

# Public Document Pack

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Prif Swyddog (Llywodraethu)



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To: Cllr Ian Roberts (Leader)

Councillors: Sean Bibby, Chris Bithell, Mared Eastwood, David Healey,  
Dave Hughes, Paul Johnson, Christine Jones and Billy Mullin

17 May 2023

Dear Sir/Madam

**NOTICE OF REMOTE MEETING**  
**CABINET**  
**TUESDAY, 23RD MAY, 2023 at 10.00 AM**

Yours faithfully

Steven Goodrum  
Democratic Services Manager

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

# AGENDA

## 1 **APOLOGIES**

**Purpose:** To receive any apologies.

## 2 **DECLARATIONS OF INTEREST**

**Purpose:** To receive any declarations and advise Members accordingly.

## 3 **MINUTES** (Pages 5 - 16)

**Purpose:** To confirm as a correct record the minutes of the meeting held on 25<sup>th</sup> April 2023.

TO CONSIDER THE FOLLOWING REPORTS

### **STRATEGIC REPORTS**

## 4 **ADOPTION OF SKIN PIERCING BYELAWS** (Pages 17 - 22)

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Planning, Public Health and Public Protection

**Purpose:** To recommend the adoption of byelaws in relation to skin piercing. These are in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982, Part VIII, sections 14 and 17.

### **OPERATIONAL REPORTS**

## 5 **TOWN CENTRE REGENERATION LOANS** (Pages 23 - 34)

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Climate Change and Economy

**Purpose:** To provide an update on the Welsh Government Town Centre Loan funding available for the Council to administer as part of Flintshire's town centre regeneration programme.

**6 COMMUNITIES FOR WORK (Pages 35 - 40)**

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Climate Change and Economy

**Purpose:** To provide an update on the closure of the Communities for Work programme across Wales following the end of the European Structural Fund programmes.

**7 DRAFT STATEMENT OF LICENSING POLICY REVIEW (Pages 41 - 128)**

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Planning, Public Health and Public Protection

**Purpose:** To seek approval for the Draft Statement of Gambling Policy 2023 – 2026.

**8 EXERCISE OF DELEGATED POWERS (Pages 129 - 130)**

**Purpose:** To provide details of actions taken under delegated powers.

**FORWARD WORK PROGRAMME - COUNTY COUNCIL, CABINET, AUDIT AND OVERVIEW & SCRUTINY - FOR INFORMATION**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

The following item is considered to be exempt by virtue of Paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The report contains details of proposed contract(s) and the public interest in withholding the information outweighs the public interest in disclosing the information until such time as the contracts have been awarded.

**9 SCHOOL MODERNISATION UPDATE (Pages 159 - 166)**

Report of Chief Officer (Education and Youth) - Cabinet Member for Education, Welsh Language, Culture and Leisure

**Purpose:** To provide details of the changes to the operational construction programme for Band B – Sustainable Communities for Learning Programme noted in the Council's Strategic Outline Plan and to approve entering into a construction contract.

***Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours***



**CABINET**  
**25<sup>TH</sup> APRIL 2023**

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 25<sup>th</sup> April 2023.

**PRESENT: Councillor Ian Roberts (Chair)**

Councillors: Sean Bibby, Dave Healey, Dave Hughes, Paul Johnson, Christine Jones and Billy Mullin.

**IN ATTENDANCE:**

Chief Executive, Chief Officer (Governance), Chief Officer (Planning, Environment and Economy), Chief Officer (Streetscene and Transportation), Chief Officer (Education and Youth), Corporate Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, Housing and Prevention Service Manager, and Team Leader – Democratic Services.

**APOLOGY:** Councillor Chris Bithell

**151. DECLARATIONS OF INTEREST**

Councillors Bibby, Healey, Jones and Mullin declared personal interests in agenda item number 11 – Parking Outside Schools and Enforcement. Councillors Jones and Roberts declared personal interests in agenda item number 12 – Universal Primary Free School Meals.

**152. MINUTES**

The minutes of the meeting held on 14<sup>th</sup> March 2023 were submitted and confirmed as a correct record.

**RESOLVED:**

That the minutes of the meeting be approved as a correct record.

**153. COUNCIL PLAN 2023-28 DEVELOPMENT**

Councillor Roberts introduced the report and explained that the Council Plan for 2023-28 had been reviewed and refreshed to reflect the key priorities of the Council for the five-year term of the new administration.

The ‘super-structure’ of the Plan comprised of seven priorities and relevant sub-priorities. The seven priorities took a long-term view of recovery, projects and ambitions over the next five years. Details of each priority were outlined.

The Council plan would be published in a similar format to previous years, identifying actions aimed at achieving the Well-being objectives, priorities and sub-priorities. National and regional issues/risks which could impact on the achievement of those priorities would be identified and monitored.

The Chief Executive explained that Part 2 of the Council Plan had been considered by the respective Overview and Scrutiny Committees, except for Social and Health Care, to ensure full coverage of Part 1 of the Council Plan 2023-28 and its respective measures and their targets. Corporate Resources Overview and Scrutiny Committee supported the Plan and made a number of observations. The Plan would be submitted to County Council in June.

Councillor Healey complimented the officers on the compilation of the Plan which he said was a visionary document which demonstrated the breadth of activities undertaken by the Council.

**RESOLVED:**

- (a) That the Council Plan 2023-28 Part 1 and Part 2 documents that outline the actions, measures and risks that underpin the Priorities, Sub-Priorities and Well-being objectives of the Council Plan 2023-28 be agreed; and
- (b) That the Chief Executive be given authority, in consultation with the Leader of the Council and Cabinet Member for Education, Welsh Language, Culture and Leisure, to amend the Council Plan to reflect comments from the Overview and Scrutiny Committees.

**154. CORPORATE SELF-ASSESSMENT 2021-22**

Councillor Roberts introduced the report and explained that the Local Government and Elections Act (Wales) 2021 set out a duty to report on performance and stated 'A Council must produce a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that year, and any actions it intends to take, or has already taken, to increase the extent to which it is meeting the performance requirements.'

A three-stage process had been developed:

**Stage one** – 'desk-based' analysis and evaluation.

**Stage two** – opinion sourcing, consultation and engagement.

**Stage three** – final published assessment and improvement plan.

As an organisation, the results of the Corporate Self-Assessment had identified that there was good evidence of performance against the assessment, scoring between good and best practice in 79% of the questions asked. In 15% of the questions, it was identified that there was good / more evidence required and in 6% there was a need for further action.

The theme / question scored as 'very best practice' identified in the Self-Assessment related to **Theme F – Partnership Working**. Two themes / questions scored as 'having evidence but further action needed' related to **Theme B – Resource Planning and Management** and **Theme G – Customer and Community Engagement**.

The Chief Executive said there would be consultation with the workforce, trade unions and Members on the document and the three themes outlined above would be revisited. The Chief Officer (Governance) added that a Member workshop was being arranged for Members of Corporate Resources Overview and Scrutiny Committee, Governance and Audit Committee and Cabinet as the document was reported to each of those Committees.

**RESOLVED:**

- (a) That the findings of the Corporate Self-Assessment 2021/22 be accepted and approved; and
- (b) That the opportunities for improvement identified in the Corporate Self-Assessment 2021/22 be supported and approved.

**155. 2022/23 IN-YEAR BUDGET MANAGEMENT – BUDGET MONITORING REPORT MONTH 11**

Councillor Johnson introduced the report which provided the latest detailed overview of the budget monitoring position for the Council Fund and Housing Revenue Account for the financial year 2022/23 and presented the position, based on actual income and expenditure as at Month 11.

**Council Fund**

- An operating surplus of (£2.106m) (excluding the impact of the pay award which had been met by reserves), which was a favourable movement of (£1.413m) from the figure of (£0.693m) reported at Month 10
- A projected contingency reserve available balance as at 31st March 2023 of £8.364m

**Housing Revenue Account**

- Net in-year revenue expenditure forecast to be £2.839m higher than budget
- A projected closing balance as at 31st March 2023 of £3.635m

The Council had continued to claim payments totalling £4.8m in 2022/23 for Self-isolation and Statutory Sick Pay Enhancement, along with Free School Meals direct payments and Winter Fuel Payments within their eligible periods.

The Corporate Finance Manager added that the closure of accounts for 2022/23 was under way and would be reported to Cabinet in July. He also provided details on the positive movements which were detailed in the report.

**RESOLVED:**

- (a) That the report and the estimated financial impact on the 2022/23 budget be noted; and

- (b) The carry forward requests be approved.

**156. DELIVERING PUBLIC SERVICES IN THE 21<sup>ST</sup> CENTURY, AN OVERVIEW**

Councillor Johnson introduced the report and said at its meeting in July 2022, Corporate Resources Overview and Scrutiny Committee requested a future agenda item to explore the financial benefits of outsourcing and shared services.

Outsourcing and shared services were just two models of alternative delivery of services. To provide a holistic overview, the report provided a summary of a wider selection of alternative delivery models which were detailed by Councillor Johnson.

The report also highlighted the need to consider broader core principles, and surrounding legislative requirements, when reviewing any service with consideration for a potential change in delivery model.

The Chief Officer (Governance) provided details of where alternative delivery models had been used, citing NEWydd and Community Asset Transfers. The report had been submitted to Corporate Resources Overview and Scrutiny Committee where it was positively received.

**RESOLVED:**

- (a) That the different models that can be used as alternatives to deliver services be noted;
- (b) That the wider factors, such as legislative parameters and core principles, which need to be observed when considering the delivery of services through alternative delivery models be recognised; and
- (c) Cabinet be assured that the Council considers all appropriate alternative delivery models, and the benefits and limitations of these, as part of a broader options appraisal when reviewing services.

**157. HYNET CARBON CAPTURE PROJECT; THE COUNCIL'S LOCAL IMPACT REPORT FOR THE PROPOSED CROSS COUNTRY CARBON DIOXIDE PIPELINE AND CONTINUED MEMBER ENGAGEMENT**

The Chief Officer (Planning, Environment and Economy) introduced the report and explained that Liverpool Bay CCS Limited was proposing to construct and install a new carbon dioxide pipeline between Ince, near Stanlow, and Flint, and repurpose an existing natural gas pipeline between Flint and Talace. The project was known as HyNet North West Carbon Dioxide Pipeline and was considered to be a Nationally Significant Infrastructure Project (NSIP).

The consenting process was different for an NSIP and an application had been made under the Planning Act 2008 for a permission known as a Development Consent Order (DCO).



The application to construct and operate the proposed Carbon Dioxide Pipeline had been submitted to the Planning Inspectorate (England) who would administer the DCO application on behalf of the Secretary of State for Business, Energy and Industrial Strategy.

The examination of the NSIP proposal commenced on 20<sup>th</sup> March 2023. Part of the Local Authority's role to inform the decision making process was to produce a Local Impact Report to assist the Examining Authority to make a recommendation to the Minister.

The report sought approval of the content of the Council's draft Local Impact Report which was appended to the report.

Appended to the report was the local impact report and a map of where the pipeline would be.

The Chief Officer (Planning, Environment and Economy) and Councillor Roberts thanked the Minerals and Waste Planning Manager for all of her work undertaken on the project and they welcomed the community benefit element.

**RESOLVED:**

- (a) That the draft Local Impact Report be approved; and
- (b) That any addendum to the Council's Local Impact Report that may be required be delegated to the Chief Officer (Planning, Environment and Economy) in consultation with the Cabinet Member for Planning, Public Health and Public Protection.

**158. NORTH WALES ENERGY STRATEGY AND ACTION PLAN AND LOCAL AREA ENERGY PLAN**

The Chief Officer (Planning, Environment and Economy) introduced the report which provided information on the regional energy planning process and incorporating priorities into strategic actions and interventions.

It recommended endorsement of the North Wales Energy Strategy and Action Plan and provided information on the commencement of Local Area Energy Planning in Flintshire.

The report was submitted to Environment and Economy Overview and Scrutiny Committee the previous week where it was supported.

Development of the Local Area Energy Plan would be submitted to the Climate Change Committee and then to Cabinet.

Members welcomed the report.

**RESOLVED:**

- (a) That the North Wales Energy Strategy and Action Plan be endorsed; and
- (b) That the commencement of Local Area Energy Planning in the county be noted.

**159. PLANNING FOR DARK NIGHT SKIES SPG**

The Chief Officer (Planning, Environment and Economy) introduced the report and explained that Flintshire, along with Wrexham and Denbighshire Councils, had previously jointly produced and adopted Supplementary Planning Guidance relating to design and development within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). Following that, further joint guidance had been produced dealing with the specific issue of lighting and light pollution within the AONB, whose aim was to reduce the level of it in order to assist in securing dark skies status for the AONB.

The guidance had been through public consultation in all three Council areas and had been considered by the Planning Strategy Group who recommended its adoption by Cabinet. Denbighshire and Wrexham Councils had already formally adopted the guidance and to give it maximum weight as a material planning consideration, adoption was being sought by Cabinet.

Councillors Healey and Johnson welcomed the report, noting that it had been adopted by Denbighshire and Wrexham Councils.

**RESOLVED:**

That the recommendation of the Planning Strategy Group to formally adopt the Supplementary Planning Guidance Note Planning for Dark Night Skies be endorsed.

**160. PARKING OUTSIDE SCHOOLS AND ENFORCEMENT**

Councillor Roberts introduced the report which provided an overview of the problems currently being experienced within the vicinity of the county's schools, whilst also outlining the roles and responsibilities of all parties concerned with a view to seeking a collaborative approach and effective solution.

At the Environment and Economy Overview and Scrutiny Committee on 23<sup>rd</sup> March 2023, it was resolved that a joint Task and Finish Group should be established, which would involve elected Members from the two Overview and Scrutiny Committees, officers from both the Education and Youth and Streetscene and Transportation portfolios, the Police and Head Teachers to explore the issues in further detail and develop a collaborative and preventative approach with key stakeholders. The Task and Finish Group would report to each Overview and Scrutiny Committee in turn. Cabinet approval was therefore sought to support the creation of the group.

He thanked Members of both Committees for the high level discussion that had taken place and not referring to individual schools within wards. On representation of

the Task and Finish Group, he said there needed to be Member representation from both urban and rural communities, in addition to being politically balanced.

He said there was a requirement to adhere to the Highway Code as the most important thing was the safety of children attending schools.

The Chief Officer (Education and Youth) added that it was a big issue for headteachers across the county who undertook work with pupils on keeping safe and regular reminders were sent to parents as part of regular communications. It was important to have head teacher representation on the Task and Finish Group and she appealed to all parents to drive and park responsibly.

The Chief Officer (Streetscene and Transportation) said there was no single solution to address the problems which were complex and would require a collaborative approach. The Terms of Reference for the Task and Finish Group were currently being drafted and would be presented to Overview and Scrutiny Committee. In response to a question from Councillor Roberts, the Chief Officer (Education and Youth) said there was a Flintshire Governors Association which provided representatives for other bodies so she would make enquiries.

Councillor Bibby supported the establishment of a Joint Task and Finish Group including the involvement of all of the stakeholders referred to above.

**RESOLVED:**

- (a) That the historical issues associated with parking within the vicinity of schools be noted, and the responsibility of highway users in accordance with the requirements of the Highway Code be recognised;
- (b) That the hierarchy of responsibility in relation to the management of traffic within the vicinity of schools be noted and the role of enforcement as a reactive measure rather than a means to prevent initial occurrence be acknowledged;
- (c) That the creation of a joint Task and Finish Group, which will involve elected Members from the two Overview and Scrutiny Committees, officers from both the Education and Youth and Streetscene and Transportation portfolios, the Police and Head Teachers to explore the issues in further detail and develop a collaborative and preventative approach with key stakeholders, be supported.

**161. UNIVERSAL PRIMARY FREE SCHOOL MEALS (UPFSM)**

Councillor Roberts introduced the report and explained that Welsh Government (WG) and Plaid Cymru had made a commitment to ensure all primary school aged children could access a free school meal by 2024.

Implementation of universal primary free school meals (UPFSM) would be phased. The first rollout in Flintshire commenced in September 2022 to Reception aged children, the second phase would commence in April 2023 to children in Years 1 and 2.

A significant amount of work had been completed and would continue into 2023 to ensure the infrastructure, equipment, resource and processes were in place to enable full implementation of UPFSM.

The report provided a progress update on local implementation of UPFSM.

Councillor Roberts thanked everybody involved in the preparation preparing for the implementation of this scheme, including head teachers and staff in schools to ensure they could facilitate the rollout. The Chief Officer (Education and Youth) paid tribute to colleagues across several portfolios for their work on the rollout. She stressed the importance of families who were entitled to free school meals still needing to apply for them as those numbers were key indicators for schools and the provision of funding.

Councillor Healey welcomed the scheme, particularly during the cost of living crisis and reinforced the message from the Chief Officer about eligible families continuing to apply for free school meals.

**RESOLVED:**

- (a) That the progress made to date on implementation of UPFSM be noted; and
- (b) That the resource implications and risks identified in relation to UPFSM be noted.

**162. HOUSING REGENERATION GRANTS AND LOANS POLICY**

Councillor Healey introduced the report and explained that the Housing Regeneration Team role had shifted over the years since its creation as funding had become more focussed on carbon reduction in housing and less on wider measures to improve housing conditions in the private sector.

The report provided an update on the work of the team, set out a series of recommended priorities for the team to focus on in the future, and proposed that the now outdated Private Sector Grants and Loans Policy be replaced with a simple schedule of grants and loans available to householders in Flintshire.

The Chief Officer (Planning, Environment and Economy) added that the report had been submitted to Environment and Economy Overview and Scrutiny Committee the previous week where its findings and content were supported. A comment was made on the need for a communication to residents to inform them on how the funds could be accessed. A separate report on loans, including town centre loans, would be submitted to Cabinet in May.

**RESOLVED:**

- (a) That the update on the work of the Housing Regeneration Team be noted and that the future priorities for the service be approved; and

- (b) That the grants and loans schedule be approved, and that delegated authority be given to the Cabinet Member for Economic Development and Countryside and the Chief Officer (Planning, Environment and Economy) to vary the schedule as funding availability or requirements change.

**163. HOMELESSNESS AND ROUGH SLEEPER UPDATE REPORT**

Councillor Bibby introduced the report and explained that homelessness was a statutory service that continued to be under significant pressure post pandemic and the further challenges related to the cost-of-living crisis and housing crisis.

The need to offer accommodation and support to everyone who was homeless and at risk of rough sleeping during the pandemic was challenging. It had, however, provided a unique window of opportunity to engage with a high number of people who historically would not have received the same level of support and may not have achieved positive wellbeing or housing outcomes.

The Housing and Prevention Service Manager said the local private sector housing market was seeing significant challenges with fewer properties available each year and many landlords leaving the market. That created homelessness as properties were sold, residents asked to leave and the availability of fewer properties resulting in them being increasingly unaffordable.

Changes to the Housing Wales Act 2014 and the introduction of an eleventh category of Priority Need for rough sleeping and those at risk of sleeping rough, saw a sustainment of the “no one left out” approach adopted during the pandemic and now firmly established the principle on a legal footing as a standard practice in Wales.

As a result, more people will be owed accommodation duties significantly increasing demands and cost on already stretched homeless accommodation.

Councillor Jones thanked the Housing and Prevention Service Manager and his team for acting proactively in dealing with homelessness in difficult circumstances which was concurred by Councillors Roberts and Bibby.

**RESOLVED:**

That the update report be noted and the work being undertaken by the Housing and Prevention Service continue to be supported.

**164. EXERCISE OF DELEGATED POWERS**

An information item on the actions taken under delegated powers was submitted. The actions were as set out below:-

**Streetscene and Transportation**

- **A5119 Northop Road, Maes Hyfred, Third Avenue, Fourth Avenue and Fifth Avenue, Flint. Proposed Prohibition of Waiting and Waiting at any Time Restrictions**

To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting and Waiting at any Time on the roads listed above.

- **The Flintshire County Council (Kiln Lane, Hope) (Prohibition of Driving) (Except for Access) Order 2023**  
To advise Members of the objection received following the advertisement of the proposed Prohibition of Driving – Except for Access on Kiln Lane, Hope.
- **Ffordd Yr Ysgol, Deansbury Close, Shaftsbury Drive and Windsor Drive, Flint. Proposed Prohibition of Waiting Order**  
To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting Order on the roads listed above.
- **Proposal to Implement no Stopping on School Keep Clear Carriageway Markings at Ysgol Maes Hyfred and Flint High School, Flint**  
To advise Members of the objections received following the advertisement of the proposed School Keep Clear markings on Maes Hyfred, Flint.
- **The Flintshire County Council – Ffordd Llewelyn, Flint. Proposed Prohibition of Waiting**  
To advise Members of the unresolved matter received following the advertisement of the proposed Prohibition of Waiting at any Time on the road listed above.

## Revenues

- **Business Rate Write Offs**  
Financial Procedure Rules requires the Corporate Finance Manager and the Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources to write off debts between £10k and £25k.

Two outstanding Business Rates debts totalling £34,762 are considered irrecoverable and write offs are necessary.

## Governance

- **Review of Non-statutory Registration Fees**  
The Council manages the Registration Service which has several statutory functions including the registration of births, deaths, civil marriages and civil partnerships. The service is based at Llwynegrin Hall, Mold and has custody of archived records from which copy certificates are issued. The service also licences venues for civil ceremonies across the County and conducts a variety of non-statutory celebratory services. The fees relating to statutory services are prescribed by statute and cannot exceed the cost of providing the service. However, the Council has scope to set fees for non-statutory services.

The nature of the Registration Service means some services such as marriage are booked up to 24 months in advance and consequently non-statutory fees need to be set in advance to allow couples to plan. A fundamental review of

fees was undertaken when the Council introduced its “Fees and Charges Cost Recovery Template” and new fees were implemented on 1<sup>st</sup> April 2021, for three years.

Each year the fees are reviewed to ensure the service always publishes a three year set of fees. This report sets the fees for 2025/26 to ensure the Registration Service continues to publish three years fees.

### **Social Services**

- **Social Care Case Management System**

The contract for the existing Social Care Case Management System is due to end on 31<sup>st</sup> March 2025 and therefore procurement of a Social Care Case Management System is required.

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

#### **RESOLVED:**

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

#### **165. NEWYDD BUSINESS PLAN 2023/24**

Councillor Mullin introduced the report and explained that in October 2021 Cabinet agreed to extend the Services Concession Agreement with NEWydd from 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2024.

The Corporate Manager – Capital Programme and Assets said in line with that arrangement NEWydd were required to produce an annual Business Plan, to include financial budgeting and forecasting.

The Business Plan was appended to the report and provided a summary of the key elements of the Business Plan.

#### **RESOLVED:**

That the strategic risks facing the business be noted and the Business Plan 2023/24, which includes the mitigation of the risks identified, be endorsed.

#### **166. THEATR CLWYD BUSINESS PLAN**

Councillor Roberts introduced the report which consisted of Theatr Clwyd's Business Plan 2023-29 and Companies House trading accounts for Theatr Clwyd Trusts first full year of trading.

Theatr Clwyd's Executive Director said comments made at the Education, Youth and Culture Overview and Scrutiny Committee had been included in the revised

Business Plan where the report had been positively received. An updated Business Plan was available and would be sent to Cabinet following the meeting.

**RESOLVED:**

That authority to approve the updated Theatr Clwyd Business Plan 2023-29 be delegated to the Corporate Manager – Capital Programme and Assets in consultation with the Leader of the Council and Cabinet Member for Education, Welsh Language, Culture and Leisure following receipt of the updated Business Plan.

**167. COMMISSIONING / RE-TENDERING HOUSING SUPPORT GRANT FUNDED DOMESTIC ABUSE SERVICES**

Councillor Bibby introduced the report which provided an overview of the current domestic abuse provision in Flintshire funded by the Housing Support Grant (HSG) and the changes the Housing Support Team were proposing to make.

**RESOLVED:**

That the commissioning / re-tendering of Flintshire's Domestic Abuse Services funded by the Housing Support Grant be approved.

**168. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were no members of the public in attendance.

(The meeting commenced at 10.00 a.m. and ended at 11.53 a.m.)

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**Chair**





## CABINET

<b>Date of Meeting</b>	Tuesday, 23 <sup>rd</sup> May 2023
<b>Report Subject</b>	Adoption of Skin Piercing Byelaws
<b>Cabinet Member</b>	Cabinet Member for Planning, Public Health and Public Protection
<b>Report Author</b>	Chief Officer (Planning, Environment & Economy)
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

The purpose of this report is to recommend the adoption of byelaws in relation to skin piercing. These are in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982, Part VIII, sections 14 to 17.

The adoption of these byelaws will ensure there is greater regulation with respect to activities such as ear piercing, tattooing, acupuncture and electrolysis. The byelaws help to safeguard the public and improve compliance.

A consultation exercise has been undertaken with stakeholders regarding the requirements of the byelaws and no adverse responses were received. In addition, the content of the proposed byelaws has been reviewed by the Constitution and Democratic Services Committee on 12 January 2023, and the changes they requested have been incorporated.

### RECOMMENDATIONS

1	To recommend the formal adoption of byelaws relating to skin piercing.
2	To recommend the formal adoption of the Local Government (Miscellaneous Provisions) Act 1982, Part VIII, sections 14 to 17, which will apply to the county of Flintshire as a whole with respect to skin piercing byelaws.

