions, recommendations and/or decisions you plan to take as a result of the equality impact assessment:

Action Required	Responsible Officer	Target Date	Resources	Progress	Actual Outcome
Review the policy every three years in line with the statutory requirements	Joint Assistant Director for Environmental Health	October 2028			

Approval Process

Job role	Date	Comments
Improvement Officer Comments		
Information, Engagement & Performance Manager Comments (EIA Reviewer)		
Senior Manager (EIA Sign-off) Job title: EH Service Manager	20/03/2025	

EIA Template Reviewed: 30/03/23

North East Derbyshire District Council

Council

1 December 2025

PROPORTIONALITY OF THE COUNCIL

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

Report By: Sarah Sternberg – Assistant Director of Governance and Monitoring Officer

Contact Officer: Sarah Sternberg – Assistant Director of Governance and Monitoring Officer

PURPOSE / SUMMARY

To report changes to the proportionality of the Council.

DECISION ROUTE AND REASON FOR DECISION BEING BROUGHT TO COUNCIL

The decision is a Council decision and only the Council can determine the matter.

RECOMMENDATIONS

1. That the changes to the political make-up of the Council be noted and the proportional allocation of committee places be agreed.

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐

Details:

The Council is required to allocate seats to political groups in accordance with the Political Balance requirements of section 15 of the Local Government and Housing

Act 1989. The criteria are listed in paragraph 1.2 in the order in which they must be applied.

If Members wish to agree an alternative to the figures applying under the proportionality rules, this would have to be by an unanimous vote for the alternative at the meeting considering the alternative arrangements. This unanimous vote is required by the legislation and is not optional. An alternative proposal would have to be presented to Members to ensure all Members are aware of the proposed different allocations before voting.

It has become necessary to review the allocations in the light of recent changes to political group memberships.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None

Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Not applicable given the subject of the report.
Stage 2 full assessment undertaken <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Plan priorities; <ul style="list-style-type: none"> A great place that cares for the environment A great place to live well A great place to work A great place to access good public services
All – Good governance is a basic requirement for the successful functioning of the Council and achieving the Council Plan Objectives.

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the Council as a whole is divided.
- 1.2 The legislation also requires that in appointing members on a politically proportional basis, the Authority should conform with the following principles, so far as reasonably practicable, in the following order:
 - (a) That not all seats on the body are allocated to the same political group.
 - (b) That a political group with an overall majority of the seats on the Council gets a majority of seats allocated on all Committees and Advisory Groups subject to the proportionality rules.

- (c) Subject to (a) and (b) that the total number of seats each political group has on all Committees and Advisory Groups is in proportion to that group's share of the total Council elected membership.
- (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the Council as a whole.

1.3 In line with the provisions of the Constitution, the Council will comply with Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 by:

- Deciding the allocation of seats to political groups in accordance with the Political Balance rules;
- Receiving nominations of Councillors to serve on each Committee and Advisory Group and make the associated appointments.

1.4 The following bodies are not required to be political proportionate; Cabinet and Licensing Committee Sub-Committees.

1.4 Following the change of political group of one Councillor, the proportionality of the Council needs to be recalculated.

2. Details of Proposal or Information

2.1 The proportion of places on the Council by political group as it stood in May 2025 is set out in the table below.

Political Group	No. of Councillors	% on the Council	Number of Seats on Committees	% of seats on Committees
Labour Group	27	50.94%	44	57.89%
Conservative Group	17	32.08%	23	30.26%
North East Derbyshire Independent Group	5	9.43%	6	7.89%
Independents Group	3	5.66%	3	3.95%
Reform UK*	1	1.89%	0	0%

*With only one Councillor Reform UK are not considered a group but are included in the table for information.

2.2 Proportionality rules apply to groups; individual Councillors who are not part of a group are not automatically entitled to a share of seats under proportionality rules.

2.3 Councillor Stokes recently informed the Monitoring Officer that she was no longer a member of the Conservative Group and had joined the North East Derbyshire Independent Group.

2.4 The current political proportionality of the Council is now:

Political Group	No. of Councillors	% on the Council	Entitlement to seats (rounded)
Labour Group	27	50.94%	44.83 (45)
Conservative Group	16	30.19%	26.57 (27)
North East Derbyshire Independent Group	6	11.32%	9.96 (10)
Independents Group	3	5.66%	4.98 (5)
Reform UK	1	1.89%	1.66 (2)

2.5 In order to comply with legislation, in the order it is set out, the following has been considered.

There are currently only 88 seats available on Committees.

The rounded entitlement of seats is then distributed amongst the committees, considering first the majority group's majority on each committee, then that the allocation of seats is in line with overall proportionality, as far as reasonably practicable, and then subject to the first two considerations that the number of seats on each committee bears the same proportionality

2.6 This results in the following committee allocation:

Committee	Labour	Conservative	NED Ind	Ind	Reform UK
Audit	3	2	0	0	0
Employment and Appeals	3	1	0	0	0
General Licensing	6	3	2	0	0
Licensing & Gambling	6	3	2	0	0
Planning	6	3	1	1	0
Standards	4	2	0	1	0
Joint ICT	2	1	0	0	0
Business Scrutiny	5	3	1	0	0
Communities Scrutiny	5	2	2	0	0

Environment Scrutiny	5	3	0	1	0
Services Scrutiny	5	3	1	0	0
Total	50	26	9	3	0

This table reflects the following proposed changes:

One place on Communities Scrutiny Committee moving from the Conservative Group to the North East Derbyshire Independent Group, which meets the requirements of the legislation for proportionality.

The Conservative Group are currently underrepresented on the two Licensing Committees, and the North East Derbyshire Independent Group are overrepresented. These Committees could be increased to 11 members, with the additional seat going to the Conservative Group.

- 2.7 These proposed changes mean all opposition groups have a similar difference between their percentage on the Council to percentage of committee seats, whilst maintaining the largest group's majority.
- 2.8 The proportion of places on the Council by political Group and the proposed change to committee places is set out below.

Political Group	% on the Council	Number of Seats on Committees	% of seats on Committees
Labour Group	50.94%	50	56.82%
Conservative Group	30.19%	26	29.55%
NED Independent Group	11.32%	9	10.23%
Independent Group	5.66%	3	3.41%
Reform UK*	1.89%	0	0%

- 2.9 The Group Leaders affected have been informed of the proposed changes.
- 2.10 It should be noted that with the current numbers in each political group it is not possible for all opposition groups to have their full proportional representation because according to the legislation the majority group's majority should be prioritised. This does not mean the other requirements have been ignored, they have been met where reasonably practicable. Committee places have been allocated to get as close to each group's overall numbers as possible, whilst being fair as possible to all groups.
- 2.11 It is possible for Council as its Annual Meeting in May 2026 to consider whether it wishes to review the size of committees, which would require a change to the terms of reference for some committees.

3 Reasons for Recommendation

- 3.1 The report recommends that the allocation of Committee seats detailed meets the requirements of Section 15 of the Local Government and Housing Act as far as reasonably practicable.

4 Alternative Options and Reasons for Rejection

- 4.1 None. The Council is required to consider and allocate seats to political groups in accordance with the Political Balance requirements.

DOCUMENT INFORMATION

Appendix No	Title
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

Agenda Item 14

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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