## **REPORT DETAILS**

<b>1.00</b>	<b>BACKGROUND</b>
1.01	The adoption of the proposed byelaws will aid the effective regulation of businesses who undertake skin piercing. The vast majority of those who are registered with Flintshire County Council already adhere to the stringent hygiene standards set out in the byelaws. However, the growth in this sector, and the availability of low-cost DIY kits, has seen new practitioners enter this field.
1.02	In Flintshire tattooing and skin piercing in all its forms is increasingly popular. Currently there are 43 registered premises and 78 registered practitioners
1.03	Public safety is the key driver to recommend the adoption of these byelaws. During skin piercing procedures blood and body fluids are released. This can pose a risk of blood-borne virus transmission, including hepatitis A, B, and C and HIV. Some blood-borne viruses, for example hepatitis B, can be transmitted by very small volumes of blood; too small to be visible to the naked eye. Such diseases can be debilitating and can have far-reaching consequences.
1.04	There are a range of enforcement powers available to the Council once the byelaws have been adopted, these include Fixed Penalty Notices and undertaking legal proceedings for their enforcement.

<b>2.00</b>	<b>BACKGROUND TO THE ADOPTION PROCESS FOR SKIN PIERCING BYELAWS</b>
2.01	The Local Government (Miscellaneous Provisions) Act 1982 (The Act) gave powers to local authorities to regulate ear piercing, tattooing, acupuncture and electrolysis by requiring practitioners to register and comply with local byelaws. The Local Government Act 2003 amended the 1982 Act to include cosmetic piercing and semi- permanent skin colouring businesses in the list of those that local authorities have powers to regulate.
2.02	The proposed byelaws enables Flintshire County Council to enforce businesses who undertake these activities if they fail to introduce minimum infection, prevention and control measures to safeguard customers.
2.03	<p>The amendments moved by the Constitution and Democratic Services Committee, from the original model byelaws drafted by Welsh Government, are as follows:</p> <ul style="list-style-type: none"><li>▪ in part 1, change b) and c) to i) and ii), and consequently change d) to b)</li><li>▪ in part 1, insert "clean" means previously unused either (i) in the case of a single use item, at all, and (ii) in the case of a reusable item, since last thoroughly washed, disinfected and sterilised as appropriate and kept in a hygienic condition since"</li></ul>

	<ul style="list-style-type: none"> <li>▪ In part 2(1)(h), delete "may" and replace with "must". Insert "assistance" before second "animals".</li> </ul> <p>In part 3(1)(b)(i)(aa) after "wherever possible", insert "and in all cases where a new premises is established after the commencement of these bylaws".</p>
2.04	The Local Government Byelaws (Wales) Act 2012 came into force in March 2015 and provides the framework with which local authorities can adopt byelaws pursuant to the 1982 Act.
2.05	<p>Before these proposed byelaws can be adopted, a number of steps have had to be completed. The following have been undertaken to date:</p> <p>Twelve week consultation with all skin piercers registered by Flintshire County Council. No adverse responses were received.</p> <p>Publication of statement on website, social media and press with summary of consultation responses.</p> <p>Publication of notice to adopt the byelaws (subject to Council approval)</p> <p>Review of the byelaws by the Constitution and Democratic Services Committee on 12 January 2023.</p> <p>Additional six-week consultation following amended wording requested by the Constitution and Democratic Service Committee prior to the report going to Full Council.</p>
2.06	Subject to the approval of Full Council, the byelaws will come into force on 1 <sup>st</sup> August 2023.

<b>3.00</b>	<b>RESOURCE IMPLICATIONS</b>
3.01	None
3.02	Any additional resourcing requirements due to increased enforcement action will be absorbed by the Health, Safety and Environmental Control Team, which sits within the Planning, Economy and Environment Portfolio.

<b>4.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
4.01	It is anticipated that the adoption of the byelaws will reduce the overall risk to public health and bring about greater compliance in establishments that undertake skin piercing activities.
4.02	<b>Ways of Working (Sustainable Development) Principles Impact</b>

	Long-term	Positive: Will potentially improve longer term health outcomes for service users.
	Prevention	Positive: Rigorous infection, prevention and control measures will prevent the spread of blood borne illnesses.
	Integration	No impact identified
	Collaboration	Positive: Flintshire County Council has worked closely with the county's registered skin piercers.
	Involvement	Positive: Active engagement through consultation.
<b>Well-being Goals Impact</b>		
	Prosperous Wales	Positive for the reputation of the skin piercing sector in Flintshire..
	Resilient Wales	No impact identified
	Healthier Wales	Positive: Improve health outcomes, as outlined in the report.
	More equal Wales	No impact identified
	Cohesive Wales	No impact identified
	Vibrant Wales	No impact identified
	Globally responsible Wales	No impact identified
4.03	Not anticipated to be any negative anti-poverty, equalities or environmental impacts of the scheme.	

<b>5.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
5.01	The required consultations have been undertaken, as outlined in paragraph 2.05.

<b>6.00</b>	<b>APPENDICES</b>
6.01	Draft Model Byelaws that are proposed to be adopted. Link to Flintshire County Council website as follows:

	<a href="https://www.flintshire.gov.uk/en/Business/Health-and-Safety/Draft-byelaws-in-respect-of-acupuncture-tattooing-semi-permanent-skin-colouring-cosmetic-piercing-and-electrolysis.aspx">https://www.flintshire.gov.uk/en/Business/Health-and-Safety/Draft-byelaws-in-respect-of-acupuncture-tattooing-semi-permanent-skin-colouring-cosmetic-piercing-and-electrolysis.aspx</a>
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<b>7.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
7.01	<p>Integrated Impact Assessment dated 25/04/23</p> <p><b>Contact Officer:</b> Sian Jones, Community and Business Protection Manager  <b>Telephone:</b> 01352 702132  <b>E-mail:</b> <a href="mailto:sian-jones@flintshire.gov.uk">sian-jones@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
8.01	None.

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## CABINET

<b>Date of Meeting</b>	Tuesday, 23 <sup>rd</sup> May 2023
<b>Report Subject</b>	Town Centre Regeneration Loans
<b>Cabinet Member</b>	Cabinet Member for Climate Change and Economy
<b>Report Author</b>	Chief Officer (Planning, Environment and Economy)
<b>Type of Report</b>	Operational

### **EXECUTIVE SUMMARY**

Over the last eight to ten years, alongside traditional non-repayable town centre regeneration grant funding opportunities, Welsh Government has made available repayable capital loan funding to local authorities across Wales. By making repayable loan funding available, Welsh Government's aim is that this will facilitate the delivery of its strategic regeneration policy frameworks which seek to increase footfall and vibrancy, support the growth of the local economy, diversify the use of premises within the town centre, and help breathe new life into land and premises in town centre locations across Wales.

This report provides details of the town centre regeneration repayable loan funding awarded to Flintshire County Council and a proposed criteria to be used to manage and administer the funds to support the delivery of its regeneration work programme across town centres in Flintshire.

### **RECOMMENDATIONS**

1	That the repayable loan funding awarded for town centre regeneration in Flintshire is noted.
2	That Members approve the proposed criteria and approach to administering and managing the town centre repayable loan funding across Flintshire.

## **REPORT DETAILS**

<b>1.00</b>	<b><u>BACKGROUND</u></b>
1.01	<p>There are a number of challenges facing all small towns in the United Kingdom including towns across Flintshire:</p> <ul style="list-style-type: none"> <li>• Changing customer behaviours resulting in reduced footfall and towns having more retail units than they can sustain;</li> <li>• Many town centre properties are owned remotely by national or international property finance companies or speculative investors with limited interest in their effective management and no stake beyond their investment in the success of the town centre;</li> <li>• Smaller, more marginal shopping centres are struggling to remain viable with a major collapse of property values and considerable difficulties in attracting tenants;</li> <li>• Vacant retail units and underused space above the ground floor and weak business resilience is believed to mask the true picture which manifests in gradually declining building condition and a lack of investment;</li> <li>• There are a small number of longer-term vacant properties in towns which can have a blighting effect on their locality.</li> </ul>
1.02	<p>Since 2014-15, alongside traditional non-repayable regeneration grant funding opportunities, Welsh Government has made available repayable capital funding across Wales. Repayable regeneration funding was initially made available to local authorities to support the regeneration of their towns via the former Vibrant and Viable Places (VVP) regeneration initiative.</p>
	<b><u>Strategic context</u></b>
1.03	<p>In 2020, Welsh Government launched its Town Centres First policy to help breathe new life into town centres by locating services and buildings in town centres wherever possible. It has since launched a national £90million Transforming Towns investment package and encouraged the public sector to support towns through delivering regeneration activity which aims to increase footfall and create or sustain vibrancy.</p>
1.04	<p>Since the introduction of its Town Centre First Policy, Welsh Government has increasingly focussed on town centre regeneration, and as part of this, tackling empty town centre properties.</p> <p>As part of its Transforming Towns initiative, funding has been made available through a repayable town centre loans programme (delivered through each local authority) to support regeneration of town centres at a county level. Welsh Government has set out a requirement for local authorities to effectively manage and administer repayable loan funding at a local authority level and report periodically on progress regarding the usage of repayable loan funds.</p>



1.05	<p>Local authorities including Flintshire County Council have been awarded repayable capital funding from Welsh Government to administer as ‘Town Centre Regeneration Loan Schemes’ at a county level to facilitate:</p> <ul style="list-style-type: none"> <li>i) work with property owners and developers to support investment in their premises, and</li> <li>ii) deliver council-led regeneration projects.</li> </ul>
	<b><u>Flintshire town centre regeneration strategic approach</u></b>
1.06	<p>Town Centre regeneration priorities are part of the Council Plan 2023-28 and are also supported by key plans and strategies that the Council has already produced (e.g. LDP, Housing Strategy and Action Plan for 2019-2024, Climate Change Strategy 2021-2030, A Well-being Plan for Flintshire 2018-2023). Town centres are also a priority in the North Wales Regional Economic Framework and its delivery programme, which is overseen by the North Wales Economic Ambition Board.</p>
1.07	<p>The strategic approach to town centre regeneration in Flintshire was approved by Cabinet in May 2019 and subsequently refreshed in March 2020, immediately before the pandemic restrictions came into place. In May 2021, a further Cabinet report provided an update on progress against the regeneration priorities and areas of particular focus and identified the need for additional staff resource to deliver the increased scale of the programme and more property-related regeneration.</p>
1.08	<p>In October 2022, an update on progress was provided to Cabinet and the approach to developing Place Making Plans for seven towns across Flintshire (Buckley, Connah’s Quay, Flint, Holywell, Mold, Queensferry and Shotton) and criteria and approach for tackling empty properties in town centres was approved.</p>
1.09	<p>Repayable and non-repayable regeneration investment is to be targeted at schemes which support the regeneration of the seven towns across Flintshire approved by Cabinet in October 2022, so to align to local place making priorities identified for each town as part of the Place Making process.</p>
	<b><u>Repayable Loan Funding awarded to Flintshire</u></b>
1.10	<p>In total, £2,450,000 repayable loan funding for town centre regeneration has been awarded to the Council from Welsh Government to administer, this includes:</p> <ul style="list-style-type: none"> <li>• £860,000 from the Vibrant and Viable Places initiative repayable by 31/03/2030;</li> <li>• £840,000 Town Centre Loans (for administering to third parties), repayable by 31/03/2036; and</li> <li>• £750,000 Town Centre Loans (for use by the Council to deliver regeneration projects), repayable by 31/03/2036.</li> </ul>
1.11	<p>Each of the repayable loan funding awards from Welsh Government has a consistent purpose, to reduce the number of vacant, underutilised and</p>

	redundant sites and premises in town centres and to support the diversification of the town centres by encouraging more sustainable uses for empty sites and premises, such as residential, leisure and for key services.										
1.12	<p>The funding award letters outline three ways in which loan monies can be used, these are:</p> <ul style="list-style-type: none"> <li>i) by the Council to acquire and unlock sites and premises with the intention of packaging and selling a proposal on the open market within an agreed timeframe;</li> <li>ii) by the council to redevelop or refurbish sites and premises within an agreed timeframe; and</li> <li>iii) to provide loans to third parties for repayment within an agreed timeframe.</li> </ul> <p>Where possible, it is encouraged by Welsh Government that the repayable loans are recycled to generate maximum impact over the term that the funding award covers.</p>										
	<b><u>Administration of the repayable loan funding</u></b>										
1.13	Within the repayable loan funding award letters received from Welsh Government, details of the criterion for how the loan is to be administered are provided. Details of the criteria received from Welsh Government and the proposed details for the implementation of the scheme in Flintshire is outlined in table 1, below										
1.14	<b>Table 1:</b> Proposed criteria for use in Flintshire										
	<table border="1"> <thead> <tr> <th></th> <th><b>WG funding criteria – pan Wales</b></th> <th><b>FCC criteria to be administered to suit local need/ context.</b></th> </tr> </thead> <tbody> <tr> <td>Maximum Loan charge</td> <td>A discretionary one-off administration fee of up to 15 per cent.</td> <td> <p><b>£5,001 to £20,000:</b> 2.5% of loan amount subject to a minimum fee of £ 275.00</p> <p><b>£20,001 to £50,000:</b> 2.0% of loan amount subject to a minimum fee of £500.00</p> <p><b>£50,001 to £100,000:</b> 1.5% of loan amount subject to a minimum fee of £1,000.00</p> <p><b>£100,000 to £250,000:</b> 1.0% of loan amount subject to a minimum fee of £1,500.00</p> <p>This is consistent with other local authorities across north Wales.</p> </td> </tr> <tr> <td>Minimum and maximum Loan value</td> <td>£5,000 up to £1 million</td> <td> <p>Minimum of £5,000 and maximum of £250,000 maximum loan to third parties, per project.</p> <p>No maximum loan amount per project for use of funds awarded for projects being led by FCC – to be determined on a case-by-case basis</p> </td> </tr> </tbody> </table>			<b>WG funding criteria – pan Wales</b>	<b>FCC criteria to be administered to suit local need/ context.</b>	Maximum Loan charge	A discretionary one-off administration fee of up to 15 per cent.	<p><b>£5,001 to £20,000:</b> 2.5% of loan amount subject to a minimum fee of £ 275.00</p> <p><b>£20,001 to £50,000:</b> 2.0% of loan amount subject to a minimum fee of £500.00</p> <p><b>£50,001 to £100,000:</b> 1.5% of loan amount subject to a minimum fee of £1,000.00</p> <p><b>£100,000 to £250,000:</b> 1.0% of loan amount subject to a minimum fee of £1,500.00</p> <p>This is consistent with other local authorities across north Wales.</p>	Minimum and maximum Loan value	£5,000 up to £1 million	<p>Minimum of £5,000 and maximum of £250,000 maximum loan to third parties, per project.</p> <p>No maximum loan amount per project for use of funds awarded for projects being led by FCC – to be determined on a case-by-case basis</p>
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		within the available funds awarded to FCC for use on council-led projects.
Improvement or redevelopment required	Works which make a residential property safe, warm and/or secure, or unlock a vacant or stalled site	As per WG criteria.
Loans can be used to improve a property to/for:	<ul style="list-style-type: none"> <li>• Continued ownership</li> <li>• Sell</li> <li>• Rent</li> <li>• Unlock a vacant or stalled site</li> </ul>	As per WG criteria
Loan criteria for private rented sector only	Must be free of category 1 hazards.	As per WG criteria
Interest	Loans must be interest free	0% interest in all cases except when repayment of the loan is late. Late repayment will mean that the interest rate on a pro-rata basis from the commencement of the loan until the date of repayment is 6.00% per annum.
Maximum Loan Period	15 years	Maximum of 7 years in exceptional circumstance – in order to recycle funds for re-investment. Expected 2-5 years for most applicants received.
Repayment terms	Choice of staged repayments or full repayment at end of loan term or on sale of the property or site, if earlier.	As per WG criteria, to be determined per individual application as part of due diligence role/ administration of loan. No charges for early repayment. You can overpay or repay in full at any time.
Eligible applicants	Owners of sub-standard properties e.g. landlords, owner occupiers who pass affordability checks i.e: charities – last 3 years financial accounts, companies/ businesses – evidence of a robust and sustainable business plan.	As per WG criteria
Risk mitigation measures	Two or more of the following: loan to value ratio, second property charges, local land charges, staged repayments.	As per WG criteria
Other funding options	Other funding options must be explained to the applicant and other funding options can be used in conjunction with the loan as long as they are funding separate works.	As per WG criteria

	<b>Governance arrangements</b>		
1.15	<p>A 7-stage process and suite of loan application documentation has been developed between officers in the Council's Regeneration Team, Legal team and external legal expertise. The documentation has been informed by best practice from other operational regeneration loan schemes across Wales and all information needed and a full due diligence process designed which is in line with Welsh Government expectations and the repayable funding terms and conditions outlined in the award offer letters received.</p> <p>Details of the proposed 7-stage process for assessing and awarding loans the repayable town centre loan funding is outlined in table 2, below.</p>		
1.16	<b>Table 2: 7-stage process for assessing and awarding loans</b>		
	<b>Stage</b>	<b>Action</b>	
		<b>Responsibility/ Lead</b>	
	Stage 1:	<p>Enquiry from prospective loan applicant (external) Options appraisal/ feasibility study completed (internal projects).</p>	Applicant
	Stage 2:	<p>Meeting held at the property to receive the investment involving the applicant and Regeneration Officer.</p> <p>Applicant to provide full details of the intended use for the loan funding (Completed application form).</p>	FCC Regeneration Team/ Applicant
	Stage 3:	<p><b>For third party loans:</b></p> <p>Loan Governance Panel held</p> <p><b>Internal projects only:</b> project considered by Loan Governance panel and the Council's Programme Asset Board.</p> <p>In addition, approval to proceed to be sought from Chief Officer for Planning, Environment and Economy and Cabinet Member for Climate Change and Economy (delegated authority to do so to be sought from Cabinet at its meeting on 23 May 2023).</p>	<p>FCC Regeneration, Legal and Finance.</p> <p>FCC Regeneration, Legal and Finance.</p> <p>Chief Officer – PEE</p> <p>Cabinet Member</p>
	Stage 4:	Complete due diligence - to ensure the applicant can afford the repayments; that the proposal has been thought through and that appropriate security can be offered for the loan.	FCC Regeneration and Legal
	Stage 5:	Award funding via offer letter and instruct formal loan agreement via Legal Services. Legal Service to apply a land charge to premises.	FCC Regeneration and Legal

Stage 6:	Complete agreement and transfer loan funds to applicant (external). Draw down funds for internal projects.	FCC Legal and Finance
Stage 7:	Ongoing monitoring of works/ repayments in line with terms outlined in loan agreement. Quarterly reporting to Welsh Government.	Applicant FCC Regeneration
1.17	<p>To inform the town centre regeneration loan governance process in advance of it being proposed for adoption by the Council, two repayable loans have been administered to date to trial the criteria and process outlined above:</p> <ul style="list-style-type: none"> <li>i) £100,000 loan to Holywell Town Council for town centre improvement works – loan repaid in full by applicant; and</li> <li>ii) £139,776 to an owner of a commercial property (private sector) in Queensferry – due diligence completed and loan agreement issued to applicant – currently at stage 5 of the process outlined above.</li> </ul> <p>The second of the above loan agreements detailed above was facilitated by an external solicitor procured via the Council’s Legal Service due to limited staff resource to take on the work. This has worked favourably, as the developed loan agreement templates, and legal content/ wording for use in the future have been produced by experts in the legal sector which are able to be used in future as example documents for use by the Council’s Legal Service in the future.</p>	
1.18	<p>The Council’s ‘Places Group’, which is part of Economic Recovery Group governance structure will have oversight of the town centre regeneration loan implementation at an operational level. The loans will be accounted for by the Council’s Finance team (Capital) in line with established borrowing processes, procedures, and financial regulations. Existing meetings between Finance and Regeneration teams to manage and monitor the loan funding available will continue.</p>	

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>	
2.01	<p><b>Financial resource</b></p> <p>As outlined in this 1.10 of this report, a total of £2,450,000 repayable loan funding for town centre regeneration has been awarded to the Council from Welsh Government to administer, this includes:</p> <ul style="list-style-type: none"> <li>• £860,000 from the Vibrant and Viable Places initiative repayable by 31/03/2030;</li> <li>• £840,000 Town Centre Loans (for administering to third parties), repayable by 31/03/2036; and</li> <li>• £750,000 Town Centre Loans (for use by the Council to deliver regeneration projects), repayable by 31/03/2036.</li> </ul> <p>In addition, £510,000 non-repayable revenue grant was secured from Welsh Government in March 2022, for use over the next 2-3 years. This</p>	

funding will support economic development activity and cover costs of additional regeneration staff recruited in 2022 and place making plan development activity in 2023 and 2024.

In addition to the above, the following Welsh Government funding is available for town centre regeneration from 1 April 2023:

- £2.6 million available across North Wales, with up to £250,000 available per application; and
- £150,000 allocation per annum for the delivery of small-scale property development projects in Flintshire -targeting Buckley and Shotton as a pilot.

A town centre investment programme for Flintshire has also been developed and funding application (stage 1) submitted by the Council's Regeneration Team to seek funding from Flintshire's Shared Prosperity Funding allocation. This application was successful at stage 1 and has been invited to submit a stage 2 application, the outcome of which will likely be known in June 2023.

The funding already secured and sought from live funding applications currently as outlined above, provides good opportunities for regeneration projects in Flintshire. There is, however, an amount of the funding either repayable or requires significant match funding. Without capital funds the Council will not be able to take full advantage of these opportunities to regenerate town centres.

### **Capacity**

The regeneration team has recently recruited an additional 3 staff, with the team now comprising 7 officers in total. This temporary growth in the team is because of Cabinet approving extra staff resource in 2021, and the need for prioritising the development of Place Making Plans between 2022 and 2024.

The additional resource brings a broader range of skills, knowledge and experience to the regeneration team particularly in property-related regeneration work and the delivery of loan investments. This resource is needed to successfully deliver the regeneration priorities detailed in the Regeneration Programme including those outlined in this report and to manage risks to the Council.

### **Specialist advice and expertise**

The management and implementation of the repayable town centre loan funding will place demands upon other teams in the Council to deliver specialist advice and support, for example property, legal services and finance. Colleagues within these services has been involved in developing the way forward for the repayable loan scheme in terms of the process and documentation needed. Their input will continue to be needed to deliver the Regeneration Programme.

**3.00 IMPACT ASSESSMENT AND RISK MANAGEMENT**

3.01

Identified risk	Action to manage risk
Lack of experience and capacity to deliver programme of work.	Use recently appointed staff resource (which has experience of delivering regeneration loan funding schemes) to deliver repayable loan funding, and continue to work with colleagues in finance, legal and property services for specialist support and expertise.
Lack of specialist advice and support internally within the Council.	Procure advice from external specialists.
Lack of funding to deliver Regeneration work programme.	i) Maintain positive working links with external funding bodies.  ii) Ensure future funding requirements/ future regeneration schemes are known to Welsh Government.  iii) Consider investing own Council resources into projects that would otherwise not progress/ not deliver benefits.  iv) Recycle regeneration loans to maximise impact of funds available.  v) Ensure Council funds are used effectively as match contributions.
Failure to meet expectations.	i) Effective monitoring and management of regeneration activity by the Council's Places Group, Scrutiny Committee and Cabinet.  ii) Prioritise work in line with local needs and funding opportunities.  iii) Place Plans to be developed in a phased approach over 2 years to manage workload and resource.  iii) Engage public and partners to inform content of Place Plans to ensure local needs are met.  iv) Deliver Regeneration Communications Action Plan.
Loss of funding.	i) Adherence to terms and conditions of external funding secured.  ii) Effective budget monitoring and financial management.

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	<p>The repayable town centre loan funds will be used to invest in projects which align to the Council’s regeneration work programme priorities and to deliver emerging priorities which are identified as part of the Place Making Plan development process.</p> <p>In February 2023, a series of public meetings and digital consultations were successfully delivered in relation to Place Making Plans for Buckley, Holywell and Shotton with over 4,400 participants in total.</p> <p>Further consultations are to be carried out as part of the development process for each of the remaining four Place Making Plans for Connah’s Quay, Flint, Mold and Queensferry.</p> <p>Information gathered from consultations with residents, businesses, internal and external colleagues will directly inform the content of Flintshire’s Place Plans over the next two years. Consultation findings will help to influence how repayable loans and non-repayable grant funding should be invested in the future.</p>

<b>5.00</b>	<b>APPENDICES</b>
5.01	None.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	None.

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Niall Waller (Enterprise and Regeneration Manager)  <b>Telephone:</b> 01352 702137  <b>E-mail:</b> <a href="mailto:niall.waller@flintshire.gov.uk">niall.waller@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
	<p><b>Place Making</b> – a multi-faceted approach to designing, developing and managing public spaces across a range of stakeholder which capitalises on local assets and has people’s health, happiness and well-being at the forefront of decisions made.</p> <p><b>Place Making Plan</b> – a document which is developed for a defined settlement which identified local needs which are informed by consultation and engagement with the local stakeholders along with a vision for the settlement area and actions to achieve this.</p>



**Places Group** – a group of senior officers from across the Council and Lead Member for Climate Change and Economy which is responsible for overseeing the monitoring, management and implementation of Place Making priorities.

**Town Centres First** – a Welsh Government policy which focuses on town centres being the first consideration for all decisions on the location of workplaces and services.

**Transforming Towns** – a Welsh Government targeted regeneration investment programme which aims to support the redevelopment and improvement of town centres across Wales.

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## CABINET

<b>Date of Meeting</b>	Tuesday, 23 <sup>rd</sup> May 2023
<b>Report Subject</b>	Communities for Work
<b>Cabinet Member</b>	Cabinet Member for Climate Change and Economy
<b>Report Author</b>	Chief Officer (Planning, Environment and Economy)
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

The Communities for Work programme was created by Welsh Government in 2016. Funded from a mixture of European and Welsh Government resources, it provided local government in Wales with resources to support people furthest from the labour market to overcome barriers to employment and learning through long-term mentoring support. As a European funded programme, it ended on 31 March 2023.

In December 2022 it was announced that Flintshire would receive sufficient Welsh Government funding to continue to provide the Communities for Work support and enable the Council to retain the entire staff team to do so.

This report provides an update on the programme and the changes which have taken place and its future priorities.

### RECOMMENDATIONS

1	That the closure of the Communities for Work programme and the new arrangements to support long term unemployed people are considered and supported.
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## REPORT DETAILS

1.00	<b>Explaining the Communities for Work programme</b>
	<b><u>Background</u></b>
1.01	<p>The Communities for Work programme was created by Welsh Government in 2016. Funded from a mixture of European and Welsh Government resources, it provided local government in Wales with resources to support people furthest from the labour market to overcome barriers to employment and learning through long term mentoring support. The programme was based on the previous Communities First infrastructure locally and nationally and was limited to where it could operate and who it could support due to eligibility constraints. As a European funded programme, it ended on 31 March 2023.</p>
1.02	<p>The programme was delivered in Flintshire by the Employability team within the Enterprise and Regeneration service. In Flintshire, the programme supported the employment of six members of staff. Since the start of the Communities for Work (C4W) programme, 688 individuals have received support with 244 moving into employment or learning as a result.</p>
1.03	<p>Welsh Government have also funded a complementary programme that has supported individuals that have not been eligible for C4W. This is Communities for Work Plus (C4W+) and it has operated across all of Flintshire delivered by additional staff located in the same team. The programme has:</p> <ul style="list-style-type: none"> <li>• provided mentoring support to help individuals to overcome barriers to employment and learning;</li> <li>• enabled training activity to help individuals become ready for work in specific sectors,</li> <li>• helped employers to recruit locally;</li> <li>• contributed to the response to redundancy situations; and</li> <li>• co-ordinated local employability support to help ensure individuals get a joined-up service.</li> </ul>
1.04	<p>A number of case studies are provided below to illustrate the work of the service through both the C4W and C4W+ programmes.</p> <p>The service supported Mr. A. who was homeless due to alcoholism and poor mental health. Council staff helped Mr. A. to compile a CV and arranged for him to attend jobs fairs and confidence building training. Through attendance at the jobs fairs, Mr. A. has secured employment locally. Mr. A. is actively managing his health conditions and rebuilding his family relationships.</p>

	<p>Mr. B. was 18 when he was referred to the service with no qualifications and no work history. Mr. B. wanted to work in construction and was supported to enroll on a college course. Unfortunately, he dropped out of the course and has moved from job to job since. His mentor has maintained contact with him to offer support and encouragement and recently provided him with access to an accredited learning in construction opportunity. Now aged 21, Mr. B. has secured work in construction.</p> <p>Ms. C. wanted to set up her own business despite a number of challenging life events and both physical and mental ill-health. Over 12 months, the service has provided support and encouragement and has worked closely with the Department for Work and Pensions and Business Wales to guide Ms. C. through the stages she needed to work through to set up her business. Ms. C has now started her business.</p> <p>Ms. D. hadn't worked for three years due to poor mental and physical health. Ms. D. wanted to gain employment and also to write a book about autism, due to her life experiences. Through regular support and local partnerships, the service was able to provide access to IT equipment and training for Ms. D. and with job search help and skills. Ms. D. is now employed in a job that she finds very rewarding and is part-way through writing her book.</p>
	<b><u>Programme changes</u></b>
1.05	<p>In 2022, Welsh Government announced that the C4W+ funding would be restructured from April 2023 to move away from the Communities First infrastructure and formula and to take account of the loss of the C4W funding. In December 2022 it was announced that Flintshire would receive sufficient C4W+ funding to continue the scale of service that had been covered by the two programmes together, enabling the Council to retain the entire staff team. The service, as a result of these decisions, now employs:</p> <ul style="list-style-type: none"> <li>• Team Leader</li> <li>• Finance and Monitoring Officer</li> <li>• Triage Support Worker</li> <li>• Two Lead Officers (employer liaison)</li> <li>• 10 Mentors</li> </ul>
1.06	<p>The team is currently in the process of relocating from the Care and Repair centre in Shotton to Ty Dewi Sant, Ewloe. The majority of the work of the service is delivered in community venues across the County and this will remain unchanged.</p>
	<b><u>Future priorities</u></b>
1.07	<p>The service, in delivering the C4W+ programme, will focus on:</p> <ul style="list-style-type: none"> <li>• engaging and providing long term mentoring support to those furthest from the labour market to enable them to overcome barriers to employment and learning;</li> <li>• support employers in recruiting suitable candidates especially through the provision of jobs fairs;</li> </ul>

	<ul style="list-style-type: none"> <li>• provide short work-focused learning opportunities to individuals to provide the skills and accreditations they need to enter employment in key sectors including health and social care, construction, retail, and hospitality;</li> <li>• co-ordinate employability support in the County to ensure participants get a joined-up service; and</li> <li>• contribute to the rapid response to redundancy team in Flintshire.</li> </ul>
1.08	<p>Individuals join the programme from a wide range of referral routes and can self-refer themselves. If Members are aware of individuals who might benefit from the programme then they are asked to provide the contact details below.</p> <p><a href="mailto:cfwtrriage@flintshire.gov.uk">cfwtrriage@flintshire.gov.uk</a></p> <p>07827 976923</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p>The programme is 100% funded by Welsh Government so there are no resource implications currently arising from the programme. The Welsh Government funding for 2023/2024 is £865,853.</p>

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	<p>The main risk to the Council is that the programme fails to deliver its profiled targets in terms of people engaged onto the programme and then reaching suitable outcomes; employment, learning or voluntary activity.</p> <p>The mitigation measures for this are:</p> <ul style="list-style-type: none"> <li>• the continued employment of a diverse and highly skilled mentor team to engage and support participants;</li> <li>• the co-ordination of a broad coalition of support agencies to cross-refer participants and to ensure joined-up and effective support packages are provided;</li> <li>• employment of a manager and development officers in the programme to build relationships with partners and employers and to set up specific support initiatives that further improve participants chances to progress;</li> <li>• regular monitoring of programme performance internally and by Welsh Government; and</li> <li>• inclusion of this risk in the Council's strategic risk register for further monitoring.</li> </ul>

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	None.

<b>5.00</b>	<b>APPENDICES</b>
5.01	None.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	None.

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Niall Waller (Enterprise and Regeneration Manager)  <b>Telephone:</b> 01352 702137  <b>E-mail:</b> <a href="mailto:niall.waller@flintshire.gov.uk">niall.waller@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
	<p><b>Communities First</b> – a Welsh Government funded programme for community development operating from 2001 until 2016. The programme operated only in the most deprived neighbourhoods in Wales.</p> <p><b>Communities for Work (C4W)</b> – a programme delivering employment support through European Commission and Welsh Government funds.</p> <p><b>Communities for Work Plus (C4W+)</b> – a programme delivering employment support funded by Welsh Government.</p>

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## CABINET

<b>Date of Meeting</b>	Tuesday, 23 <sup>rd</sup> May 2023
<b>Report Subject</b>	Statement of Gambling Policy
<b>Cabinet Member</b>	Cabinet Member for Planning, Public Health and Public Protection
<b>Report Author</b>	Chief Officer (Planning, Environment & Economy)
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

To present the Draft Statement of Gambling Policy to Cabinet for their consideration prior to it being presented to Council on Tuesday 20<sup>th</sup> June 2023.

Flintshire County Council is required to review its Statement of Gambling Policy in accordance with the requirements of the Gambling Act 2005. The purpose of the Policy is to set out the principles that the local authority will apply when carrying its role under the Act.

### RECOMMENDATIONS

1	That Cabinet endorses the Statement of Gambling Policy in advance of its presentation to Council for consideration.
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## REPORT DETAILS

<b>1.00</b>	<b>BACKGROUND</b>																				
1.01	The Council is required to develop, consult on, produce and periodically review its Statement of Gambling Policy with regard to how it exercises its functions in accordance with the Gambling Act 2005.																				
1.02	Flintshire County Council's Licensing Team have worked collaboratively with the North Wales Licensing Group in reviewing its Statement of Gambling Policy. Each authority has had to retain area-specific content, but each individual authority has also followed the same structure to make the policies more consistent and accessible across the North Wales region.																				
1.03	Subject to Council approval, the Policy will come into force on 21 <sup>st</sup> June 2023 and will be valid for three years.																				
1.04	The Draft Policy is shown at Appendix A, with changes shown in red font.																				
1.05	The Policy must contain objectives regarding the following: <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;</li> <li>• Ensuring gambling is conducted in a fair and open way; and</li> <li>• Protecting children and other vulnerable persons from being harmed or exploited by gambling.</li> </ul>																				
1.06	A full summary of changes can be seen below: <table border="1" data-bbox="319 1283 1385 2096"> <thead> <tr> <th>Section</th> <th>Change</th> </tr> </thead> <tbody> <tr> <td>Foreword</td> <td>Removed</td> </tr> <tr> <td>1.2.2</td> <td>Changes to statistics in line with Census 2021</td> </tr> <tr> <td>1.2.3</td> <td>Changes to information in line with Census 2021</td> </tr> <tr> <td>3.1.3</td> <td>Inserted "consult the National Strategy to reduce Gambling Harms, and"</td> </tr> <tr> <td>3.1.4</td> <td>Added "The completed local risk assessment for that specific premises."</td> </tr> <tr> <td>3.3.5</td> <td>Inserted "where an application is granted by the Secretary of State"</td> </tr> <tr> <td>4.1.1</td> <td>Inserted "but are not limited to" and added " Well-being of Future Generation (Wales) Act 2015"</td> </tr> <tr> <td>4.2.2</td> <td>Changed 'Flintshire Unitary Development Plan' to 'Flintshire Local Development Plan'</td> </tr> <tr> <td>6.4.5</td> <td>Inserted "and local risk assessment"</td> </tr> </tbody> </table>	Section	Change	Foreword	Removed	1.2.2	Changes to statistics in line with Census 2021	1.2.3	Changes to information in line with Census 2021	3.1.3	Inserted "consult the National Strategy to reduce Gambling Harms, and"	3.1.4	Added "The completed local risk assessment for that specific premises."	3.3.5	Inserted "where an application is granted by the Secretary of State"	4.1.1	Inserted "but are not limited to" and added " Well-being of Future Generation (Wales) Act 2015"	4.2.2	Changed 'Flintshire Unitary Development Plan' to 'Flintshire Local Development Plan'	6.4.5	Inserted "and local risk assessment"
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	7.1.3	Inserted “children’s recreational facilities”
	7.4.4	Inserted “but not limited to”
	8.1.4	Inserted “safeguarding strategies, and public health strategies”
	8.1.7	Inserted “and local risk assessment”
	8.1.16	Added “Motor racing track or similar”
	8.1.23	Inserted “and local risk assessment”
	8.3.2	Added “Unlicensed Family Entertainment Centre”
	8.4.3	The process and principles for refusing registrations is in accordance with the Gambling Commission’s ‘Lotteries and the Gambling Act 2005 Guidance for Local Authorities’
	8.5.5	Inserted “children’s recreational facilities”
	8.5.6	Added “Operators are required to make the premises specific Risk Assessment available to licensing authorities when an application is submitted. A copy should be kept on the premises, or otherwise on request. This will form part of the Council’s inspection regime, and will be considered during the investigation of complaints”
	Appendix D	To remove the summary of gaming machine categories and entitlements table and refer to Gambling Commission website for up to date summary
1.07	The Council must have regard to any relevant code of practice issued by the Secretary of State and, guidance issued by the Gambling Commission on how they exercise their functions consistently with the objectives and in accordance with the policy itself	
1.08	Consultation has taken place with relevant bodies and interested parties. Information relating to the consultation is set out in section 4 below.	
1.09	No responses were received in respect of the consultation.	
1.10	The Policy was presented at Flintshire County Council’s Licensing Committee on 1 <sup>st</sup> March 2023. Members of the Licensing Committee endorsed the new Policy and recommended its approval to Full Council.	

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The document has no effect on fees and charges for licenses and permits
2.02	Officers will continue to implement and enforce the policy as required by the Gambling Act 2005.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	N/A

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Consultation took place between 16 <sup>th</sup> January 2023 and 20 <sup>th</sup> February 2023. Relevant parties were invited to make representations.
4.02	The following stakeholders were consulted in accordance with the Gambling Act 2005: <ul style="list-style-type: none"> <li>• The Chief Officer of Police for the Authority's area</li> <li>• One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area.</li> <li>• One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the Authority's functions under the Act.</li> </ul>
4.03	In addition to mandatory consultees, the consultation was extended to all Members of Flintshire County Council, and Town and Community Councils.
4.04	The consultation was available to Members of the public: <ul style="list-style-type: none"> <li>• On Flintshire Council's website</li> <li>• By way of a Public Notice displayed in the reception areas at County Hall and Ty Dewi Sant</li> <li>• By way of a Public Notice displayed in libraries across the County.</li> </ul>
4.05	No responses were received from any interested party.

<b>5.00</b>	<b>APPENDICES</b>
5.01	<b>Appendix A</b> – Draft Statement of Gambling Policy June 2023 to June 2026 (English & Cymraeg)

<b>6.0</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.1	Gambling Commission Guidance to Licensing Authorities in respect of the policy statement: <a href="https://www.gamblingcommission.gov.uk/manual/guidance-to-licensing-authorities/part-1-licensing-authority-policy-statement">https://www.gamblingcommission.gov.uk/manual/guidance-to-licensing-authorities/part-1-licensing-authority-policy-statement</a>  Flintshire County Council's current Statement of Gambling Policy: <a href="https://committeemeetings.flintshire.gov.uk/mgConvert2PDF.aspx?ID=52995">https://committeemeetings.flintshire.gov.uk/mgConvert2PDF.aspx?ID=52995</a>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Gemma Potter Team Manager: Licensing &amp; Pest Control</p> <p><b>Telephone:</b> 01352 703371</p> <p><b>E-mail:</b> <a href="mailto:gemma.potter@flintshire.gov.uk">gemma.potter@flintshire.gov.uk</a></p>

<b>8.00</b>	<p><b>GLOSSARY OF TERMS</b> These are provided corporately on the Infonet (link) and maintained by the Executive Office</p>
	<p><b>Gambling Act 2005:</b> Legislation regulating all forms of gambling</p> <p><b>Statement of Gambling Policy:</b> The Act requires the Licensing Authority to prepare and publish this document to reflect the principles they will apply in exercising their functions under the Act.</p> <p><b>Gambling Commission:</b> The Commission regulates most types of Gambling in the United Kingdom. They also provide advice and guidance to businesses that offer gambling.</p>

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# Statement of Gambling Policy

GAMBLING ACT 2005  
(June) 2023 to (June) 2026

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# 1. INTRODUCTION

## 1.1 BACKGROUND

- 1.1.1 Under the provisions of the Gambling Act 2005, Flintshire County Council is the **Licensing Authority** (and is referred to in this document as “the licensing authority”) responsible for granting gambling Premises Licences, Notices, Permits and Registrations in the county of Flintshire.
- 1.1.2 The Gambling Act 2003 (“the Act”) requires a licensing authority to prepare and publish a statement of licensing policy (“the policy”) at least every three years. This policy is made under Section 349 of the Act and in accordance with the ‘Guidance to Local Authorities’ issued by the Gambling Commission under Section 25 of the Act (“the Guidance”).
- 1.1.3 The licensing authority is bound by the Act and any regulations made under the Act. The licensing authority must have regard to the Guidance and the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission (Section 153). If it considers it appropriate, the licensing authority may depart from the Guidance if they have good reason to do so and can provide full reasons.
- 1.1.4 The policy comes into force at the time of adoption, and will remain in force until a statutory or other review and consultation process is deemed necessary. The licensing authority will keep the policy under review, making any amendments it considers appropriate to support the licensing objectives. Any amendments will be published in the form of a new policy statement or, if appropriate, by publishing the amendment.
- 1.1.5 The policy will normally apply to any application determined after the date that the licensing authority resolved to make these policies operational, irrespective of the date on which the application was made.
- 1.1.6 The Appendixes are to be read in conjunction with this policy however they do not form part of the policy and may be updated at any time.

## 1.2 GEOGRAPHY OF FLINTSHIRE COUNTY COUNCIL

- 1.2.1 Flintshire is the north-eastern gateway to Wales, and is bounded by the counties of Wrexham, Denbighshire and Cheshire West and Chester. The Dee Estuary defines the North Eastern limit of the County. The extreme north-west of the county is bounded by the Irish Sea, although the North Wales coastal resorts of Rhyl and Prestatyn lie just outside the county, while the built-up area around Chester straddles the English / Welsh border at Saltney. The south-west of the county is bounded by the Clwydian Hills which forms a distinct boundary with Denbighshire.
- 1.2.2 Flintshire covers an area of 438 km<sup>2</sup> including the Dee Estuary and 43,464 hectares excluding the estuary. Census 2021 statistics show that the area supports 155,000 people, making the county the 11<sup>th</sup> most densely populated of Wales' 22 local authority areas. A map of the county is shown at **Appendix A**.
- 1.2.3 Flintshire has the largest population in North Wales, and ranked seventh for total population in Wales in 2021.

## 1.3 CONSULTATION PROCESS

- 1.3.1 The necessary consultation process has been undertaken and the responses incorporated into this policy where applicable.

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## 2. SCOPE AND EXTENT

2.0.1 The purpose of this statement of licensing policy is to set out the principles the licensing authority will apply when exercising its licensing function, i.e. when regulating the gambling activities within the terms of the Act. Reference will be made to the Act for ease of understanding however it is not intended to be a simplified summary of the law.

2.0.2 The Act defines **Gambling** as:-

2.0.3 **Gaming** - means playing a 'game of chance' for a prize. A 'game of chance' includes a game that involves both an element of chance and skill, a game that involves an element of chance that can be eliminated by superlative skill, and a game that is presented as involving an element of chance, but does not include a sport.

2.0.4 **Betting** – means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.

2.0.5 **Taking part in a lottery** – means paying in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

A full glossary of the terms used in the Act and in this policy can be found in **Appendix B**.

2.0.6 It is a criminal offence under Section 33 of the Act to provide facilities for Gambling unless an exception is provided for under the Act.

2.0.7 The **types of authorisation** the Act requires the licensing authority to regulate are:-

- Premises Licences
- Temporary Use Notices
- Occasional Use Notices
- Permits as required under the Act; and
- Registrations as required under the Act.

2.0.8 This policy relates to all premises licences, notices, permits and registrations identified as falling within the provisions of the Act, namely: -

- Premises Licences
  - Casinos;
  - Bingo Premises;
  - Betting Premises;
  - Tracks (*site where races or other sporting events take place*);
  - Adult Gaming Centres;
  - Licensed Family Entertainment Centres;

- Notices
  - Temporary Use Notices
  - Occasional Use Notices
- Permits
  - Family Entertainment Centre Gaming Machine Permits;
  - Club Gaming Permits;
  - Club Gaming Machine Permits;
  - Alcohol licensed premises Gaming Machine Permits;
  - Prize Gaming Permits;
- Registrations
  - Registrations of Small Society lotteries.

## 3. LICENSING OBJECTIVES

3.0.1 When exercising its functions under the Act the licensing authority must seek to promote the three **licensing objectives** contained in the Act. The three 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.

### 3.1 OBJECTIVE 1: PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME AND DISORDER

3.1.1 The licensing authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

3.1.2 The Guidance for local authorities notes that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.” The licensing authority agrees with this statement.

3.1.3 Applicants are encouraged to **consult the National Strategy to Reduce Gambling Harms, and** discuss the crime prevention procedures in their premises with the licensing authority Licensing Officers and ~~or~~ North Wales Police before making a formal application.

3.1.4 In considering licence applications, the licensing 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;
- The likelihood of any violence, public order or policing problem if the licence is granted.
- **The completed local risk assessment for that specific premises.**

## 3.2 OBJECTIVE 2: ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 3.2.1 Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the Operating Licence, or will be in relation to the suitability and actions of an individual and therefore subject to the Personal Licence, both of which are the responsibility of the Gambling Commission.

## 3.3 OBJECTIVE 3: PROTECTING CHILDREN AND OTHER VULNERABLE PERSONS

- 3.3.1 With limited exceptions, the access of children and young persons to licensed gambling premises, which are adult only environments, will not be permitted.

3.3.2 The licensing 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.

3.3.3 The licensing authority will consult with the Local Safeguarding Children Board on any application that indicates there may be concerns over access for children or vulnerable persons.

3.3.4 The licensing authority will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.

3.3.5 The 2005 Act provides for a Code of Practice on access to casino premises by children and young persons and **where an application is granted by the Secretary of State** the licensing authority will work closely with the police to ensure the appropriate enforcement of the law.

3.3.6 The licensing 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'** includes :

- 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.

## 4. LEGISLATION AND POLICIES

### 4.1 LEGISLATION

4.1.1 In undertaking its licensing function under the Gambling Act 2005, the licensing authority must also consider other legislation. These include **but are not limited to:-**

- Equalities Act 2010
- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998;
- Health and Safety at Work etc. Act 1974;
- Environmental Protection Act 1990;
- The Anti-social Behaviour Act 2003;
- Race Relations Act, 1976 (as amended)
- The Licensing Act 2003
- Regulatory Return (Fire Safety) Order 2005
- The Regulators' Compliance code
- **Well-being of Future Generation Wales Act 2015**
- Flintshire County Council's Enforcement Policy

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

### 4.2 PLANNING AND BUILDING CONTROL

4.2.1 When determining an application regard cannot, under the terms of the Act, be given to planning or building control permissions and / or any planning restrictions.

4.2.2 Flintshire County Council's planning policies are set out in the '**Flintshire Local Development Plan**' and various supplementary planning guidance, all of which are available to view on the Council's website. Building Regulation Guidance is also available on the Council's website and it is important to check that any changes made to a building, including structural, drainage or electrical accord with those regulations.

4.2.3 The issue of a Provisional Grant of a premises licence is a separate and distinct process to the granting of Planning Permission. Planning and Building Control



permissions will have to be sought and approved before any development takes place.

4.2.4 The licensing authority will normally expect that prior to the submission of a licensing application, the appropriate planning permission will have been granted in respect of any premises. However, applications for licences may be made before any relevant planning permission has been sought or granted.

4.2.5 The authority will also normally expect the activity to be authorised by the licence to be a lawful planning use and that any operating hours sought do not exceed those, if any, authorised by the planning permission.

4.2.6 Operating hours granted within the licensing process do not replace any restrictions imposed as a planning condition. Planning conditions will be addressed through the planning process.

4.2.7 The licensing authority will seek to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the licensing function.

4.2.8 The licensing authority will consider applications with reference to other adopted local policies, including the following:

- The Council's Visions, Strategic Aims and Priorities
- Community Safety Strategy
- Enforcement Policy

## 5. DELEGATION, LICENSING COMMITTEE AND DECISION MAKING

### 5.1 DELEGATION

5.1.1 The licensing authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a Sub Committee to deal with them.

5.1.2 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, for example, those licences and permits where no representations have been made, will be delegated to Council Officers.

5.1.3 The table shown at Appendix C sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub Committee and Officers.

5.1.4 This form of delegation is without prejudice to Officers referring an application to a Panel, a Panel to Full Committee, or Committee to Full Council, if appropriate.

### 5.2 LICENSING COMMITTEE

5.2.1 The Act provides that the functions of the licensing authority, including its determinations are to be carried out by its licensing committee.

5.2.2 The licensing committee may delegate these functions to sub-committees or in appropriate cases, to officials supporting the licensing authority.

5.2.4 A Sub Committee made up of three councillors from the Licensing Committee will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a panel involving an application within their ward.

5.2.5 Where a councillor who is a member of the licensing committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

## 5.3 DECISION MAKING

- 5.3.1 Every determination of a licensing decision by the Licensing Committee or Subcommittee shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the Applicant and those who have made relevant representations as soon as practicable.
- 5.3.2 The Council's licensing officers will deal with all other licence applications where either no representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.
- 5.3.3 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or panels. Where representations are rejected written reasons as to why that is the case will be given.
- 5.3.4 In order to avoid duplication with other statutory regimes as far as possible the licensing authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

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## 6. GENERAL PRINCIPLES

- 6.0.1 Nothing in this 'Statement of Policy' will:
- Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; OR
  - Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.
- 6.0.2 The licensing authority, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.
- 6.0.3 The licensing authority shall aim to permit the use of premises for gambling in so far as they think it is
- In accordance with any relevant code of practice under Section 24 of the Act;
  - In accordance with any relevant guidance issued by the Commission;
  - Reasonably consistent with the licensing objectives
  - In accordance with the licensing authority's statement of licensing policy.
- 6.0.4 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Act.

### 6.1 COMPETENT AUTHORITY FOR PROTECTION OF CHILDREN FROM HARM

- 6.1.1 The licensing authority, designates the Local Safeguarding Children Board as the competent authority to provide advice on the protection of children from harm given the wealth of specialist knowledge and expertise to hand to fulfil this role.
- 6.1.2 The Act indicates each licensing authority must nominate a single body to undertake this function but it may be prudent for the licensing authority to involve other organisations if it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where it receives representations to that effect.

## 6.2 INTERESTED PARTIES

- 6.2.1 For the purposes of the Gambling Act 2005, a person is an interested party in relation to a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - Has business interests that might be affected by the authorised activities; this could also include, for example, trade associations, charities, faith groups and medical practices.
  - Represents persons who satisfy either of the above; for example Residents' and Tenants' Associations.
- 6.2.2 When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Guidance to local authorities.
- 6.2.3 Where a person, whether or not directly affected by an application or living in the vicinity of a licensable premise under consideration, puts themselves forward as representing the interests of residents in the vicinity, the licensing authority will normally ask them to provide evidence that they are acting as representatives of others.

## 6.3 EXCHANGE OF INFORMATION

- 6.3.1 In fulfilling its functions and obligations under the Gambling Act 2005 the licensing authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information the licensing authority will conform to the requirements of the Gambling Act, Data Protection and Freedom of Information legislation in accordance with the Council's existing policies.
- 6.3.2 Contact details of those persons making representations and details of the representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representation or applying for a review of a premises licence will be informed that these details will be disclosed.

## 6.4 INSPECTION AND CRIMINAL PROCEEDINGS

- 6.4.1 The licensing authority will be guided by the Gambling Commission's Guidance and will endeavour to be:
- **Proportional:** regulators will only intervene when necessary; remedies will be appropriate to the risk posed and costs identified and minimized.
  - **Accountable:** regulators will be able to justify decisions and be subject to public scrutiny.
  - **Consistent:** rules and standards will be joined up and implemented fairly.
  - **Transparent:** regulators will be open and endeavour to keep regulations simple and user friendly;
  - **Targeted:** regulation will be focused on the problem and minimize side effects.
- 6.4.2 The licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 6.4.3 The licensing authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:
- Planning controls;
  - Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
  - Regular liaison with the Police on law enforcement issues regarding **crime**, disorder and anti-social behaviour;
  - The power of the police, other responsible authorities or a local resident or business to seek a review of the licence.
- 6.4.4 This licensing authority has adopted a risk based inspection programme, i.e. those premises considered to pose a greater risk will be subject to more frequent inspections than those posing a lower risk.
- 6.4.5 When determining risk, consideration will be given to :-
- the nature of the gambling activities carried out on the premises
  - the location of the premises in relation to schools etc.
  - the procedures **and local risk assessment** put in place by the management to meet the licensing objectives.
- 6.4.6 The licensing authority will make arrangements to monitor premises, undertake inspections and take appropriate enforcement **it** deems necessary to support and promote the licensing objectives or following receipt of complaint. The district will be monitored for unlicensed premises.

6.4.7 The licensing authority will seek to work actively with the police in enforcing licensing legislation. It encourages the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998.

6.4.8 In general terms, action will only be taken in accordance with the [Public Protection Service Enforcement Policy](#). To this end the key principles of consistency, transparency and proportionality will be maintained.

6.4.9 Where conditions have been imposed on a licence, an authorised person of the licensing authority may inspect the premises at any reasonable time for the purpose of checking that those conditions are being complied with.

6.4.10 The licensing authority will consider issuing a written informal warning to a licence holders specifying recommended improvement within a particular period of time if it deems necessary to support and promote the licensing objectives.

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## 7. LICENSING PROCESS

- 7.0.1 **Applicants are advised that the application process for each type of authorisation or permission is set out in detail in the Act, the Regulations and the Guidance.**
- 7.0.2 Applications must be made on the prescribed or local form, and be accompanied by a fee. All prescribed forms and notices can be downloaded from the Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 7.0.3 A request for an application form may also be made directly to the licensing authority via telephone 01352 703030
- 7.0.4 Applicants may submit applications electronically to the licensing authority by hardcopy or via email to [Licensing@Flintshire.gov.uk](mailto:Licensing@Flintshire.gov.uk).

### 7.1 APPLICATIONS

- 7.1.1 The starting point in determining applications will be to grant the application, without conditions.
- 7.1.2 Conditions will only be considered where they are needed to meet the requirements of the licensing objectives and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the 'risks' involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 7.1.3 When determining an application to grant a premises licence or whether to review a premises licence, regard will be given to
- the proximity of the premises to schools, **children's recreational facilities**, vulnerable adult centres, or to residential areas with a high concentration of families with children, and
  - the size and scope of the gambling premises concerned.
- 7.1.4 **Each case will be determined on its own merits.** Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.
- 7.1.5 Where there are no **relevant representations** from Responsible Authorities or Interested Parties to an application the licence will be granted provided that the application is made in accordance with the requirements of the Act. For representations to be relevant they must
- relate to the promotion of one of the three licensing objectives;



- be made by a responsible authority or interested party within the prescribed period;
- not been withdrawn; and
- they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

Where relevant representations on an application are received and the application has been made in accordance with the requirements of the Act, any non-compliance with other statutory requirements may be taken into account in reaching a decision about whether to grant a licence.

## 7.2 MEDIATION

7.2.1 Where a relevant representation concerning the licensing objectives is made by a responsible authorities or interested party, the licensing section will decide whether the representation is relevant.

7.2.2 Where the licensing authority find the representation to be relevant it may recommend a **mediation meeting** to address and clarify the issues of concern.

7.2.3 This process will not override the right of an applicant or interested party to decline to participate in a mediation meeting.

7.2.4 If this informal process is unsuccessful a hearing before the licensing committee or sub-committee will follow. All relevant parties will be notified.

7.2.5 The determination of the application will be made by the licensing committee or sub-committee and the details of that decision will be circulated to the parties concerned.

## 7.3 CONDITIONS

- 7.3.1 The Act and regulations provide for specific conditions to be attached to a Premises Licence as either “**mandatory**” or “**default**” conditions.
- 7.3.2 Section 169 of the Act gives licensing authorities the power to impose default conditions on premises licences that they issue.
- 7.3.3 When considering any conditions to be attached to licences, the licensing authority will consider the local circumstances and risks associated with specific premises or class of premises, which might give rise to the need for conditions.

7.3.4 The licensing authority will not impose any conditions unless its discretion has been engaged following the making of a relevant representation and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It will then only impose such conditions which are appropriate and proportionate to promote the licensing objectives arising out of the consideration of the representations.

- 7.3.5 Conditions on premises licences will relate only to gambling, as considered appropriate in light of the following principles:
- Must be proportionate to the circumstance which they are seeking to address;
  - Should be relevant to the need to make the proposed building suitable as a gambling facility;
  - Should be directly related to the premises (including the locality and any identified local risks) and the type of licence applied for;
  - Should be fairly and reasonably related to the scale and type of premises;
  - Should be reasonable in all other respects.

## 7.4 REVIEWS

- 7.4.1 At any time following the grant of a premises licence a **responsible authority** or any **interested party** may ask the licensing authority to review the premises licence because of a matter arising at the premises in connection with any of the three licensing objectives.
- 7.4.2 The review process represents a key protection for the community where problems associated with the licensing objectives occur at a premises.
- 7.4.3 In every case, an application for a review must relate to a particular premises and **must be relevant to the promotion of one or more of the licensing objectives.**

- 7.4.4 Grounds for a review may be that activities, including **but not limited to** the following, are taking place at the premises:
- Use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
  - Use of licensed premises for the sale and distribution of illegal firearms;
  - Use of licensed premises for prostitution or the sale of unlawful pornography;
  - Use of licensed premises as a base for organised criminal activity;
  - Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
  - Use of licensed premises for the sale of smuggled tobacco or goods;
  - The use of licensed premises for the sale of stolen goods.
  - Children and/or vulnerable persons are put at risk.

7.4.5 The licensing authority will reject an application for a review if the applicant fails to provide supporting information and documents that one or more of the licensing objectives are not being met or if the reason for the review does not relate to the licensing objectives.

- 7.4.6 The licensing authority will also reject an application for a review if
- the grounds are frivolous;
  - the grounds are vexatious;
  - the grounds are irrelevant;
  - the grounds will not cause the Council to revoke or suspend a licence or to remove or attach conditions on the Premises Licence;
  - the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
  - the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

7.4.7 The licensing authority considers it good practice for all responsible authorities that have concerns about problems identified at premises to give licence holders early warning of their concern and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns.

## INITIATION OF REVIEW BY LICENSING AUTHORITY

7.4.8 A Premises Licence may also be reviewed by the licensing authority on its own volition.

7.4.9 Prior to discharging its power to initiate a review, the licensing authority will attempt to have constructive discussions with the operators about any concerns and may ask the operator to provide the licensing authority with its own **local risk assessment** which sets out the controls it has put in place to mitigate risks.

## 8. LOCAL STANDARDS

### 8.1 PREMISES LICENCES

8.1.1 Premises Licences can authorise the provision of gambling facilities on

- Casinos;
- Bingo Premises;
- Betting Premises, including Tracks;
- Adult Gaming Centres (AGC); and
- Family Entertainment Centres.

By distinguishing between premises types, the Act makes it clear that gambling activity of the premises should be linked to the premises described. **The Act does not permit premises to be licensed for more than one of the above activities.**

8.1.1 An application for a Premises Licence can only be made by persons (which includes companies or partnerships):

- Who are aged 18 or over, **and**
- Who have the right to occupy the premises and
- Who have an Operating Licence authorising him to carry out the proposed activity **OR** who have applied for an Operating Licence to allow them to carry out the proposed activity.

**The premises licence cannot be determined until an operating licence has been issued.**

8.1.2 The exception to this is an applicant for a premises licence to allow a track to be used for betting, as these applicants are not required to hold an operating licence if they merely provide space for other people to provide betting (and those other people hold valid betting operating licences).

8.1.3 The licensing authority strongly encourages applicants to discuss proposed applications with a licensing officer and responsible authorities at an early stage and prior to the submission of the application itself. This should identify potential problems and help to build good partnership working. It may also reduce the need for a hearing at a later stage.

8.1.4 Applicants are encouraged to make themselves aware of any relevant planning and transport policies, tourism and cultural strategies and local crime and disorder strategies, **safeguarding strategies, and public health strategies**, and to take these into account, where appropriate, in the formulation of their operating schedules.

- 8.1.5 The licensing authority will expect all applicants to specify the methods by which they will promote the three licensing objectives in their operating schedules, having regard to the type of premises, the licensable activity proposed, the operational procedures, the nature of the location and the needs of the local community.
- 8.1.6 The authority considers that a well-drawn, specific operating schedule indicates that an applicant understands and is prepared to meet the responsibilities of a licence holder under the Act.
- 8.1.7 The authority considers that a blank or sparsely completed operating schedule **and local risk assessment** may give the impression that the applicant has given inadequate thought to the responsibilities of a licence holder.

- 8.1.9 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Gambling Act 2005.

## CASINOS

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- 8.1.10 There is no resolution to prohibit casinos in Flintshire at present. However, the licensing authority reserves its right to review this situation and may, at some time in the future, resolve not to permit casinos. Currently there are no casinos operating within Flintshire.
- 8.1.11 Should the licensing authority choose to make such a resolution, this will be a resolution of Full Council following considered debate and the reasons for making the resolution will be provided. There will be no right of appeal against such a resolution.

## BINGO PREMISES

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- 8.1.12 Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood:
- Cash bingo, where the stakes paid make up the cash prizes that are won
  - Prize bingo, where various forms of prizes are won, not directly related to the stakes paid.
- 8.1.13 The licensing authority will attach mandatory and default conditions to all Bingo Premises licences.

## BETTING PREMISES

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- 8.1.14 The licensing authority is responsible for issuing and monitoring premises licences for all betting premises.
- 8.1.15 The licensing authority will attach mandatory and default conditions to all Betting Premises licences.

## TRACKS

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8.1.16 The Act does not give a list of premises that are officially recognised as ‘tracks’ but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include

- A horse racecourse
- A greyhound track
- A point-to-point horserace meeting
- Football, cricket and rugby grounds
- A golf course
- Venues hosting darts, bowls or snooker tournaments.
- **Motor racing track or similar**

8.1.17 The licensing authority will determine what constitutes a sporting event or race on a case by case basis.

### ADULT GAMING CENTRES (AGC)

8.1.18 Applicants for an Adult Gaming Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Adult Gaming Centre)’ from the Gambling Commission before the premises licence can be determined.

8.1.19 The licensing authority will attach mandatory conditions to all AGC Premises licences.

### FAMILY ENTERTAINMENT CENTRES (FEC)

8.1.20 Applicants for a Family Entertainment Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Family Entertainment Centre)’ from the Gambling Commission before the premises licence can be determined.

8.1.21 Licensed Family Entertainment Centres (FECs) are commonly located at seaside resorts, in airports and at motorway service stations, and cater for families, including unaccompanied children and young persons. They are permitted to make available category C and D gaming machines.

8.1.22 Children and young persons are not permitted to use category C machines and it is a requirement that there must be clear segregation between the types of machines so that persons under 18 years of age do not have access to them.

8.1.23 The licensing authority will take into account the policies and procedure and **local risk assessment** proposed by the applicant to protect children and young persons when considering applications for FEC Premises licences.

8.1.24 The licensing authority will attach mandatory conditions to all FEC Premises licences.

## 8.2 NOTICES

### TEMPORARY USE NOTICES (TUN)

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- 8.2.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 8.2.2 The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 8.2.3 There are a number of statutory limits as regards temporary use notices.

8.2.4 In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

8.2.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the gambling commission's guidance to licensing authorities.

### OCCASIONAL USE NOTICES (OUN)

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- 8.2.6 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## 8.3 PERMITS

- 8.3.1 Permits are designed as a light-touch approach to low level ancillary gambling. The permits regulate gambling and the use of gaming machines in specific premises.
- 8.3.2 The licensing authority are responsible for issuing
- Family Entertainment Centre Gaming Machine Permits (**Unlicensed Family Entertainment Centre**);
  - Club Gaming Permits and Club Gaming Machine Permits;
  - Alcohol-licensed premises Gaming Machine Permits;
  - Prize Gaming Permits.
- 8.3.3 The licensing authority will grant or reject an application for a permit. **No conditions may be attached to a permit.**
- 8.3.4 In addition, the licensing authority are responsible for receiving notification from holder of alcohol licences under the Licensing Act 2003 that they intend to exercise their automatic entitlement to 2 gaming machines in their premises.
- 8.3.5 See **Appendix D** for further information regarding the categories of gaming machines allowed by permit and information regarding stakes and prize limits.

8.3.6 When determining applications for permits the licensing authority will consider any convictions held by the applicant that would make them unsuitable to operate the premises plus the suitability of the premises in relation to their location and issues about disorder.

### FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMIT

- 8.3.7 Unlicensed Family Entertainment Centres are able to offer only category D machines on a gaming machine permit. Any number of category D machines can be made available.
- 8.3.8 An application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an unlicensed Family Entertainment Centre and, if the applicant is an individual, is aged over 18 years.
- 8.3.9 The permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application.
- 8.3.10 There is no prescribed application form for this permit however the licensing authority have created a **local application form** for this purpose. A plan for the unlicensed Family Entertainment Centre must be submitted with each application.



## CLUB GAMING PERMITS AND CLUB GAMING MACHINE PERMITS

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- 8.3.11 The licensing authority may grant members clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the provision of gaming machines, equal chance gaming and games of chance as prescribed in regulations.
- 8.3.12 If a members' club or minter's welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply for a club gaming machine permit using the prescribed form.
- 8.3.13 Holders of club gaming permits and club gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.

## ALCOHOL-LICENSED PREMISES GAMING MACHINE PERMITS

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- 8.3.14 The licensing authority may issue holders of alcohol licences under the Licensing Act 2003 a gaming machine permit which permits any number of Category C or D machines in licensed premises.
- 8.3.15 The application must be made by the person that holds the alcohol premises licence issued under the Licensing Act 2003.
- 8.3.16 The licensing authority may vary the number and category of gaming machines authorised by the permit if it considers it necessary to promote the licensing objectives.
- 8.3.17 Holders of licensed premises gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.

8.3.18 There is no prescribed form for this permit however the licensing authority have created a local application form for this purpose.

## PRIZE GAMING PERMITS

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- 8.3.19 The licensing authority may issue prize gaming permits to authorise the provision of facilities for gaming with prizes on specific premises.
- 8.3.20 The application must be made by the person who occupies or plans to occupy the premises and if the applicant is an individual, must be aged 18 or over.
- 8.3.21 Applicants are asked to set out the types of gaming that they are intending to offer in their application.

8.3.22 There is no prescribed form for this permit however the licensing authority have created a local application form for this purpose.

## 8.4 REGISTRATIONS

- 8.4.1 The Act denotes 'local authorities' as being responsible for registering societies to run Small Society Lotteries, as opposed to licensing authorities. In the interest of consistency, Flintshire County Council being the local authority defined under Section 25 of the Act will be referred to as the licensing authority in this document.
- 8.4.2 Applications for small society lottery registrations must be in the form prescribed and be accompanied by both the required registration fee and all necessary documents required by the licensing authority.
- 8.4.3 The process and principles for refusing registrations is in accordance with the Gambling Commission's 'Lotteries and the Gambling Act 2005 Guidance for Local Authorities'

8.4.4 The licensing authority will require applicants to provide a copy of their terms and conditions and their constitution to establish that they are a non-commercial society.

## 8.5 LOCAL RISK ASSESSMENTS

- 8.5.1 The Gambling Commission's '**Licence Conditions and Codes of Practice**' (LCCP) formalise the need for operators to consider local risks.
- 8.5.2 The **Social Responsibility code 10.1.1** requires all premises licensees 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 a risk assessment, licensees must take into account the matters identified in this statement of policy.
- 8.5.3 A local risk assessment must be undertaken when applying for a new premises licence and must be updated
- When applying for a variation of a premises licence;
  - To take account any significant changes in local risks;
  - When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

8.5.4 The licensing authority will expect every risk assessment to cover the following broad headings:

- Reference to any specific local risks
- How the operator proposes to mitigate these risks
- How the operator will monitor the risks

8.5.5 The **Local risks** identified by the licensing authority include, but are not restricted to:

- The proximity of the premises to sensitive establishments such as schools, vulnerable adult centres, **children's recreational facilities**, or to residential areas with a high concentration of families with children.
- The nature of the gambling activities and category of gaming machines made available at the premises.
- Any age restrictions and segregation requirements at the premises necessary for the protection of children and young persons.
- The prevalence of vulnerable persons in the locality of the premises.

8.5.6 Operators are required to make the **premises specific** Risk Assessment available to licensing authorities when an application is submitted. A copy should be kept on the premises, or otherwise on request. This will form part of the Council's inspection regime, and will be considered during the investigation of complaints.

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## 9. COMPLAINTS AGAINST LICENSED PREMISES

- 9.0.1 The licensing authority will investigate complaints against licensed premises in relation to matters concerning the licensing objectives. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.
- 9.0.2 Where an interested party has made a complaint about licensed premises, or a valid application for a licence to be reviewed, the Council may initially recommend a conciliation meeting to address and clarify the issues of concern.
- 9.0.3 This process will not override the right of any interested party or for any licence holder to decline to participate in a conciliation meeting.
- 9.0.4 Due consideration will be given to all complaints unless they are considered to be frivolous, vexatious or repetitious.

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## 10. FURTHER INFORMATION

### 10.1 GAMING MACHINES

- 10.1.1 The licensing authority notes that the term “Gaming Machine” covers all machines on which people can gamble and the term has only been preserved in the Act because it is one that is readily understood.
- 10.1.2 The definition of “gaming machines” is wider in the Gambling Act 2005 than those in previous gaming legislation and covers all types of gambling activities which can take place on a machine, including betting on virtual events.
- 10.1.3 It should be noted however that there still remains a distinction between skill machines and gaming machines plus important exemptions remain for certain equipment that is not considered a gaming machine, even when gambling can be performed on it, for example a home personal computer.
- 10.1.4 In order for a premises to site gaming machines an authorisation is normally required. Typically this is
- An operating licence from the Commission **and** a gambling premises licence from the licensing authority;
  - An alcohol premises licence, or
  - A gaming machine permit.
- 10.1.5 Where the licensing authority is concerned regarding the manufacture, supply, installation, maintenance or repair of game machines, or the manner in which they are operating will contact the Commission for guidance.
- 10.1.6 Regulations define four categories of gaming machine: categories A, B, C and D with category B divided into five further sub-categories. The maximum number of machines permitted varies according to the premises type.
- 10.1.7 There is no minimum age for players of Category D gaming machines however players of category A, B and C gaming machines must be aged 18 years or above.
- 10.1.8 See **Appendix D** for further information regarding machine categories and entitlements.

## 10.2 LICENSING REGISTER

- 10.2.1 Under the Act, every licensing authority is required to keep a **licensing register** containing
- a record of each premises licence, club premises certificate and personal licence issued by it,
  - a record of each temporary event notice received by it,
  - a record of every other applications made to it, notices given to it and any counter notice given by it, and
  - such other information as may be prescribed by regulations.
- 10.2.2 The information contained in the licensing register is available to view online at **[www.flintshire.gov.uk](http://www.flintshire.gov.uk)**.

10.2.3 Any person wishing to view the licensing register in person should contact the licensing authority by email **[Licensing@Flintshire.gov.uk](mailto:Licensing@Flintshire.gov.uk)** or via telephone 01352 703030 to arrange an appointment.

10.2.4 To ensure that the information contained in the register is presented in an appropriate format, any person wishing to view the register in person will be requested to clarify which part of the register they wish to have available during the appointment.

## 10.3 DATABASE OF PREMISES RECORDS

- 10.3.1 A database of premises licences is available on the Commission's website and consists of information submitted by licensing authorities. The Commission's website address is **[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)** .

## APPENDIX A: LOCAL AREA MAP OF FLINTSHIRE



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## APPENDIX B: GLOSSARY OF TERMS

**Adult Gaming Centre:** licensed gambling premises which can provide gaming machines. Only adults (persons 18 years old or over) can enter an Adult Gaming Centre.

**Betting premises:** licensed gambling premises which can provide betting facilities and gaming machines. Only adults (persons 18 years old or over) can enter Betting Premises unless the premises are on a track.

**Bingo:** there are two types of bingo

**High Turnover Bingo** - Bingo where the aggregate of stakes and prizes in any 7 day period exceeds £2000. High turnover bingo can only take place in casinos and bingo halls.

**Low Turnover Bingo** - (sometimes described as non-high turnover bingo) Bingo where the aggregate of stakes and prizes in any 7 day period is less than £2000. Low turnover bingo can take place in pubs and clubs, and in premises that hold a Prize Gaming Permit or Unlicensed Family Entertainment Centre Gaming Machine Permit.

**Bingo Premises:** licensed gambling premises which can provide high turnover bingo and gaming machines.

**Casino:** there are 3 types of casino that can exist in England and Wales: large, small, or “tiny” (casinos that existed under the old law and have retained their licences under the new law). The differences are based on overall size and the number of machines and gaming tables that can be provided. Casinos can provide casino games (games which are not equal chance gaming and may involve playing against a bank) and bingo as well as gaming machines.

**Child:** For the purposes of the Gambling Act 2005, anyone under the age of 16 years.

**Club:** the 2005 Act recognises 2 types of club: **members clubs** (at least 25 members and established for purposes other than gaming unless it is a bridge or whist club, including Miners Welfare Institutes); and **commercial clubs**. Equal chance gaming can take place without any further permit provided the limits on stakes and prizes are not exceeded. In addition low turnover bingo can take place and if it is a bridge or whist club then bridge or whist can be played.

**Club Gaming Permit:** a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D), equal chance gaming and games of chance (limited to pontoon and chemin de fer).

**Club Machine Permit:** a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D).

**Conditions:** there are two types of conditions



1. **Default Conditions** – are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the licensing authority.
2. **Mandatory Conditions** – are conditions set by the Secretary of State (some are set out in the Act and some will be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The licensing authority will have no discretion to alter or remove these conditions.

**Crane grab machine:** a non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a machine to separate one or more physical objects from another.

**Equal Chance Gaming:** games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

**Exempting gambling:** certain specified low-level gambling can take place in private premises, workplaces, pubs and clubs without any requirements for licensing or registration.

**Exempt Lotteries:** certain types of lottery can be run without either a licence from the Gambling Commission or registration with the local authority. They are Incidental Non Commercial Lotteries, Private Lotteries and Customer Lotteries.

**Family Entertainment Centre:** there are 2 types of Family Entertainment Centres: licensed and unlicensed. In both cases children and young persons can enter the premises unaccompanied by adults and use category D machines. Licensed Family Entertainment Centre can provide category C and D machines, but only persons aged 18 or over can use the category C machines. An Unlicensed Family Entertainment Centre can only provide category D machines.

**Fixed Odds Betting:** if a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming'), then it is likely to be betting at fixed odds.

**Fixed Odds Betting Terminals (FOBTs):** FOBTs are a type of gaming machines which generally appear in licensed betting shops. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.

**Gaming:** playing a game of chance for a prize. This includes games of pure chance (or luck), games that have an element of skill and chance combined, and games where "superlative skill" can eliminate the element of chance. Sports are excluded from the definition of Games of Chance.

**Gaming Machine:** a machine used for gambling. There are divided into 8 categories, (A, B1, B2, B3A, B3, B4, C & D) depending on the maximum stakes and maximum prizes. Different categories of machines can be used in different types of licensed gambling premises and under different permits.

**Guidance to Licensing Authorities:** guidance issued by the Gambling Commission.

**Incidental non-commercial lottery:** see Exempt Lotteries above.

**Large Lottery:** where the total value of tickets in any one lottery exceeds £20,000 or £250,000 in separate lotteries over one calendar year. This type of lottery requires an operating Licence from the Gambling Commission.

**Licensed premises Gaming Machine Permit:** allows pubs to have more than 2 gaming machines, provided the main purpose of the premises is to remain a pub, rather than an Entertainment Centre with a bar.

**Licensing authority:** the district, borough or unitary authority responsible for licensing gambling and other activities in the area.

**Licensing Objectives:** there are three objectives

- 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.

**Lottery:** the 2005 Act recognises 2 types of lottery, a simple lottery or a complex lottery. In both cases players pay to take part and prizes are allocated. In the case of a simple lottery, that allocation is wholly by chance, but in the case of a complex lottery there can be further steps which are not dependent upon chance. Some lotteries are exempt from regulation (see above).

**Occasional Use Notice:** a notice that may only be issued in respect of a track (see below) that permits betting on a track without the need for a Premises Licence.

**Prize Gaming:** gaming in which the nature and size of the prize is not determined by the number of players or stakes, e.g. bingo with non-cash prizes.

**Prize Gaming Permit:** a permit issued by the Licensing Authority allowing prize gaming to take place.

**Pub:** premises that have a premises licence under the Licensing Act 2003 to sell alcohol for consumption on the premises in a bar at which alcohol is served to customers. Pubs can have 2 category C or D gaming machines. If a pub has a Licensed Premises Gaming Machine Permit (see above) it can have more gaming machines.

**Risk Assessments:** the requirement under the Social Responsibility code 10.1.1 for operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

**Relevant representations:** are representations made by responsible authorities or interested parties within the prescribed period, which relate to the promotion of at least one of the three

licensing objectives, have not been withdrawn; and, in the opinion of the licensing authority, are not frivolous or vexatious.

**Responsible authority:** public bodies that must be notified of applications and are entitled to make representations to the licensing authority. They include

- the licensing authority in whose area the premises is wholly or partly situated,
- the Gambling Commission,
- the chief officer of police or chief constable for the area in which the premises is wholly or partly situated,
- the fire and rescue authority for the same area,
- the local planning authority for the area in which the premises is wholly or partly situated,
- the relevant authority which has functions in relation to pollution to the environment or harm to human health for the area in which the premises is wholly or partly situated,
- a body, designated by the licensing authority, as competent to advise about the protection of children from harm,
- HM Revenue and Customs
- Any other person prescribed in regulations by the Secretary of State.

**Review:** following the grant of a premises licence a responsible authority or interested party may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the three licensing objectives.

**Skills with Prizes machine:** a machine on which the winning of a prize is determined only by the player's skill and there is no element of chance. These are unregulated.

**Small Society Lottery:** these are for non-commercial societies (a society 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) who must register their lotteries with the local authority.

**Temporary Use Notice:** a notice that allows limited types of gambling to take place for a limited period on premises that do not have a premises licence.

**Track:** a site where races or other sporting events take place e.g. horse racing, dog racing, athletics, football, motor racing etc.

**Travelling Fair:** a fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year. Fairs can provide prize gaming and category D gaming machines.

**Young Person:** for the purposes of the Gambling Act 2005, anyone who is not a child but is aged under 18.

## APPENDIX C: TABLE OF DELEGATION

Matter to be Dealt With	Full Council	Licensing Sub-Committee	Officers
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence.		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provision statement		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a premises licence		X	
Application for club gaming / club machine permits		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Cancellation of club gaming / club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X

Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as to whether a representation is frivolous, vexatious or repetitive			X

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## **APPENDIX D: GAMING MACHINE SUMMARY**

### SUMMARY OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS

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A full summary can be found at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

# Datganiad Polisi Gamblo

DEDDF GAMBLO 2005

(Mehefin) 2023 hyd (Mehefin) 2026

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# 1. CYFLWYNIAD

## 1.1 CEFNDIR

- 1.1.1 O dan ddarpariaethau Deddf Gamblo 2005, Cyngor Sir y Fflint yw'r **Awdurdod Trwyddedu** (a chyfeirir ato yn y ddogfen hon fel "yr awdurdod trwyddedu") sy'n gyfrifol am roi trwyddedau, hysbysiadau, hawlenni a chofrestriadau safleoedd gamblo yn Sir y Fflint.
- 1.1.2 Mae Deddf Gamblo 2005 ("y Ddeddf") yn gofyn bod awdurdod trwyddedu yn paratoui ac yn cyhoeddi datganiad polisi trwyddedu ("y polisi") o leiaf bob tair blynedd. Llunnir y polisi hwn dan Adran 349 yn y Ddeddf ac yn unol â'r *'Guidance to licensing authorities'* a gyhoeddwyd gan y Comisiwn Gamblo dan Adran 25 yn y Ddeddf ("y Canllaw").
- 1.1.3 Mae'r awdurdod trwyddedu yn rhwym wrth y Ddeddf ac unrhyw reoliadau a wneir oddi tani. Mae'n rhaid i'r awdurdod trwyddedu roi ystyriaeth i'r Canllaw ac Amodau Trwyddedau a'r Codau Ymarfer (LCCP) a gyhoeddir gan y Comisiwn Gamblo (Adran 153). Os yw'n ystyried bod hynny'n briodol, gall yr awdurdod trwyddedu wyro oddi wrth y Canllaw os oes ganddo reswm da dros wneud hynny ac os gall roi rhesymau llawn.
- 1.1.4 Daw'r polisi i rym pan mae'n cael ei fabwysiadu a bydd yn parhau mewn grym tan ystyrir bod angen adolygiad statudol neu adolygiad arall a phroses ymgynghori. Bydd yr awdurdod trwyddedu yn adolygu'r polisi, gan wneud unrhyw ddiwygiadau mae'n eu hystyried yn briodol i gefnogi'r amcanion trwyddedu. Bydd unrhyw ddiwygiadau'n cael eu cyhoeddi ar ffurf datganiad polisi newydd neu, os yw hynny'n briodol, drwy gyhoeddi'r diwygiad.
- 1.1.5 Bydd y polisi fel arfer yn berthnasol i unrhyw gais y penderfynir arno ar ôl y dyddiad y mae'r awdurdod trwyddedu yn penderfynu gweithredu'r polisïau hyn, heb ystyried dyddiad cyflwyno'r cais.
- 1.1.6 Dylid darllen yr Atodiadau ar y cyd â'r polisi hwn, ond nid ydynt yn ffurfio rhan o'r polisi a gellir eu diweddarau ar unrhyw adeg.

## 1.2 DAEARYDDIAETH CYNGOR SIR Y FFLINT

- 1.2.1 Mae Sir y Fflint yng ngogledd-ddwyrain Cymru ac mae'n ffinio â Wrecsam, Sir Ddinbych a Gorllewin Swydd Gaer a Chaer. Aber Afon Dyfrdwy yw terfyn gogledd-ddwyreiniol y Sir. Mae pen mwyaf gogledd-orllewinol y Sir yn taro ar Fôr Iwerddon, er bod trefi glan môr y Rhyl a Phrestatyn yn sefyll ychydig y tu hwnt i ffiniau'r Sir, ac mae'r ardal adeiledig o amgylch Caer o boptu i ffin Cymru a Lloegr yn Saltney. Mae Bryniau Clwyd ar derfyn do-orllewinol y Sir, sy'n ffurfio ffin glir â Sir Ddinbych.
- 1.2.2 Mae Sir y Fflint yn ardal o dros 438km<sup>2</sup> yn cynnwys aber Afon Dyfrdwy a 43,464 hectar heb gynnwys yr aber. Mae ystadegau Cyfrifiad 2021 yn dangos bod 155,000 o bobl yn byw yn yr ardal, sy'n golygu mai hon yw'r unfed ar ddeg sir fwyaf yn ôl poblogaeth o'r ddwy ar hugain o ardaloedd awdurdodau lleol yng Nghymru. Mae map o'r sir i'w weld yn **Atodiad A**.
- 1.2.3 Sir y Fflint sydd â'r boblogaeth fwyaf yng Ngogledd Cymru, ac mae'n seithfed yng Nghymru o ran cyfanswm ei phoblogaeth yn 2021.

## 1.3 PROSES YMGYNGHORI

- 1.3.1 Mae'r broses ymgynghori angenrheidiol wedi'i chynnal ac mae'r ymatebion wedi'u cynnwys yn y polisi hwn lle bo hynny'n berthnasol.

## 2. CWMPAS A GRADDAU

2.0.1 Pwrpas y datganiad polisi trwyddedu hwn yw nodi'r egwyddorion y bydd yr awdurdod trwyddedu'n eu rhoi ar waith wrth arfer ei swyddogaeth drwyddedu, h.y. wrth reoleiddio'r gweithgareddau gamblo sy'n dod o dan y Ddeddf. Cyfeirir at y Ddeddf er mwyn hwyluso dealltwriaeth ond nid y bwriad yw bod yn grynodedb mwy syml o'r gyfraith.

2.0.2 Mae'r Ddeddf yn diffinio **Gamblo** fel:-

2.0.3 **Chwarae Gemau** - chwarae 'gêm siawns' am wobwr. Mae 'gêm siawns' yn cyfeirio at gêm sy'n cynnwys elfen o siawns a sgil, gêm sy'n cynnwys elfen o siawns y gellir ei dileu drwy sgil eithriadol, a gêm sy'n cael ei chyflwyno fel un sy'n cynnwys elfen o siawns, ond nad yw'n cynnwys chwaraeon.

2.0.4 **Betio** - gwneud neu dderbyn bet ar ganlyniad ras, cystadleuaeth neu unrhyw ddigwyddiad arall; y tebygolrwydd y bydd rhywbeth yn digwydd neu na fydd rhywbeth yn digwydd; neu a yw rhywbeth yn wir ai peidio.

2.0.5 **Cymryd rhan mewn loteri** - talu er mwyn cymryd rhan mewn trefniant lle mae un wobwr neu fwy'n cael eu rhoi drwy broses sy'n dibynnu'n llwyr ar siawns.

Mae rhestr lawn o'r eirfa sy'n cael ei defnyddio yn y Ddeddf ac yn y polisi hwn i'w gweld yn **Atodiad B**.

2.0.6 Dan Adran 33 yn y Ddeddf, mae'n drosedd darparu cyfleusterau i gamblo oni bai bod eithriad o dan y Ddeddf i wneud hynny.

2.0.7 Y **mathau o awdurdodiad** mae'r Ddeddf yn ei gwneud yn ofynnol i'r awdurdod trwyddedu eu rheoli yw:

- Trwyddedau Safle;
- Hysbysiadau Defnydd Dros Dro;
- Hysbysiadau Defnydd Achlysurol;
- Hawlenni sy'n ofynnol o dan y Ddeddf; a'r
- Cofrestriadau sy'n ofynnol o dan y Ddeddf.

2.0.8 Mae'r polisi hwn yn ymwneud â phob trwydded safle, hysbysiad, hawlen a chofrestriad sy'n dod o dan ddarpariaethau'r Ddeddf, sef: -

- Trwyddedau Safle
  - Casinos;
  - Safleoedd Bingo;
  - Safleoedd Betio;
  - Traciau (safleoedd lle mae rasy neu ddigwyddiadau chwaraeon eraill yn cael eu cynnal);
  - Canolfannau Gemau i Oedolion;
  - Canolfannau Adloniant i Deuluoedd â thrwydded;

- Hysbysiadau
  - Hysbysiadau Defnydd Dros Dro;
  - Hysbysiadau Defnydd Achlysurol;
- Hawlenni
  - Hawlenni Peiriannau Gemau mewn Canolfannau Adloniant i Deuluoedd;
  - Hawlenni Gemau Clybiau;
  - Hawlenni Peiriannau Gemau Clybiau;
  - Hawlenni Peiriannau Gemau mewn safleoedd â thrwydded cyflenwi alcohol;
  - Hawlenni Gemau â Gwobr;
- Cofrestriadau
  - Cofrestriadau ar gyfer loteri gan gymdeithasau bach.

## 3. AMCANION TRWYDDEDU

- 3.0.1 Wrth arfer ei swyddogaethau o dan y Ddeddf, mae'n rhaid i'r awdurdod trwyddedu geisio hyrwyddo'r tri **amcan trwyddedu** sydd yn y Ddeddf. Y tri amcan yw:
- atal gamblo rhag bod yn ffynhonnell o drosedd ac anhrefn, bod yn gysylltiedig â throredd ac anhrefn, neu gael ei ddefnyddio i gefnogi trosedd;
  - sicrhau bod gamblo'n cael ei wneud yn deg ac yn agored; ac
  - amddiffyn plant neu bobl ddiamddiffyn eraill rhag niwed neu gamfanteisio drwy gamblo.

### 3.1 AMCAN 1: ATAL GAMBLO RHAG BOD YN FFYNHONNELL O DROSEDD AC ANHREFN

- 3.1.1 Wrth benderfynu ar geisiadau, bydd yr awdurdod trwyddedu'n ystyried a fydd rhoi trwydded safle'n arwain at gynnydd o ran trosedd ac anhrefn.
- 3.1.2 Mae'r Canllaw i awdurdodau lleol yn nodi bod anhrefn wedi'i fwriadu i olygu unrhyw weithgarwch sy'n fwy difrifol ac sy'n amharu'n fwy na niwsans yn unig. Byddai ffactorau i'w hystyried wrth bennu a oedd amhariad yn ddigon difrifol i fod yn anhrefn yn cynnwys a oedd angen cymorth gan yr heddlu a pha mor fygythiol oedd yr ymddygiad i'r rhai a allai ei weld neu ei glywed. Mae'r awdurdod trwyddedu'n cytuno â'r datganiad hwn.

3.1.3 Anogir yr **ymgeiswyr i ddarllen y Strategaeth Genedlaethol i leihau Niwed Gamblo, a thrafod** y gweithdrefnau i atal troseddu ar eu safle gyda Swyddogion Trwyddedu'r awdurdod trwyddedu a Heddlu Gogledd Cymru cyn gwneud cais ffurfiol.

- 3.1.4 Wrth ystyried ceisiadau am drwyddedau, bydd yr awdurdod trwyddedu'n ystyried y canlynol yn benodol:
- Dyluniad a chynllun y safle;
  - Yr hyfforddiant a roddir i staff ar fesurau atal troseddu sy'n briodol i'r safle hwnnw;
  - Nodweddion diogelwch ffisegol sydd wedi'u gosod ar y safle. Gallai hyn gynnwys materion fel lleoliad peiriannau talu neu safon y teledu cylch caeedig sydd wedi'i osod;
  - Os oes cyfyngiadau oedran ar safle, y gweithdrefnau sydd ar waith i gynnal gwiriadau oedran;
  - Tebygolrwydd unrhyw drais neu broblem â threfn gyhoeddus neu blismona drwy roi'r drwydded.
  - **Yr asesiad risg lleol a gwblhawyd ar gyfer y safle penodol hwnnw.**

## 3.2 AMCAN 2: SICRHAU BOD GAMBLO’N CAEL EI WNEUD YN DEG AC YN AGORED

- 3.2.1 Yn gyffredinol, ni fyddai’r Comisiwn yn disgwyl i awdurdodau trwyddedu boeni am sicrhau bod gamblo’n cael ei wneud mewn modd teg ac agored gan y bydd hwn yn fater un ai i reolwr y busnes gamblo, ac felly yn ymwneud â’r Drwydded Weithredu, neu’n gysylltiedig ag addasrwydd a gweithgarwch unigolyn ac felly yn ddarostyngedig i’r Drwydded Bersonol, ac mae’r ddwy o’r rhain yn gyfrifoldeb ar y Comisiwn Gamblo.

## 3.3 AMCAN 3: AMDDIFFYN PLANT AC UNIGOLION DIAMDDIFFYN ERAILL

- 3.3.1 Gyda rhai eithriadau cyfyngedig, ni chaniateir mynediad i blant a phobl ifanc i safleoedd gamblo trwyddedig, sy’n lleoedd i oedolion yn unig.

3.3.2 Bydd yr awdurdod trwyddedu yn ceisio cyfyngu ar hysbysebion ar gyfer safleoedd fel nad yw gamblo’n cael ei anelu at blant na’i hysbysebu mewn modd a fyddai’n ei wneud yn benodol ddeniadol i blant.

3.3.3 Bydd yr awdurdod trwyddedu’n ymgynghori â’r Bwrdd Lleol Diogelu Plant ar unrhyw gais sy’n dangos y gallai fod bryder ynglŷn â mynediad i blant neu unigolion diamddiffyn.

3.3.4 Bydd yr awdurdod trwyddedu yn barnu rhinweddau pob cais unigol cyn penderfynu a ddylid gosod amodau i amddiffyn plant ar rai categorïau o safleoedd. Gallai hyn gynnwys gofynion fel:

- Goruchwyllo mynedfeydd;
- Gwahanu ardaloedd gamblo oddi wrth ardaloedd y mae plant yn eu defnyddio’n aml;
- Goruchwyllo peiriannau gemau mewn safleoedd nad ydynt yn rhai penodol i oedolion gamblo.

3.3.5 Mae Deddf 2005 yn darparu ar gyfer Cod Ymarfer ar fynediad i blant a phobl ifanc i safleoedd casino **ac os bydd yr Ysgrifennydd Gwladol yn caniatáu cais**, bydd yr awdurdod trwyddedu yn gweithio’n agos gyda’r heddlu i orfodi’r gyfraith yn briodol.

3.3.6 Nid yw’r awdurdod trwyddedu’n ceisio atal grwpiau penodol o oedolion rhag gamblo yn yr un modd ag y mae’n ceisio atal plant, ond at ddibenion rheoleiddio, bydd yn ystyried bod **‘oedolion diamddiffyn’** yn cynnwys:

- pobl sy’n gamblo mwy nag y maent eisiau ei wneud;
- pobl sy’n gamblo y tu hwnt i’w modd; a

- pobl nad ydynt efallai'n gallu gwneud penderfyniad gwybodus neu gytbwys am gamblo oherwydd amhariad meddyliol, alcohol neu gyffuriau.

## 4. DEDDFWRIAETH A PHOLISIÂU

### 4.1 DEDDFWRIAETH

4.1.1 Wrth ymgymryd â'r swyddogaeth drwyddedu dan Ddeddf Gamblo 2005, rhaid i'r awdurdod trwyddedu hefyd ystyried deddfwriaeth arall. **Mae'r rhain yn cynnwys ond heb eu cyfyngu i: -**

- Ddeddf Cydraddoldeb 2010;
- Adran 17 yn Neddf Trosedd ac Anhrefn 1988;
- Deddf Hawliau Dynol 1998;
- Deddf Iechyd a Diogelwch yn y Gwaith ac ati 1974;
- Deddf Diogelu'r Amgylchedd 1990;
- Deddf Ymddygiad Gwrthgymdeithasol 2003;
- Deddf Cysylltiadau Hiliol 1976 (fel y'i diwygiwyd);
- Deddf Trwyddedu 2003:
- Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005;
- Cod Cydymffurfio Rheoleiddwyr:
- **Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015**
- Polisi Gorfodi Gwarchod y Cyhoedd Cyngor Sir y Fflint.

Fodd bynnag, nid yw'r polisi wedi'i fwriadu i ddyblygu cyfundrefnau deddfwriaeth a rheoliadau sy'n bod eisoes ac sydd eisoes yn gosod rhwymedigaethau ar gyflogwyr a gweithredwyr.

### 4.2 CYNLLUNIO A RHEOLI ADEILADU

4.2.1 Wrth benderfynu ar gais, o dan delerau'r Ddeddf, ni ellir rhoi ystyriaeth i ganiatâd cynllunio neu reoli adeiladu nac unrhyw gyfyngiadau cynllunio.

4.2.2 Mae polisiâu cynllunio Cyngor Sir y Fflint wedi'u nodi yng '**Nghynllun Datblygu Lleol Sir y Fflint**' ac mewn amrywiaeth o ganllawiau cynllunio atodol, ac mae pob un ar gael ar wefan y Cyngor. Mae Canllaw Rheoleiddio Adeiladu hefyd ar gael ar wefan y Cyngor ac mae'n bwysig gwirio bod unrhyw newidiadau a wneir i adeilad, gan gynnwys newidiadau strwythurol, draenio neu drydanol, yn cyd-fynd â'r rheoliadau hynny.

4.2.3 Mae'r mater o roi trwydded safle dros dro yn broses ar wahân ac annibynnol ar roi caniatâd cynllunio. Bydd yn rhaid ceisio a chymeradwyo caniatâd cynllunio a rheoli adeiladu cyn unrhyw waith datblygu.



- 4.2.4 Bydd yr awdurdod trwyddedu fel arfer yn disgwyl y bydd caniatâd cynllunio priodol wedi'i roi mewn perthynas ag unrhyw safle cyn cyflwyno cais am drwydded. Fodd bynnag, gall ceisiadau am drwyddedau gael eu gwneud cyn ceisio na derbyn unrhyw ganiatâd cynllunio perthnasol.
- 4.2.5 Bydd yr awdurdod hefyd fel arfer yn disgwyl i'r gweithgarwch sydd i gael ei awdurdodi gan y drwydded fod yn ddefnydd cynllunio cyfreithlon ac nad yw unrhyw oriau gweithredu a geisir yn mynd y tu hwnt i unrhyw rai a awdurdodir gan y caniatâd cynllunio.
- 4.2.6 Nid yw oriau gweithredu a ganiateir o fewn y broses drwyddedu yn disodli unrhyw gyfyngiadau a osodir fel amod cynllunio. Bydd amodau cynllunio'n cael eu trin drwy'r broses gynllunio.

4.2.7 Bydd yr awdurdod trwyddedu'n ceisio cyflawni ei ddyletswyddau fel mae strategaethau eraill y Llywodraeth yn eu nodi, os ydynt yn effeithio ar amcanion y swyddogaeth drwyddedu.

4.2.8 Bydd yr awdurdod trwyddedu yn ystyried ceisiadau gan gyfeirio at bolisiau lleol eraill sydd wedi'u mabwysiadu, gan gynnwys:

- Gweledigaethau, Nodau Strategol a Blaenoriaethau'r Cyngor
- Strategaeth Diogelwch Cymunedol
- Polisi Gorfodi

# 5. DIRPRWYAETH, Y PWYLLGOR TRWYDDEDU A PHENDERFYNU

## 5.1 DIRPRWYAETH

- 5.1.1 Bydd yr awdurdod trwyddedu ynghlwm ag ystod eang o benderfyniadau a swyddogaethau cynllunio ac mae wedi sefydlu Pwyllgor Trwyddedu i'w gweinyddu. Gan gydnabod bod angen gwasanaeth cyflym, effeithlon a chost-effeithiol ar gyfer pob un sydd ynghlwm â'r broses drwyddedu, mae'r Pwyllgor wedi dirprwyo rhai penderfyniadau a swyddogaethau penodol ac wedi sefydlu Is-bwyllgor i ymdrin â nhw.
- 5.1.2 Bydd nifer o'r penderfyniadau a'r swyddogaethau hyn yn gwbl weinyddol eu natur ac yn cynnwys rhoi caniatâd i geisiadau nad ydynt yn rhai dadleuol, er enghraifft, bydd ceisiadau'r trwyddedau a'r hawlenni hynny lle nad oes unrhyw sylwadau wedi'u derbyn yn cael eu dirprwyo i Swyddogion y Cyngor.

5.1.3 Mae'r tabl yn Atodiad C yn nodi'r penderfyniadau a'r swyddogaethau y cytunwyd y dylid eu dirprwyo i'r Pwyllgor Trwyddedu, yr Is-bwyllgor a Swyddogion.

- 5.1.4 Nid yw'r ffurf hon ar ddirprwyo yn atal Swyddogion rhag uwchgyfeirio cais at Banel, Panel at y Pwyllgor llawn, neu'r Pwyllgor at y Cyngor llawn, os yw 'n briodol.

## 5.2 PWYLLGOR TRWYDDEDU

- 5.2.1 Mae'r Ddeddf yn nodi bod swyddogaethau'r awdurdod trwyddedu, gan gynnwys ei benderfyniadau, i gael eu cyflawni gan ei bwyllgor trwyddedu.
- 5.2.2 Gall y pwyllgor trwyddedu ddirprwyo'r swyddogaethau hyn i is-bwyllgorau neu, mewn achosion priodol, i swyddogion sy'n cefnogi'r awdurdod trwyddedu.

5.2.4 Bydd Is-bwyllgor yn cynnwys tri chynghorydd o'r Pwyllgor Trwyddedu yn gwrando ar geisiadau pan mae sylwadau wedi'u derbyn gan rai sydd â chysylltiad ac awdurdodau cyfrifol. Ni fydd Cynghorwyr Wardiau ar banel sy'n trafod cais o fewn eu ward nhw.

5.2.5 Os yw cynghorydd sy'n aelod o'r Pwyllgor Trwyddedu yn gwneud neu wedi gwneud sylwadau ynglŷn â thrwydded ar ran rhywun cysylltiedig, fel mater o lywodraethu da, byddant yn ymatal rhag bod yn rhan o'r broses benderfynu sy'n effeithio ar y drwydded dan sylw.

## 5.3 PENDERFYNU

- 5.3.1 Bydd pob penderfyniad trwyddedu gan y Pwyllgor Trwyddedu neu Is-bwyllgor yn cynnwys rhesymau clir a chadarn dros y penderfyniad. Bydd y penderfyniad a'r rhesymau dros y penderfyniad hwnnw'n cael eu hanfon at yr Ymgeisydd a'r rhai sydd wedi cyflwyno sylwadau perthnasol cyn gynted ag y bo'n ymarferol.
- 5.3.2 Bydd swyddogion trwyddedu'r Cyngor yn ymdrin â phob cais arall am drwydded pan nad oes unrhyw sylwadau wedi'u derbyn, neu pan mae sylwadau wedi'u derbyn a bod yr ochrau'n cytuno nad oes angen gwrandawriad.
- 5.3.3 Bydd swyddogion y Cyngor yn penderfynu a yw sylwadau'n amherthnasol, yn ofer neu'n flinderus, ac yn penderfynu a ddylid atgyfeirio sylwadau neu geisiadau am adolygu trwyddedau at y Pwyllgor Trwyddedu neu baneli. Os bydd sylwadau'n cael eu gwrthod, rhoddir rhesymau ysgrifenedig dros hynny.
- 5.3.4 Er mwyn osgoi ailadrodd rhwng cyfundrefnau statudol eraill gymaint â phosib', ni fydd yr awdurdod trwyddedu'n cynnwys amodau ar drwydded oni bai eu bod yn angenrheidiol i hyrwyddo'r amcanion trwyddedu. Yn gyffredinol, ystyrir na fydd angen amodau os ydynt eisoes yn cael eu cynnwys yn ddigonol mewn deddfwriaeth arall.

## 6. EGWYDDORION CYFFREDINOL

- 6.0.1 Ni fydd unrhyw beth yn y 'Datganiad Polisi' hwn yn:
- Tanseilio hawliau unrhyw berson i ymgeisio am sawl gwahanol fath o ganiatâd dan y Ddeddf ac i'r cais gael ei ystyried yn ôl ei rinweddau ei hun; NEU
  - Ddiddymu hawl unrhyw berson i wneud sylwadau ar unrhyw gais neu geisio adolygiad o drwydded neu hawlen pan mae caniatâd iddynt wneud hynny o dan y Ddeddf.
- 6.0.2 Bydd yr awdurdod trwyddedu, wrth ymgymryd â'r swyddogaeth drwyddedu, yn rhoi sylw dyledus i'r angen i gael gwared ar wahaniaethu anghyfreithlon ac i hyrwyddo cydraddoldeb a pherthnasoedd da rhwng pobl o wahanol grwpiau hil.
- 6.0.3 Bydd yr awdurdod trwyddedu'n ceisio caniatáu defnyddio safleoedd i gamblo cyhyd â'i fod yn credu bod hynny:
- Yn unol ag unrhyw god ymarfer perthnasol o dan Adran 24 yn y Ddeddf;
  - Yn unol ag unrhyw ganllaw perthnasol a gyhoeddir gan y Comisiwn;
  - Yn rhesymol gyson â'r amcanion trwyddedu;
  - Yn unol â datganiad polisi trwyddedu'r awdurdod trwyddedu.
- 6.0.4 Nid yw galw heb ei fodloni yn faen prawf a fydd yn cael ei ystyried wrth benderfynu ar gais am drwydded safle o dan y Ddeddf.

### 6.1 AWDURDOD CYMWYS I AMDDIFFYN PLANT RHAG NIWED

- 6.1.1 Mae'r awdurdod trwyddedu yn dynodi'r Bwrdd Lleol Diogelu Plant fel yr awdurdod cymwys i roi cyngor ar amddiffyn plant rhag niwed o ystyried y cyfoeth o wybodaeth ac arbenigedd sydd ar gael i wneud hyn.
- 6.1.2 Mae'r Ddeddf yn dweud y dylai pob awdurdod trwyddedu enwebu un corff i ymgymryd â'r swyddogaeth hon ond gallai fod yn gall i'r awdurdod trwyddedu gynnwys sefydliadau eraill os yw'n credu mai dyna'r peth cywir i'w wneud i atal niwed corfforol, moesol neu seicolegol, yn enwedig pan mae'n derbyn sylwadau ynglŷn â hynny.

## 6.2 PARTIÖN SYDD Â CHYSYLLTIAD

- 6.2.1 At ddibenion Deddf Gamblo 2005, mae gan berson neu sefydliad gysylltiad mewn perthynas â thrwydded safle os ydynt, ym marn yr awdurdod trwyddedu sy'n rhoi'r drwydded neu'r awdurdod trwyddedu y cyflwynir y cais iddo:
- yn byw'n ddigon agos i'r safle iddi fod yn debygol y bydd y gweithgareddau awdurdodedig yn effeithio arnynt;
  - â chysylltiadau busnes y gallai'r gweithgareddau awdurdodedig effeithio arnynt; gallai hyn hefyd gynnwys, er enghraifft, cymdeithasau masnach, elusennau, grwpiau ffydd a meddygfeydd.
  - yn cynrychioli unigolion sy'n bodloni unrhyw un o'r uchod; er enghraifft, Cymdeithasau Preswylwyr a Thenantiaid.
- 6.2.2 Wrth ystyried a oes cysylltiad, bydd pob achos yn cael ei farnu ar ei rinweddau ei hun gan ystyried yr amgylchiadau perthnasol, gan gynnwys y rhai sydd yn y Canllaw i awdurdodau lleol.
- 6.2.3 Pan mae person, p'un a ydynt yn cael eu heffeithio'n uniongyrchol gan gais neu'n byw yn agos at y safle trwyddedadwy sydd dan ystyriaeth ai peidio, yn cyflwyno eu hunain i gynrychioli cysylltiadau preswylwyr cyfagos, bydd yr awdurdod trwyddedu fel arfer yn gofyn iddynt ddarparu tystiolaeth eu bod yn gweithredu fel cynrychiolydd i eraill.

## 6.3 CYFNEWID GWYBODAETH

- 6.3.1 Wrth gyflawni ei swyddogaethau a'i rwymedigaethau dan Ddeddf Gamblo 2005, bydd yr awdurdod trwyddedu'n cyfnewid gwybodaeth berthnasol gyda chyrrff rheoleiddio eraill a bydd yn sefydlu protocolau mewn perthynas â hynny. Wrth gyfnewid gwybodaeth o'r fath, bydd yr awdurdod trwyddedu'n cydymffurfio â gofynion y Ddeddf Gamblo a deddfwriaeth Diogelu Data a Rhyddid Gwybodaeth yn unol â pholisiau cyfredol y Cyngor.
- 6.3.2 Bydd manylion cyswllt y rhai hynny sy'n gwneud sylwadau a manylion y sylwadau ar gael i ymgeiswyr er mwyn caniatáu trafod ac, os cynhelir gwrandawriad, byddant yn rhan o'r ddogfen gyhoeddus. Bydd unrhyw un sy'n gwneud sylwadau neu'n gwneud cais am adolygu trwydded safle yn cael gwybod y bydd y manylion hyn yn cael eu datgelu.

## 6.4 ARCHWILIO AC ACHOSION TROSEDDOL

- 6.4.1 Bydd Canllaw y Comisiwn Gamblo yn rhoi arweiniad i'r awdurdod trwyddedu, a fydd yn ceisio bod yn:
- **Gymesur:** ni fydd rheoleiddwyr ond yn ymyrryd pan mae angen; bydd mesurau cywiro'n briodol i'r perygl a bydd costau'n cael eu nodi a'u lleihau.
  - **Atebol:** bydd rheoleiddwyr yn gallu cyfiawnhau penderfyniadau a bydd yn cyhoedd yn gallu craffu arnynt.
  - **Cyson:** bydd rheolau a safonau yn gysylltiedig a byddant yn cael eu gweithredu'n deg.
  - **Tryloyw:** bydd rheoleiddwyr yn agored ac yn ceisio cadw rheoliadau'n syml ac yn hawdd eu deall.
  - **Penodol:** bydd rheolaeth yn canolbwyntio ar y broblem ac yn lleihau sgil-ffeithiau.
- 6.4.2 Bydd yr awdurdod trwyddedu yn ceisio osgoi dyblygu gydag unrhyw gyfundrefn reoleiddio arall cyhyd â bo modd.
- 6.4.3 Mae'r awdurdod trwyddedu'n cydnabod, ar wahân i'r swyddogaeth drwyddedu, bod nifer o brosesau eraill ar gael i fynd i'r afael â phroblemau ymddygiad afreolus sy'n gallu digwydd oddi wrth safleoedd trwyddedig, gan gynnwys:
- rheolyddion cynllunio;
  - mesurau parhaol i greu amgylchedd diogel a glân yn yr ardaloedd hyn mewn partneriaeth â busnesau lleol, gweithredwyr cludiant ac adrannau eraill y Cyngor;
  - trafod yn rheolaidd â'r heddlu am faterion gorfodi'r gyfraith o ran **troseddau**, anhrefn ac ymddygiad gwrthgymdeithasol;
  - pŵer yr heddlu, awdurdodau cyfrifol eraill neu breswlydd neu fusnes lleol i wneud cais am adolygu trwydded.
- 6.4.4 Mae'r awdurdod trwyddedu wedi mabwysiadu rhaglen archwilio yn seiliedig ar risg, h.y. bydd y safleoedd hynny sy'n cael eu hystyried yn fwy o risg yn cael archwiliadau amlach na'r rhai sy'n bygwth llai o risg.
- 6.4.5 Wrth bennu risg, rhoddir ystyriaeth i: -
- natur y gweithgareddau gamblo sy'n cael eu cynnal ar y safle;
  - lleoliad y safle mewn perthynas ag ysgolion, ac ati;
  - y gweithdrefnau a'r **asesiad risg lleol** sydd ar waith gan y rheolwyr i fodloni'r amcanion trwyddedu.
- 6.4.6 Bydd yr awdurdod trwyddedu'n gwneud trefniadau i fonitro safleoedd, cynnal archwiliadau a chymryd camau gorfodi priodol y mae'n eu hystyried yn angenrheidiol i gefnogi a hyrwyddo'r amcanion trwyddedu neu ar ôl derbyn cwyn. Bydd yr ardal yn cael ei monitro am safleoedd didrwydded.

6.4.7 Bydd yr awdurdod trwyddedu yn ceisio gweithio gyda'r heddlu i orfodi deddfwriaeth drwyddedu. Mae'n annog yr heddlu i rannu gwybodaeth ynglŷn â thrwyddedigion a safleoedd trwyddedig dan Ddeddf Trosedd ac Anhrefn 1998.

6.4.8 Yn gyffredinol, ni fydd camau ond yn cael eu cymryd yn unol â Pholisi Gorfodi'r Gwasanaeth Gwarchod y Cyhoedd. I'r diben hwn, bydd egwyddorion allweddol cysonder, tryloywder a chymesuredd yn cael eu cynnal.

6.4.9 Pan mae amodau wedi'u gosod ar drwydded, gall person awdurdodedig o'r awdurdod trwyddedu archwilio'r safle ar unrhyw adeg resymol er mwyn gwirio bod y safle'n cydymffurfio â'r amodau hynny.

6.4.10 Bydd yr awdurdod trwyddedu yn ystyried rhoi rhybudd ysgrifenedig ffurfiol i ddeiliaid trwyddedau sy'n nodi'r gwelliant a argymhellir o fewn cyfnod penodol os yw'n credu bod angen hynny i gefnogi a hyrwyddo'r amcanion trwyddedu.

## 7. PROSES DRWYDDEDU

- 7.0.1 **Cynghorir ymgeiswyr bod y broses ymgeisio ar gyfer pob math o awdurdodiad neu ganiatâd wedi'i nodi'n fanwl yn y Ddeddf, y Rheoliadau a'r Canllaw.**
- 7.0.2 Rhaid gwneud ceisiadau ar y ffurflen benodol neu leol, a rhaid talu'r ffi gyda nhw. Gallwch lawrlwytho pob ffurflen a hysbysiad pwrpasol o wefan y Comisiwn ar [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 7.0.3 Gellir hefyd ofyn i'r awdurdod trwyddedu am ffurflen gais yn uniongyrchol drwy ffonio 01352 703030.
- 7.0.4 Gall ymgeiswyr gyflwyno ceisiadau'n electronig i'r awdurdod trwyddedu drwy gopi caled neu drwy anfon e-bost at [Licensing@flintshire.gov.uk](mailto:Licensing@flintshire.gov.uk).

### 7.1 CEISIADAU

- 7.1.1 Y man cychwyn i benderfynu ar geisiadau fydd caniatáu'r cais, heb amodau.
- 7.1.2 Ni fydd amodau ond yn cael eu hystyried pan mae eu hangen i ddiwallu gofynion yr amcanion trwyddedu ac ni fydd unrhyw amodau a osodir yn rhy lethol a byddant yn gymesur â graddfa'r cais a'r 'risgiau' sydd ynghlwm. Yn gyffredinol, ystyrir na fydd angen amodau os ydynt eisoes yn cael eu cynnwys yn ddigonol mewn deddfwriaeth arall.
- 7.1.3 Wrth benderfynu ar gais i roi trwydded safle neu adolygu trwydded safle, rhoddir ystyriaeth i:
- bellter y safle oddi wrth ysgolion, **cyfleusterau hamdden plant**, canolfannau i oedolion diamddiffyn, neu ardaloedd preswyl sydd â nifer o deuluoedd â phlant; a
  - maint a chwmpas y safle gamblo sydd dan sylw.
- 7.1.4 **Penderfynir ar bob achos yn ôl ei rinweddau ei hun.** Felly, os gall ymgeisydd ddangos yn effeithiol sut y gallent dawelu pryderon mewn perthynas ag amcanion trwyddedu, bydd hyn yn cael ei ystyried.
- 7.1.5 Pan nad oes unrhyw **sylwadau perthnasol** gan awdurdodau cyfrifol neu rai sydd â chysylltiad mewn perthynas â chais, bydd y drwydded yn cael ei rhoi os yw'r cais wedi'i wneud yn unol â gofynion y Ddeddf. I'r sylwadau fod yn berthnasol, mae'n rhaid iddynt:
- ymwneud â hyrwyddo un o'r tri amcan trwyddedu;
  - cael eu gwneud gan awdurdod cyfrifol neu rywun sydd â chysylltiad o fewn y cyfnod penodedig;



- peidio â chael eu tynnu yn eu holau; ac
- ym marn yr awdurdod trwyddedu perthnasol, beidio â bod yn ofer neu'n flinderus.

Pan mae sylwadau perthnasol wedi'u derbyn ar gais a bod y cais wedi'i wneud yn unol â gofynion y Ddeddf, gellid ystyried unrhyw ddiffyg cydymffurfio â gofynion statudol eraill wrth benderfynu a ddylid rhoi trwydded ai peidio.

## 7.2 CYFRYNGU

7.2.1 Pan mae sylwadau ynglŷn ag amcanion trwyddedu wedi'u derbyn gan awdurdodau cyfrifol neu rai sydd â chysylltiad, bydd yr adain drwyddedu'n penderfynu a yw'r sylwadau'n rhai perthnasol.

7.2.2 Os yw'r awdurdod trwyddedu'n ystyried bod y sylwadau'n rhai perthnasol, gallai argymhell **cyfarfod cyfryngu** i fynd i'r afael â'r materion sy'n peri pryder a'u hegluro.

7.2.3 Ni fydd y broses hon yn diddymu hawl ymgeisydd neu rai sydd â chysylltiad i wrthod cymryd rhan yn y cyfarfod cyfryngu.

7.2.4 Os nad yw'r broses anffurfiol hon yn llwyddiannus, bydd gwrandawriad o flaen y pwyllgor trwyddedu neu is-bwyllgor yn dilyn. Bydd pob person/sefydliad perthnasol yn cael gwybod.

7.2.5 Y pwyllgor trwyddedu neu'r is-bwyllgor fydd yn penderfynu ar y cais a bydd manylion y penderfyniad hwnnw'n cael eu rhannu rhwng pob un sydd ynghlwm.

## 7.3 AMODAU

- 7.3.1 Mae'r Ddeddf a'r rheoliadau'n darparu ar gyfer atodi amodau penodol i drwydded safle un ai fel amodau "**gorfodol**" neu rai "**diofyn**".
- 7.3.2 Mae Adran 169 yn y Ddeddf yn rhoi'r pŵer i awdurdodau trwyddedu osod amodau diofyn ar drwyddedau safle maent yn eu rhoi.
- 7.3.3 Wrth ystyried unrhyw amodau i'w gosod ar drwyddedau, bydd yr awdurdod trwyddedu'n ystyried yr amgylchiadau lleol a'r risgiau sy'n gysylltiedig â safle penodol neu ddsbarth safle a allai olygu bod angen amodau.

7.3.4 Ni fydd yr awdurdod trwyddedu'n gosod unrhyw amodau oni bai ei fod yn barnu bod angen rhai ar ôl derbyn sylwadau perthnasol a'i fod wedi'i fodloni mewn gwrandawriad bod angen gosod amodau oherwydd y sylwadau a wnaed. Ni fydd wedyn ond yn gosod amodau sy'n briodol ac yn gymesur i hyrwyddo'r amcanion trwyddedu ac sy'n codi o ystyried y sylwadau.

- 7.3.5 Ni fydd amodau ar drwyddedau safle ond yn ymwneud â gamblo, fel sy'n cael ei ystyried yn briodol yn sgil yr egwyddorion canlynol:
- Rhaid iddynt fod yn gymesur â'r amgylchiadau maent yn ceisio mynd i'r afael â nhw;
  - Dylent fod yn berthnasol i'r angen am sicrhau bod yr adeilad arfaethedig yn addas fel cyfleuster gamblo;
  - Dylent fod yn uniongyrchol gysylltiedig â'r safle (gan gynnwys yr ardal ac unrhyw risgiau lleol hysbys) a'r math o drwydded y gwneir cais amdani;
  - Dylent fod yn gymharol a rhesymol gysylltiedig â maint a math y safle;
  - Dylent fod yn rhesymol ym mhob ffordd arall.

## 7.4 ADOLYGIADAU

- 7.4.1 Ar unrhyw adeg ar ôl rhoi trwydded safle, gall **awdurdod cyfrifol** neu unrhyw **berson/sefydliad sydd â chysylltiad** ofyn i'r awdurdod trwyddedu adolygu'r drwydded safle oherwydd mater sy'n codi ar y safle mewn cysylltiad ag unrhyw un o'r tri amcan trwyddedu.
- 7.4.2 Mae'r broses adolygu yn fesur gwarchod allweddol ar gyfer y gymuned pan mae problemau sy'n gysylltiedig â'r amcanion trwyddedu ar y safle.
- 7.4.3 Ym mhob achos, mae'n rhaid i gais am adolygiad ymwneud â safle penodol a **rhaid iddo fod yn berthnasol i hyrwyddo un neu fwy o'r amcanion trwyddedu**.
- 7.4.4 **Mae'n bosib mai'r sail dros wneud adolygiad yw bod gweithgareddau, yn cynnwys ond heb eu cyfyngu i'r** canlynol, yn cael eu gwneud ar y safle:

- Defnyddio safle trwyddedig i werthu a dosbarthu cyffuriau Dosbarth A a gwyngalchu elw o droseddau cyffuriau;
- Defnyddio safle trwyddedig i werthu a dosbarthu arfau tanio anghyfreithlon;
- Defnyddio safle trwyddedig ar gyfer puteindra neu i werthu pornograffi anghyfreithlon;
- Defnyddio safle trwyddedig fel canolfan ar gyfer gweithgarwch troseddol trefnus;
- Defnyddio safle trwyddedig i drefnu camdriniaeth neu ymosodiadau hiliol, homoffobig neu rywiol;
- Defnyddio safle trwyddedig i werthu tybaco neu nwyddau wedi'u smyglo;
- Defnyddio safle trwyddedig i werthu nwyddau wedi'u dwyn;
- Plant a/neu oedolion diamddiffyn yn cael eu rhoi mewn perygl.

7.4.5 Bydd yr awdurdod trwyddedu'n gwrthod cais am adolygiad os yw'r ymgeisydd yn methu â darparu gwybodaeth a dogfennau ategol yn dangos nad yw un neu fwy o'r amcanion trwyddedu'n cael eu bodloni neu os nad yw'r rheswm dros yr adolygiad yn ymwneud â'r amcanion trwyddedu.

7.4.6 Bydd yr awdurdod trwyddedu hefyd yn gwrthod adolygu cais:

- os yw'r sail yn ofer;
- os yw'r sail yn flinderus;
- os yw'r sail yn amherthnasol;
- os na fydd y sail yn achosi i'r Cyngor ddiddymu trwydded neu ei hatal dros dro neu osod neu gael gwared ar amodau ar y drwydded safle;
- os yw'r sail yn sylweddol debyg i'r sail a ddyfynnwyd mewn cais blaenorol yn ymwneud â'r un safle; neu
- os yw'r sail yn sylweddol debyg i'r sylwadau a wnaed wrth ystyried y cais am drwydded safle.

7.4.7 Mae'r awdurdod trwyddedu'n ystyried ei fod yn arfer da i bob awdurdod cyfrifol sydd â phryderon ynglŷn â phroblemau wedi'u canfod ar safle roi rhybudd am eu pryder i'r deiliad trwydded yn gynnwys a'u rhybuddio bod angen gwella a, lle bo modd, dylent gynghori'r deiliad trwydded ynghylch y camau mae angen iddynt eu cymryd er mwyn mynd i'r afael â'r pryderon hynny.

## CYCHWYN ADOLYGIAD GAN YR AWDURDOD TRWYDDEDU

7.4.8 Gall trwydded safle hefyd gael ei hadolygu gan yr awdurdod trwyddedu o'i wirfodd.

7.4.9 Cyn gweithredu ei bŵer i gychwyn adolygiad, bydd yr awdurdod trwyddedu'n ceisio cynnal trafodaethau adeiladol gyda'r gweithredwyr ynglŷn ag unrhyw bryderon a gallai ofyn i'r gweithredwr ddarparu ei **asesiad risg lleol** i'r awdurdod trwyddedu, sy'n nodi'r rheolyddion sydd ganddo ar waith i liniaru'r risgiau.

## 8. SAFONAU LLEOL

### 8.1 TRWYDDEDAU SAFLE

8.1.1 Gall trwyddedau safle awdurdodi cyfleusterau gamblo mewn;

- Casinos;
- Safleoedd Bingo;
- Safleoedd Betio, gan gynnwys Traciau;
- Canolfannau Gemau i Oedolion; a
- Chanolfannau Adloniant i Deuluoedd.

Drwy wahaniaethu rhwng mathau o safleoedd, mae'r Ddeddf yn ei gwneud yn glir ei dylai gweithgarwch gamblo'r safle fod yn gysylltiedig â'r safle a ddisgrifir. **Nid yw'r Ddeddf yn caniatáu i safleoedd fod wedi'u trwyddedu ar gyfer mwy nag un o'r safleoedd uchod.**

8.1.1 Ni all cais am drwydded safle ond cael ei gyflwyno gan rai (sy'n cynnwys cwmnïau a phartneriaethau):

- sy'n 18 oed neu'n hŷn, ac
- sydd â hawl i ddefnyddio'r safle, ac
- sydd â thrwydded weithredu sy'n caniatáu iddynt gynnal y gweithgareddau arfaethedig **NEU** sydd wedi ymgeisio am drwydded weithredu i ganiatáu iddynt gynnal y gweithgareddau arfaethedig.

**Ni ellir penderfynu ar drwydded safle nes bydd trwydded weithredu wedi'i rhoi.**

8.1.2 Yr eithriad i hyn yw ymgeisydd am drwydded safle er mwyn caniatáu i drac gael ei ddefnyddio ar gyfer betio, gan nad oes angen i'r ymgeiswyr hyn fod â thrwydded weithredu os ydynt ond yn darparu lle i bobl eraill ddarparu lleoedd betio (a bod gan y bobl eraill hynny drwyddedau gweithredu betio dilys).

8.1.3 Mae'r awdurdod trwyddedu'n annog ymgeiswyr i drafod ceisiadau arfaethedig gyda swyddog trwyddedu ac awdurdodau cyfrifol yn gynnar yn y broses a chyn cyflwyno'r cais ei hun. Dylai problemau posib' ddod i'r amlwg felly a dylai helpu i greu system dda o weithio mewn partneriaeth. Gallai hefyd leihau'r angen am wrandawriad yn nes ymlaen.

8.1.4 Anogir ymgeiswyr i sicrhau eu bod yn ymwybodol o unrhyw bolisiau cynllunio a chludeant perthnasol, strategaethau twristiaeth a diwylliant a strategaethau trosedd ac anhrefn lleol, **strategaethau diogelu a strategaethau iechyd cyhoeddus**, ac ystyried y rhain, lle bo hynny'n berthnasol, wrth lunio eu rhaglenni gweithredu.

8.1.5 Bydd yr awdurdod trwyddedu'n disgwyl i bob ymgeisydd fanylu ar y dulliau y byddant yn eu defnyddio i hyrwyddo'r tri amcan trwyddedu yn eu rhaglenni gweithredu, gan roi ystyriaeth i'r math o safle, y gweithgarwch trwyddedadwy arfaethedig, y gweithdrefnau a natur y lleoliad ac anghenion y gymuned leol.

8.1.6 Mae'r awdurdod yn ystyried bod rhaglen weithredu fanwl a threfnus yn dangos bod ymgeisydd yn deall a'u bod yn barod i fodloni cyfrifoldebau deiliad trwydded o dan y Ddeddf.

8.1.7 Mae'r awdurdod yn ystyried y gallai rhaglen weithredu wag neu un prin wedi'i chwblhau **ac asesiad risg lleol** roi'r argraff nad yw'r ymgeisydd wedi meddwl digon ynglŷn â chyfrifoldebau deiliad trwydded.

8.1.9 Nid yw galw heb ei fodloni yn faen prawf a fydd yn cael ei ystyried wrth benderfynu ar gais am drwydded safle o dan Ddeddf Gamblo 2005.

## CASINOS

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8.1.10 Nid oes unrhyw benderfyniad i wahardd casinos yn Sir y Fflint ar hyn o bryd. Fodd bynnag, mae'r awdurdod trwyddedu'n cadw'r hawl i adolygu'r sefyllfa hon a gallai, ryw dro yn y dyfodol, benderfynu peidio â chaniatáu casinos. Nid oes unrhyw gasinos gweithredol yn Sir y Fflint ar hyn o bryd.

8.1.11 Pe bai'r awdurdod trwyddedu'n dewis penderfynu hynny, bydd yn benderfyniad i'r Cyngor Llawn ar ôl trafodaeth ac ystyriaeth a bydd rhesymau dros y penderfyniad yn cael eu rhoi. Ni fydd hawl i apelio yn erbyn penderfyniad o'r fath.

## SAFLEOEDD BINGO

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8.1.12 Nid yw bingo yn cael ei ddiffinio'n statudol yn y Ddeddf ond mae dau fath o bingo yn hysbys yn gyffredinol:

- Bingo arian, pan mae'r ffioedd chwarae'n talu'r gwobrau arian i'w hennill
- Bingo gwobrau, pan mae gwahanol fathau o wobrau'n cael eu hennill, heb fod yn uniongyrchol gysylltiedig â'r ffioedd chwarae.

8.1.13 Bydd yr awdurdod trwyddedu yn gosod amodau gorfodol a diofyn ar holl drwyddedau safleoedd bingo.

## SAFLEOEDD BETIO

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8.1.14 Yr awdurdod trwyddedu sy'n gyfrifol am roi a monitro trwyddedau safle ar gyfer pob safle betio.

8.1.15 Bydd yr awdurdod trwyddedu yn gosod amodau gorfodol a diofyn ar holl drwyddedau safleoedd betio.

## TRACIAU

8.1.16 Nid yw'r Ddeddf yn rhoi rhestr o safleoedd sy'n cael eu cydnabod yn swyddogol fel 'traciau' ond mae nifer o leoliadau ble mae a ble gallai digwyddiadau chwaraeon gael eu cynnal, a rhoi lle i ddarparu cyfleusterau betio drwy hynny. Dyma rai enghreifftiau o draciau:

- Cae rasio ceffylau
- Trac rasio milgwn
- Cae rasio ceffylau pwynt-i-bwynt
- Caeau pêl-droed, criced a rygbi
- Cwrs golff
- Lleoliadau sy'n cynnal twrnameintiau darts, bowls neu snwcer.
- **Trac rasio ceir neu debyg**

8.1.17 Bydd yr awdurdod trwyddedu yn penderfynu beth sy'n cyfrif fel digwyddiad chwaraeon neu ras fesul achos.

## CANOLFANNAU GEMAU I OEDOLION

8.1.18 Rhaid i ymgeiswyr am drwydded safle ar gyfer canolfan gemau i oedolion feddu ar 'drwydded weithredu gyffredinol ar gyfer peiriannau gemau (canolfan gemau i oedolion)' gan y Comisiwn Gamblo cyn y gellir penderfynu ar drwydded safle.

8.1.19 Bydd yr awdurdod trwyddedu yn gosod amodau gorfodol a diofyn ar holl drwyddedau safle canolfannau gemau i oedolion.

## CANOLFANNAU ADLONANT I DEULUOEDD

8.1.20 Rhaid i ymgeiswyr am drwydded safle ar gyfer canolfan adloniant i deuluoedd feddu ar 'drwydded weithredu gyffredinol ar gyfer peiriannau gemau (canolfan adloniant i deuluoedd)' gan y Comisiwn Gamblo cyn y gellir penderfynu ar drwydded safle.

8.1.21 Mae canolfannau adloniant i deuluoedd sydd â thrwydded yn aml wedi'u lleoli mewn trefi glan môr, mewn meysydd awyr ac mewn canolfannau gwasanaeth ar draffyrdd ac maent yn darparu ar gyfer teuluoedd, gan gynnwys plant a phobl ifanc heb oruchwylwyr. Mae ganddynt ganiatâd i ddarparu peiriannau gemau categori C a D.

8.1.22 Nid oes caniatâd i blant a phobl ifanc ddefnyddio peiriannau categori C ac mae'n ofynnol bod y ddau fath o beiriannau'n cael eu gwahanu'n glir fel nad yw rhai dan 18 mlwydd oed yn gallu eu defnyddio.

8.1.23 Bydd yr awdurdod trwyddedu'n ystyried y polisiau a'r gweithdrefnau a'r **asesiad risg lleol** sy'n cael eu cynnig gan yr ymgeisydd i warchod plant a phobl ifanc wrth ystyried y ceisiadau ar gyfer trwyddedau safle canolfannau adloniant i deuluoedd.

8.1.24 Bydd yr awdurdod trwyddedu yn gosod amodau gorfodol a diofyn ar holl drwyddedau safle canolfannau adloniant i deuluoedd.



## 8.2 HYSBYSIADAU

### HYSBYSIADAU DEFNYDD DROS DRO

- 8.2.1 Mae hysbysiadau defnydd dros dro yn caniatáu defnyddio safle ar gyfer gamblo pan nad oes trwydded safle ond pan mae gweithredwr gamblo yn dymuno defnyddio'r safle dros dro i ddarparu cyfleusterau i gamblo. Byddai safleoedd a allai fod yn addas ar gyfer hysbysiad defnydd dros dro, yn ôl y Comisiwn Gamblo, yn cynnwys gwestai, canolfannau cynadledda a lleoliadau chwaraeon.
- 8.2.2 Ni all yr awdurdod trwyddedu ond rhoi hysbysiad defnydd dros dro i berson neu gwmni sydd â thrwydded weithredu berthnasol h.y. trwydded weithredu casino heb fetio o bell.
- 8.2.3 Mae nifer o gyfyngiadau statudol ar hysbysiadau defnydd dros dro.

8.2.4 Wrth ystyried a yw lle yn dod o dan ddiffiniad "set o safleoedd", bydd yr awdurdod trwyddedu yn ystyried perchnogaeth/meddiannaeth a rheolaeth ar y safle, ynghyd â phethau eraill.

8.2.5 Mae'r awdurdod trwyddedu hwn yn disgwyl gwrthwynebu i hysbysiadau ble mae'n ymddangos y byddent yn caniatáu gamblo arferol mewn lle y gellir ei ddisgrifio fel un set o safleoedd, fel sy'n cael ei awgrymu yng nghanllaw'r Comisiwn Gamblo i awdurdodau trwyddedu.

### HYSBYSIADAU DEFNYDD ACHLYSUROL

- 8.2.6 Ychydig iawn o ddisgresiwn sydd gan yr awdurdod trwyddedu mewn perthynas â'r hysbysiadau hyn ar wahân i sicrhau y cedwir at y cyfyngiad statudol o 8 diwrnod y flwyddyn. Bydd yr awdurdod trwyddedu hwn, er hynny, yn ystyried diffiniad 'trac' ac a oes caniatâd i'r ymgeisydd fanteisio ar yr hysbysiad.



## 8.3 HAWLENNI

- 8.3.1 Mae hawlenni wedi'u bwriadu fel dull ysgafn o ymdrin â mân gamblo ategol. Mae'r hawlenni'n rheoleiddio gamblo a'r defnydd o beiriannau gemau ar safleoedd penodol.
- 8.3.2 Yr awdurdod trwyddedu sy'n gyfrifol am roi:
- Hawlenni Peiriannau Gemau mewn Canolfannau Adloniant i Deuluoedd (**Canolfan Adloniant i Deuluoedd heb Drwydded**);
  - Hawlenni Gemau Clybiau a Hawlenni Peiriannau Gemau Clybiau;
  - Hawlenni Peiriannau Gemau mewn Safleoedd â Thrwydded Cyflenwi Alcohol;
  - Hawlenni Gemau â Gwobr.
- 8.3.3 Bydd yr awdurdod trwyddedu yn cymeradwyo neu'n gwrthod cais am hawlen. **Ni ellir rhoi amodau ar hawlen.**
- 8.3.4 Ar ben hynny, mae'r awdurdod trwyddedu yn gyfrifol am dderbyn hysbysiad gan ddeiliaid trwyddedau cyflenwi alcohol dan Ddeddf Trwyddedu 2003 eu bod yn bwriadu arfer eu hawl awtomatig i gael 2 beiriant gemau ar eu safle.
- 8.3.5 Gweler **Atodiad D** am ragor o wybodaeth ynglŷn â'r categorïau peiriannau gemau sy'n cael eu caniatáu â hawlen a gwybodaeth ynglŷn â chyfyngiadau symiau i'w betio a gwobrau.

8.3.6 Wrth benderfynu ar geisiadau am hawlenni, bydd yr awdurdod trwyddedu yn ystyried unrhyw gollfarnau sydd gan yr ymgeisydd a fyddai'n eu gwneud yn anaddas i weithredu'r safle ac addasrwydd y safle mewn perthynas â'r lleoliad a materion ynglŷn ag anhrefn.

### HAWLENNI PEIRIANNAU GEMAU MEWN CANOLFANNAU ADLONIAINT I DEULUOEDD

- 8.3.7 Mae Canolfannau Adloniant i Deuluoedd didrwydded yn gallu cynnig peiriannau categori D yn unig ar hawlen peiriannau gemau. Gellir darparu unrhyw nifer o beiriannau categori D.
- 8.3.8 Ni all cais am hawlen ond cael ei gyflwyno gan berson sy'n meddiannu neu sy'n bwriadu meddiannu'r safle i gael ei ddefnyddio fel Canolfan Adloniant i Deuluoedd ddidrwydded ac, os yw'r ymgeisydd yn unigolyn, os yw'n 18 oed neu'n hŷn.
- 8.3.9 Ni ellir ond rhoi'r hawlen os yw'r awdurdod trwyddedu'n fodlon y bydd y safle'n cael ei ddefnyddio fel Canolfan Adloniant i Deuluoedd ddidrwydded ac os ymgynghorwyd â phrif swyddog yr heddlu ar y cais.

8.3.10 Nid oes ffurflen gais benodol ar gyfer yr hawlen hon, ond mae'r awdurdod trwyddedu wedi creu **ffurflen gais leol** at y diben. Rhaid cyflwyno cynllun ar gyfer y Ganolfan Adloniant i Deuluoedd ddidrwydded gyda phob cais.



## HAWLENNI GEMAU CLYBIAU A HAWLENNI PEIRIANNAU GEMAU CLYBIAU

- 8.3.11 Gall yr awdurdod trwyddedu roi hawlenni gemau clybiau i glybiau aelodau a sefydliadau lles y glowyr (ond nid i glybiau masnachol) sy'n caniatáu darparu peiriannau gemau, gemau siawns gyfartal a gemau siawns fel sydd yn y rheoliadau.
- 8.3.12 Os nad yw clwb aelodau neu sefydliad lles y glowyr yn dymuno cael yr ystod lawn o gyfleusterau sy'n cael eu caniatáu drwy hawlen gemau clybiau, gallant wneud cais am hawlen peiriannau gemau clybiau, gan ddefnyddio'r ffurflen benodol.
- 8.3.13 Mae angen i ddeiliaid hawlenni gemau clybiau a hawlenni peiriannau gemau clybiau gydymffurfio â'r cod ymddygiad sydd wedi'i gyhoeddi gan y Comisiwn Gamblo ar leoliad a gweithrediad y peiriannau.

## TRWYDDEDAU PEIRIANNAU GEMAU MEWN SAFLEOEDD Â THRWYDDED CYFLENWI ALCOHOL

- 8.3.14 Gall yr awdurdod trwyddedu roi hawlen peiriannau gemau i ddeiliaid trwyddedau cyflenwi alcohol dan Ddeddf Trwyddedu 2003 sy'n caniatáu unrhyw nifer o beiriannau categori C a D mewn safleoedd trwyddedig.
- 8.3.15 Rhaid i'r cais gael ei wneud gan ddeiliad y drwydded safle i gyflenwi alcohol, a roddwyd dan Ddeddf Trwyddedu 2003.
- 8.3.16 Gall yr awdurdod trwyddedu amrywio nifer a chategori'r peiriannau gemau a awdurdodir gan yr hawlen os yw'n ystyried bod angen er mwyn hyrwyddo'r amcanion trwyddedu.
- 8.3.17 Mae angen i ddeiliaid hawlenni peiriannau gemau mewn safleoedd trwyddedig gydymffurfio â'r cod ymarfer a gyflwynwyd gan y Comisiwn Gamblo ar leoliad a gweithrediad peiriannau.

8.3.18 Nid oes ffurflen benodol ar gyfer yr hawlen hon, ond mae'r awdurdod trwyddedu wedi creu ffurflen gais leol at y diben.

## HAWLENNI GEMAU Â GWOBR

- 8.3.19 Gall yr awdurdod trwyddedu roi hawlenni gemau â gwobr i awdurdodi darparu cyfleusterau ar gyfer gemau gyda gwobrau ar safleoedd penodol.
- 8.3.20 Rhaid i'r cais gael ei wneud gan y sawl sy'n meddiannu neu'n bwriadu meddiannu'r safle ac, os yw'r ymgeisydd yn unigolyn, sy'n 18 oed neu'n hŷn.
- 8.3.21 Mae gofyn i ymgeiswyr nodi pa fath o gemau maent yn bwriadu eu cynnig yn eu cais.

8.3.22 Nid oes ffurflen benodol ar gyfer yr hawlen hon, ond mae'r awdurdod trwyddedu wedi creu ffurflen gais leol at y diben.

## 8.4 COFRESTRIADAU

- 8.4.1 Mae'r Ddeddf yn nodi mai 'awdurdodau lleol' sy'n gyfrifol am gofrestru cymdeithasau i gynnal Loteriau Cymdeithasau Bach, yn hytrach nag awdurdodau trwyddedu. Er cysondeb, cyfeirir at Gyngor Sir y Fflint, gan mai hwn yw'r awdurdod lleol a ddiffinnir dan Adran 25 yn y Ddeddf, fel yr awdurdod trwyddedu yn y ddogfen hon.
- 8.4.2 Rhaid i geisiadau ar gyfer cofrestriadau loteriau cymdeithasau bach fod ar y ffurflen benodol gyda'r ffi gofrestru ofynnol a'r holl ddogfennau angenrheidiol y bydd yr awdurdod trwyddedu eu hangen.
- 8.4.3 Mae'r broses a'r egwyddorion ar gyfer gwrthod cofrestriadau yn unol â 'Deddf Loteriau a Gamblo 2005 Canllawiau i Awdurdodau Lleol' y Comisiwn Gamblo.
- 8.4.4 Bydd yr awdurdod trwyddedu yn gofyn i ymgeiswyr ddarparu copi o'u telerau a'u hamodau a'u cyfansoddiad i sicrhau nad ydynt yn gymdeithas fasnachol.

## 8.5 ASESIADAU RISG LLEOL

- 8.5.1 Mae **Amodau Trwyddedau a Chod Ymarfer** y Comisiwn Gamblo'n nodi'r angen i weithredwyr ystyried risgiau lleol yn ffurfiol.
- 8.5.2 Mae cod Cyfrifoldeb Cymdeithasol 10.1.1 yn ei gwneud yn ofynnol i bob deiliad trwydded safle asesu'r risgiau lleol i'r amcanion trwyddedu sy'n dod yn sgil darparu cyfleusterau gamblo ar bob un o'u safleoedd, a bod â pholisïau, gweithdrefnau a mesurau rheoli i liniaru'r risgiau hynny. Wrth gynnal asesiad risg, rhaid i ddeiliaid trwydded ystyried y materion a nodir yn y datganiad polisi hwn.
- 8.5.3 Rhaid cynnal asesiad risg lleol wrth wneud cais am drwydded safle newydd a rhaid ei ddiweddarau:
- wrth wneud cais am amrywio trwydded safle;
  - i ystyried unrhyw newidiadau sylweddol o ran risgiau lleol;
  - pan mae newidiadau sylweddol ar safle deiliad trwydded a allai effeithio ar eu mesurau i liniaru risgiau lleol.

- 8.5.4 Bydd yr awdurdod trwyddedu yn disgwyl i bob asesiad risg drafod y penawdau bras canlynol:
- Cyfeiriad at unrhyw risgiau lleol penodol;
  - Sut mae'r gweithredwr yn bwriadu lliniaru'r risgiau hyn;
  - Sut fydd y gweithredwr yn monitro'r risgiau.

- 8.5.5 Mae'r **risgiau lleol** a nodwyd gan yr awdurdod trwyddedu yn cynnwys, ond heb eu cyfyngu i:
- bellter y safle oddi wrth sefydliadau sensitif, fel ysgolion, canolfannau i oedolion diamddiffyn, **cyfleusterau hamdden plant**, neu ardaloedd preswyl sydd â nifer o deuluoedd â phlant;
  - natur gweithgareddau gamblo a chategoriâu'r peiriannau gemau sy'n cael eu darparu ar y safle;
  - unrhyw gyfyngiadau ar oedran neu ofynion gwahanu sy'n angenrheidiol ar y safle i amddiffyn plant a phobl ifanc;
  - faint o unigolion diamddiffyn sydd yn yr ardal o amgylch y safle.

- 8.5.6 Mae disgwyl i reolwyr wneud yn siŵr fod yr Asesiad Risg **penodol ar gyfer y safle** ar gael i awdurdodau trwyddedu pan fydd cais yn cael ei gyflwyno. Dylid cadw copi ar y safle, neu fel arall dylai fod ar gael ar gais. Bydd hyn yn ffurfio rhan o gyfundrefn arolygu y Cyngor, ac yn cael ei ystyried yn ystod y broses o ymchwilio i gwynion.

## 9. CWYNION YN ERBYN SAFLEOEDD TRWYDDEDIG

- 9.0.1 Bydd yr awdurdod trwyddedu yn ymchwilio i gwynion yn erbyn safleoedd trwyddedig mewn perthynas â materion sy'n ymwneud â'r amcanion trwyddedu. Yn y lle cyntaf, mae cwynwyr yn cael eu hannog i gyflwyno'r gŵyn yn uniongyrchol i'r deiliad trwydded neu'r busnes perthnasol i geisio datrys y mater yn lleol.
- 9.0.2 Pan mae person/sefydliad sydd â chysylltiad wedi cwyno am safle trwyddedig, neu wedi cyflwyno cais dilys i drwydded gael ei hadolygu, gallai'r Cyngor i ddechrau awgrymu cyfarfod cymodi i fynd i'r afael â'r materion sy'n peri pryder a'u hegluro.
- 9.0.3 Ni fydd y broses hon yn diddymu hawl unrhyw rai sydd â chysylltiad neu unrhyw ddeiliad trwydded i wrthod cymryd rhan yn y cyfarfod cymodi.
- 9.0.4 Bydd ystyriaeth briodol yn cael ei rhoi i bob cwyn oni bai yr ystyrir eu bod yn ofer, blinderus neu'n ailadroddus.

# 10. GWYBODAETH BELLACH

## 10.1 PEIRIANNAU GEMAU

- 10.1.1 Mae'r awdurdod trwyddedu'n nodi bod y term "peiriant gemau" yn cynnwys pob peiriant y gall pobl gamblo arno ac nid yw'r term ond wedi'i nodi yn y Ddeddf gan ei fod yn un mae pobl yn ei ddeall yn gyffredinol.
- 10.1.2 Mae diffiniad "peiriant gemau" yn ehangach yn Neddf Gamblo 2005 na'r diffiniad mewn deddfwriaeth gemau flaenorol ac mae'n cynnwys pob math o weithgareddau gamblo y gellir eu gwneud ar beiriant, gan gynnwys betio ar ddigwyddiadau rhithwir.
- 10.1.3 Dylid nodi, fodd bynnag, bod peiriannau sgil a pheiriannau gemau'n cael eu gwahaniaethu a bod eithriadau pwysig yn dal i fod ar gyfer cyfarpar penodol nad yw'n cael ei ystyried yn beiriant gemau, hyd yn oed pan mae modd gamblo arno, er enghraifft, cyfrifiadur personol yn y cartref.
- 10.1.4 Er mwyn i safle osod peiriannau gemau, mae fel arfer angen awdurdodiad. Fel arfer, mae hwn ar ffurf:
- trwydded weithredu gan y Comisiwn a thrwydded safle gamblo gan yr awdurdod trwyddedu;
  - trwydded safle cyflenwi alcohol; neu
  - hawlen peiriannau gemau.
- 10.1.5 Pan mae awdurdod trwyddedu'n pryderu ynglŷn â chynhyrchu, cyflenwi, gosod a chynnal a chadw neu drwsio peiriannau gemau, neu'r modd y maent yn gweithredu, byddant yn cysylltu â'r Comisiwn am arweiniad.
- 10.1.6 Mae rheoliadau'n diffinio pedwar categori o beiriant gemau: categorïau A, B, C a D ac mae categori B wedi'i rannu'n bum is-gategori arall. Mae uchafswm y peiriannau a ganiateir yn amrywio yn ôl math y safle.
- 10.1.7 Nid oes isafswm oedran i chwarae ar beiriannau gemau categori D, ond mae'n rhaid bod yn 18 oed neu'n hŷn i chwarae ar beiriannau gemau categori A, B neu C.
- 10.1.8 Gweler **Atodiad D** am ragor o wybodaeth ynglŷn â chategorïau peiriannau a hawliau.

## 10.2 COFRESTR DRWYDDEDU

10.2.1 O dan y Ddeddf, mae angen i bob awdurdod trwyddedu gadw **cofrestr drwyddedu** sy'n cynnwys

- cofnod o bob trwydded safle, trwydded safle clwb a thrwydded bersonol mae'n eu rhoi,
- cofnod o bob hysbysiad digwyddiad dros dro mae'n ei dderbyn,
- cofnod o'r holl geisiadau eraill mae'n eu derbyn, hysbysiadau mae'n eu derbyn ac unrhyw wrth-hysbysiad mae'n ei roi, a
- gwybodaeth arall fel y mae rheoliadau'n ei nodi.

10.2.2 Mae'r wybodaeth sydd wedi'i chynnwys yn y gofrestr drwyddedu ar gael i'w gweld ar-lein ar **[www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)**.

10.2.3 Dylai unrhyw un sy'n dymuno gweld y gofrestr drwyddedu eu hunain gysylltu â'r awdurdod trwyddedu drwy e-bost: **[Licensing@Flintshire.gov.uk](mailto:Licensing@Flintshire.gov.uk)** neu dros y ffôn 01352 703030 i drefnu apwyntiad.

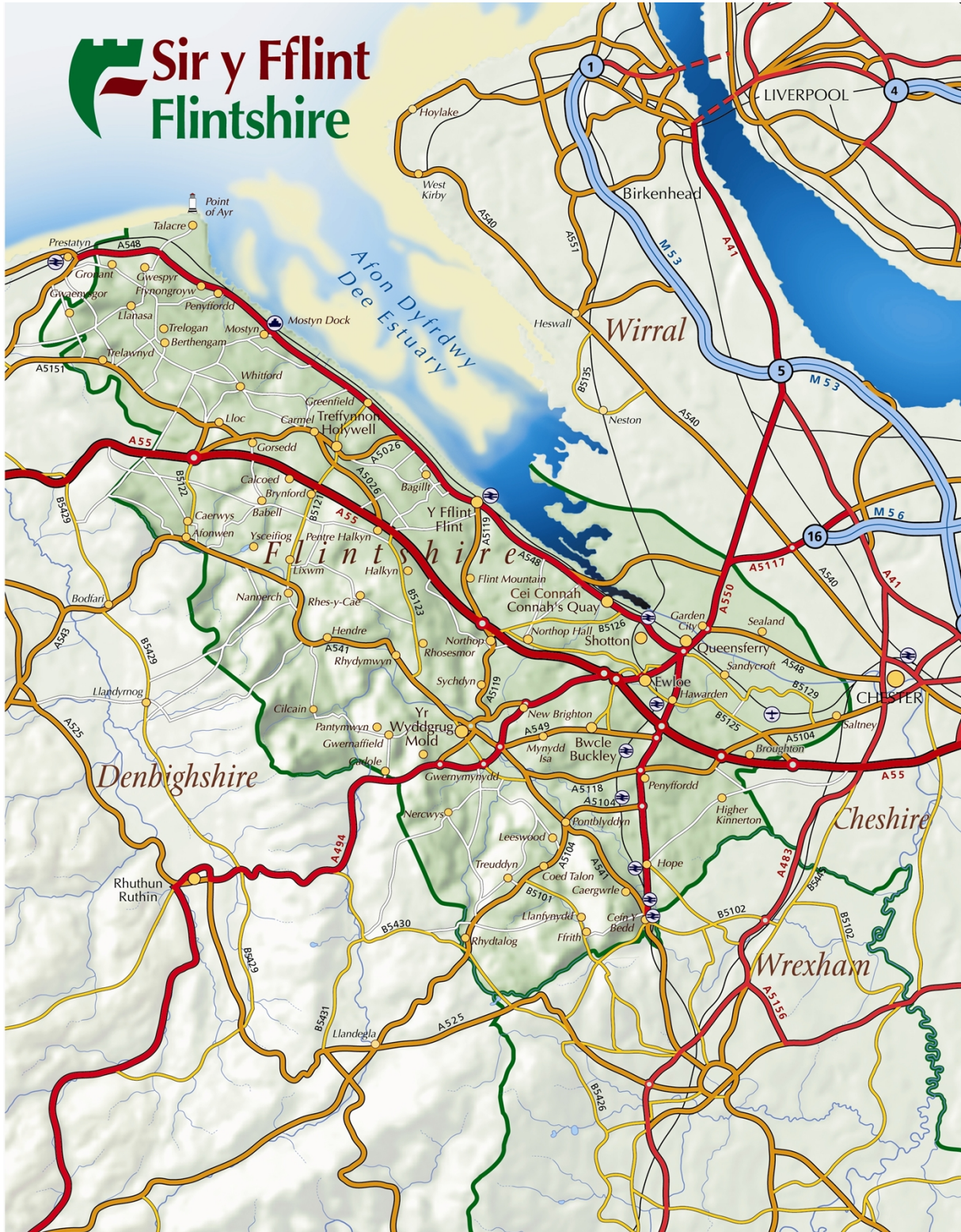
10.2.4 I sicrhau bod y wybodaeth sydd yn y gofrestr yn cael ei chyflwyno mewn fformat priodol, bydd gofyn i unrhyw berson sy'n dymuno gweld y gofrestr eu hunain egluro pa ran o'r gofrestr maent yn dymuno iddi fod ar gael yn ystod yr apwyntiad.

## 10.3 CRONFA DDATA O GOFNODION SAFLEOEDD

10.3.1 Mae cronfa ddata o drwyddedau safleoedd ar gael ar wefan y Comisiwn ac mae'n cynnwys gwybodaeth a gyflwynwyd gan awdurdodau trwyddedu. Gwefan y Comisiwn yw **[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)**.



# ATODIAD A: MAP O SIR Y FFLINT



## ATODIAD B: RHESTR TERMAU

**Adolygiad:** ar ôl rhoi trwydded safle, gall awdurdod cyfrifol neu berson/sefydliad sydd â chysylltiad ofyn i'r awdurdod trwyddedu adolygu'r drwydded oherwydd mater sy'n codi ar y safle mewn cysylltiad ag unrhyw un o'r tri amcan trwyddedu.

**Amcanion Trwyddedu:** mae tri amcan, sef:

- Atal gamblo rhag bod yn ffynhonnell o drosedd ac anhrefn, bod yn gysylltiedig â throedd ac anhrefn, na chael ei ddefnyddio i gefnogi trosedd;
- Sicrhau bod gamblo'n cael ei wneud yn deg ac yn agored; ac
- Amddiffyn plant neu bobl diamddiffyn eraill rhag niwed neu gamfanteisio drwy gamblo.

**Amodau:** mae dau fath o amodau:

**Amodau Diofyn** - mae'r rhain wedi'u nodi mewn rheoliadau a byddant ynghlwm â thrwyddedau safle o bob dosbarth, oni bai eu bod wedi'u heithrio gan yr awdurdod trwyddedu.

**Amodau Gorfodol** - mae'r amodau hyn yn cael eu gosod gan yr Ysgrifennydd Gwladol (mae rhai wedi'u nodi yn y Ddeddf a bydd rhai'n cael eu nodi gan reoliadau) a fydd yn cael eu gosod ar fath penodol o drwydded safle yn awtomatig. Ni fydd gan yr awdurdod trwyddedu unrhyw ddisgresiwn i addasu neu dynnu'r amodau hyn.

**Asesiadau Risg:** yr angen, dan god Cyfrifoldeb Cymdeithasol 10.1.1, i weithredwyr asesu'r risgiau lleol i'r amcanion trwyddedu sy'n dod yn sgil darparu cyfleusterau gamblo ar bob un o'u safleoedd, a bod â pholisïau, gweithdrefnau a mesurau rheoli i liniaru'r risgiau hynny.

**Awdurdod Cyfrifol:** rhaid i gyrff cyhoeddus gael gwybod am geisiadau ac mae ganddynt hawl i gyflwyno sylwadau i'r awdurdod trwyddedu. Maent yn cynnwys:

- yr awdurdod trwyddedu y mae'r safle wedi'i leoli'n rhannol neu'n gyfan gwbl o fewn ei ardal,
- y Comisiwn Gamblo,
- prif swyddog yr heddlu neu brif gwnstabl ar gyfer yr ardal y mae'r safle wedi'i leoli'n rhannol neu'n gyfan gwbl oddi mewn iddi,
- yr awdurdod tân ac achub ar gyfer yr un ardal,
- yr awdurdod cynllunio lleol ar gyfer yr ardal y mae'r safle wedi'i leoli'n rhannol neu'n gyfan gwbl oddi mewn iddi,
- yr awdurdod perthnasol sydd â swyddogaethau mewn perthynas â llygredd yn yr amgylchedd neu niwed i iechyd pobl ar gyfer yr ardal y mae'r safle wedi'i leoli'n rhannol neu'n gyfan gwbl oddi mewn iddi,
- corff sydd wedi'i ddynodi gan yr awdurdod trwyddedu fel un cymwys i roi cyngor ynglŷn ag amddiffyn plant rhag niwed,
- yr Adran Cyllid a Thollau,
- unrhyw un arall a nodir mewn rheoliadau gan yr Ysgrifennydd Gwladol.

**Awdurdod Trwyddedu:** yr ardal, y fwrdeistref neu'r awdurdod unedol sy'n gyfrifol am drwyddedu gamblo a gweithgareddau eraill yn yr ardal.

**Betio Ods Penodol:** os yw gamblwr yn gallu pennu faint y byddent yn ei ennill o fet wrth ei gosod (ac nad 'gêm' yw'r gweithgaredd), mae'n debygol o fod yn fetio gydag ods penodol.

**Bingo:** mae dau fath o bingo:

**Bingo Trosiant Uchel** - bingo lle mae cyfanswm arian betio a gwobrau mewn unrhyw gyfnod o 7 niwrnod yn fwy na £2,000. Ni all bingo trosiant uchel ond cael ei gynnal mewn casinos neu neuaddau bingo.

**Bingo Trosiant Isel** (a ddisgrifir weithiau fel bingo trosiant heb fod yn uchel) - bingo lle mae cyfanswm arian betio a gwobrau mewn unrhyw gyfnod o 7 niwrnod yn llai na £2,000. Gall bingo trosiant isel gael ei gynnal mewn tafarndai a chlybiau, ac mewn safleoedd sydd â Hawlen Gemau â Gwobr neu Hawlen Peiriannau Gemau mewn Canolfan Adloniant i Deuluoedd ddirwydded.

**Canllaw i Awdurdodau Lleol:** canllaw a gyhoeddwyd gan y Comisiwn Gamblo dan yr enw Saesneg '*Guidance to Local Authorities*'.

**Canolfan Adloniant i Deuluoedd:** mae 2 fath o Ganolfan Adloniant i Deuluoedd: trwyddedig a didrwydded. Yn y ddau achos, gall plant a phobl ifanc fynd i'r safle heb oedolyn a defnyddio peiriannau categori D. Gall Canolfan Adloniant i Deuluoedd drwyddedig ddarparu peiriannau categori C a D, ond dim ond rhai 18 oed neu hŷn all ddefnyddio peiriannau categori C. Ni all Canolfan Adloniant i Deuluoedd ddirwydded ond darparu peiriannau categori D.

**Canolfan Gemau i Oedolion:** safleoedd gamblo trwyddedig sy'n gallu darparu peiriannau gemau. Dim ond oedolion (rhai 18 oed neu hŷn) all fynd i Ganolfan Gemau i Oedolion.

**Casino:** mae 3 math o gasino yn gallu bodoli yng Nghymru a Lloegr: mawr, bach neu rai "pitw" (casinos a oedd yn bod o dan yr hen gyfraith ac sydd wedi cadw eu trwyddedau dan y gyfraith newydd). Mae'r gwahaniaethau'n seiliedig ar eu maint yn gyffredinol a nifer y peiriannau a'r byrddau gemau y gellir eu darparu. Gall casinos ddarparu gemau casino (gemau nad ydynt yn rhai siawns gyfartal ac a allai gynnwys chwarae yn erbyn banc) a bingo, yn ogystal â pheiriannau gemau.

**Clwb:** mae Deddf 2005 yn cydnabod bod 2 fath o glwb: **clybiau aelodau** (o leiaf 25 o aelodau ac wedi'i sefydlu at ddibenion ar wahân i chwarae gemau oni bai ei fod yn glwb bridge neu chwist, gan gynnwys Sefydliadau Lles y Glowyr); a **chlybiau masnachol**. Gellir cynnal gemau siawns gyfartal heb ddarparu unrhyw hawlen arall cyhyd â bod y symiau betio a'r gwobrau'n llai na'r cyfyngiadau. Ar ben hynny, gellir cynnal bingo trosiant isel ac os yw'n glwb bridge neu chwist, yna gellir chwarae bridge neu chwist.

**Chwarae Gemau:** chwarae gêm siawns am wobwr. Mae hyn yn cynnwys gêm o siawns pur (neu lwc), gemau sydd ag elfen gyfun o sgil a siawns, a gemau lle gall "sgil eithriadol" ddileu'r elfen o siawns. Nid yw chwaraeon wedi'u cynnwys yn niffiniad gemau siawns.

**Eithrio Gamblo:** gellir gwneud mân gamblo penodol mewn safleoedd preifat, gweithleoedd, tafarndai a chlybiau heb fod angen trwydded na chofrestru.

**Ffair Deithiol:** ffair sy'n darparu difyrion 'yn bennaf neu'n unig' a rhaid iddi fod ar safle sy'n cael ei ddefnyddio ar gyfer ffeiriau am ddim mwy na 27 niwrnod fesul blwyddyn galendr. Gall ffeiriau ddarparu gemau â gwobrau a pheiriannau gemau categori D.

**Gemau â Gwobrau:** gemau pan nad yw natur a maint y wobr yn dibynnu ar nifer y chwaraewyr neu'r symiau betio, e.e. bingo gyda gwobrau nad ydynt yn rhai ariannol.

**Gemau Siawns Gyfartal:** gemau nad ydynt yn cynnwys chwarae na betio yn erbyn banc a lle mae'r siawns o ennill yn gyfartal i bob un sy'n cymryd rhan.

**Hawlen Gemau â Gwobrau:** hawlen sy'n cael ei rhoi gan yr Awdurdod Trwyddedu sy'n caniatáu cynnal gemau â gwobrau.

**Hawlen Gemau Clybiau:** hawlen i alluogi'r safle i ddarparu peiriannau gemau (tri pheiriant o gategoriâu B3A, B4, C neu D), gemau siawns gyfartal a gemau siawns (wedi'u cyfyngu i bontŵn neu chemin de fer).

**Hawlen Peiriannau Clybiau:** hawlen i alluogi safleoedd i ddarparu peiriannau gemau (tri pheiriant o gategoriâu B3A, B4, C neu D).

**Hawlen Peiriannau Gemau Safleoedd Trwyddedig:** mae'n caniatáu i dafarndai gael mwy na 2 beiriant, cyhyd ag mai prif bwrpas y safle yw bod yn dafarn, yn hytrach na chanolfan adloniant gyda bar.

**Hysbysiad Defnydd Achlysurol:** hysbysiad y gellir ei roi mewn perthynas â thrac yn unig (gweler isod) sy'n caniatáu betio ar drac heb fod angen trwydded safle.

**Hysbysiaid Defnydd Dros Dro:** hysbysiad sy'n caniatáu mathau cyfyngedig o gamblo am gyfnod cyfyngedig ar safle sydd heb drwydded safle.

**Loteri:** mae Deddf 2005 yn cydnabod 2 fath o loteri; loteri syml a loteri gymhleth. Yn y ddau achos, mae chwaraewyr yn talu i gymryd rhan ac mae gwobrau'n cael eu dyrannu. Mewn loteri syml, mae'r dyraniad hwnnw drwy siawns yn unig, ond mewn loteri gymhleth, gall fod gamau ychwanegol nad ydynt yn ddibynnol ar siawns. Mae rhai loteriau wedi'u heithrio rhag cael eu rheoleiddio (gweler isod).

**Loteri Anfasnachol Achlysurol:** gweler Loteriau Eithriedig isod.

**Loteri Cymdeithas Fach:** mae'r rhain ar gyfer cymdeithasau anfasnachol (cymdeithas a sefydlwyd ac sy'n cael ei chynnal at ddibenion elusennol; er mwyn galluogi cymryd rhan mewn, neu gefnogi, chwaraeon, athletau neu weithgaredd diwylliannol; neu at unrhyw ddiben anfasnachol arall ar wahân i fudd preifat) ac mae'n rhaid iddynt gofrestru eu loteriau gyda'r awdurdod lleol.

**Loteri Fawr:** pan mae cyfanswm gwerth y tocynnau mewn unrhyw loteri unigol yn fwy na £20,000 neu £250,000 mewn loteriau ar wahân yn ystod un flwyddyn galendr. Mae angen trwydded weithredu gan y Comisiwn Gamblo ar gyfer y math hwn o loteri.

**Loterïau Eithriedig:** gall mathau penodol o loteri gael eu cynnal heb drwydded gan y Comisiwn Gamblo na chofrestru gyda'r awdurdod lleol. Y rheiny yw loteriau achlysurol anfasnachol, loteriau preifat a loteriau cwsmeriaid.

**Peiriant Betio Ods Penodol:** mae peiriannau betio ods penodol yn fath o beiriannau gemau sydd yn gyffredinol yn ymddangos mewn siopau betio trwyddedig. Mae sgriniau cyffwrdd ar y peiriannau hyn ac maent yn edrych yn debyg i beiriannau cwis sy'n gyffredin mewn tafarndai a chlybiau. Maent fel arfer yn cynnig nifer o gemau, a rwlét yw'r mwyaf poblogaidd.

**Peiriant Crafanc:** peiriant gwobr nad yw'n un ariannol lle mae pob gwobr y gellir ei hennill yn cynnwys gwrthrych unigol (fel tegan meddal) sy'n cael ei ennill drwy lwyddo i ddefnyddio'r peiriant i wahanu un neu fwy o eitemau oddi wrth ei gilydd.

**Peiriant Gemau:** peiriant sy'n cael ei ddefnyddio i gamblo. Mae'r rhain yn cael eu rhannu'n 8 categori (A, B1, B2, B3A, B3, B4, C a D), gan ddibynnu ar uchafswm y symiau betio ac uchafswm y gwobrau. Gellir defnyddio gwahanol gategorïau o beiriannau mewn gwahanol fathau o safleoedd gamblo trwyddedig ac o dan wahanol hawlenni.

**Peiriant Sgiliau gyda Gwobrau:** peiriant lle mae ennill gwobr yn dibynnu ar sgil y chwaraewr yn unig ac nid oes unrhyw elfen o siawns. Nid yw'r rhain yn cael eu rheoleiddio.

**Person Ifanc:** at ddibenion Deddf Gamblo 2005, unrhyw un nad yw'n blentyn ond sy'n iau na 18 oed.

**Plentyn:** at ddibenion Deddf Gamblo 2005, unrhyw un o dan 16 oed.

**Safle Betio:** safle gamblo trwyddedig sy'n gallu darparu cyfleusterau betio a pheiriannau gemau. Dim ond oedolion (18 oed neu hŷn) all fynd i safle betio oni bai fod y safle ar drac.

**Safle Bingo:** safle gamblo trwyddedig a all gynnig bingo trosiant uchel a pheiriannau gemau.

**Sylwadau perthnasol:** sylwadau sy'n cael eu gwneud gan awdurdodau cyfrifol neu rai sydd â chysylltiad o fewn y cyfnod penodedig, sy'n ymwneud â hyrwyddo o leiaf un o'r tri amcan trwyddedu, sydd heb eu tynnu yn eu holau; ac, ym marn yr awdurdod trwyddedu, nad ydynt yn ofer neu'n flinderus.

**Tafarn:** safle sydd â thrwydded safle dan Ddeddf Trwyddedu 2003 i werthu alcohol i'w yfed ar y safle mewn bar lle mae alcohol yn cael ei weini i gwsmeriaid. Gall tafarndai gael 2 beiriant gemau categori C neu D. Os oes gan dafarn Hawlen Peiriannau Gemau Safleoedd Trwyddedig (gweler uchod), gall gael mwy o beiriannau gemau.

**Trac:** safle lle mae rasys neu ddigwyddiadau chwaraeon eraill yn cael eu cynnal e.e. rasio ceffylau, rasio cŵn, athletau, pêl-droed, rasio moduron, ac ati.

## ATODIAD C: TABL DIRPRWYO

Mater dan sylw	Y Cyngor Llawn	Is-bwyllgor Trwyddedu	Swyddogion
Polisi trwyddedu tair blynedd	X		
Polisi i beidio â chaniatáu casinos	X		
Gosod ffioedd – lle bo hynny'n briodol			X
Cais am drwydded safle		Pan mae sylwadau wedi'u derbyn a heb eu tynnu'n eu holau	Pan nad oes sylwadau wedi'u derbyn / pan mae sylwadau wedi'u tynnu'n eu holau
Cais am amrywiad i drwydded		Pan mae sylwadau wedi'u derbyn a heb eu tynnu'n eu holau	Pan nad oes sylwadau wedi'u derbyn / pan mae sylwadau wedi'u tynnu'n eu holau
Cais am drosglwyddo trwydded		Pan mae sylwadau wedi'u derbyn gan y Comisiwn	Pan nad oes sylwadau wedi'u derbyn gan y Comisiwn
Cais am ddatganiad dros dro		Pan mae sylwadau wedi'u derbyn a heb eu tynnu'n eu holau	Pan nad oes sylwadau wedi'u derbyn / pan mae sylwadau wedi'u tynnu'n eu holau
Adolygu trwydded safle		X	
Cais am hawlenni gemau clybiau / peiriannau clybiau		Pan mae sylwadau wedi'u derbyn a heb eu tynnu'n eu holau	Pan nad oes sylwadau wedi'u derbyn / pan mae sylwadau wedi'u tynnu'n eu holau
Canslo hawlenni gemau clybiau / peiriannau clybiau		X	
Ceisiadau am hawlenni eraill			X
Canslo hawlenni peiriannau gemau safleoedd trwyddedig			X

Ystyried hysbysiad defnydd dros dro			X
Penderfyniad i roi gwrth-hysbysiad i hysbysiad defnydd dros dro		X	
Penderfynu a oes gan berson gysylltiad			X
Penderfynu a yw sylwadau'n rhai perthnasol			X
Penderfynu a yw sylwadau'n ofer, yn flinderus neu'n ailadroddus			X

## **ATODIAD D: CRYNODEB O BEIRIANNAU GEMAU**

CRYNODEB O GATEGORÏAU PEIRIANNAU GEMAU A HAWLIAU

Gellir gweld crynodeb llawn yn [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)



## EXERCISE OF DELEGATED POWERS - DECISIONS TAKEN REPORTED TO CABINET – 23.05.23

### NEWydd Catering and Cleaning

- **Appointment of NEWydd Board Chair**

As a wholly owned Council LATC and as confirmed in the company Memorandum and Articles of Association (para 14 of the Reserved Matters), the appointment of any person to the NEWydd Board of Directors must be authorised by the Council through delegated powers.

Following a recruitment process a new Chair has now been identified and NEWydd are seeking to now make the appointment.

- **Appointment to NEWydd Board – Appointment of 2 Non-Executive Directors**

As a wholly owned Council LATC and as confirmed in the company Memorandum and Articles of Association (para 14 of the Reserved Matters), the appointment of any person to the NEWydd Board of Directors must be authorised by the Council through delegated powers.

Following a recruitment process two new Non-Executive Directors have now been identified and NEWydd are seeking to now make the appointment.

Copies of the Delegated Powers reports are retained by the Team Leader – Committee Services and available to view on request by Members.

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**FLINTSHIRE COUNTY COUNCIL FORWARD WORK PROGRAMME ITEMS  
COUNCIL, CABINET, AUDIT AND GOVERNANCE & SCRUTINY  
1 May 2023 TO 31 October 2023**

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
May					
Flintshire County Council	4/05/23	Governance	<p><b>Appointment of a Lay Person to the Governance and Audit Committee</b> To update Members on the re appointment of a lay person to the Governance and Audit Committee.</p>		
Flintshire County Council	4/05/23	Governance	<p><b>Adoption of updates made to the National Model Constitution</b> To recommend adoption of the ordinary language guide and updated Constitution, following the work undertaken by the working group.</p>		

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Flintshire County Council	4/05/23	Governance	<b>Review of Political Balance</b> Due to a change in group membership we need to review the Political Balance and the allocation of seats on Committees.		
Flintshire County Council	4/05/23	Governance	<b>Rolling Review of the Councillors Code of Conduct</b> To approve the changes to the Code of Conduct for Councillors that have been recommended by the Standards Committee as part of the rolling review of the Constitution.		
Flintshire County Council	4/05/23	Governance	<b>Petitions received at Council</b> To inform Council of the outcomes of petitions which have been submitted over the past year.		
Flintshire County Council	4/05/23	Governance	<b>Constitutional Issues including Committees</b> To approve the constitutional arrangements for the Council for the forthcoming year.		

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Flintshire County Council	4/05/23	Governance	<b>Schedule of Meetings 2023/24</b> To approve the draft schedule of meetings for 2023/24.		
Education, Youth & Culture Overview & Scrutiny Committee	11/05/23	Overview and Scrutiny	<b>Forward Work Programme and Action Tracking (EY&amp;C OSC)</b> To consider the Forward Work Programme of the Education, Youth & Culture Overview & Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.	Operational	
Education, Youth & Culture Overview & Scrutiny Committee	11/05/23	Education and Youth	<b>Attendance &amp; Exclusions</b> To provide Members with an overview of school attendance and exclusions and the role of the Portfolio's support services in this area.	Operational	Leader of the Council
Education, Youth & Culture Overview & Scrutiny Committee	11/05/23	Education and Youth	<b>Supporting Service Children in Education</b> To provide an update report to outline the priority actions of schools following the audit.	Operational	Leader of the Council

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Education, Youth & Culture Overview & Scrutiny Committee	11/05/23	Education and Youth	<p><b>Tackling Inequality</b> To outline how the Council supporting early childhood education and care, primary and secondary education and all forms of post-16 education, training and lifelong learning to ensure an equitable education system for all.</p>	Operational	Leader of the Council
<p>Environment &amp; Economy Overview &amp; Scrutiny Committee</p> <p>16/05/23</p>	16/05/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (E&amp;E OSC)</b> To consider the Forward Work Programme of the Environment &amp; Economy Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
Environment & Economy Overview & Scrutiny Committee	16/05/23	Planning, Environment and Economy	<p><b>Town Centre Regeneration Loans</b> To provide an update on the Welsh Government Town Centre Loan funding available for the Council to administer as part of Flintshire's town centre regeneration programme</p>	Operational	Cabinet Member for Climate Change and Economy

<b>COMMITTEE</b>	<b>MEETING DATE</b>	<b>CHIEF OFFICER PORTFOLIO</b>	<b>AGENDA ITEM &amp; PURPOSE OF REPORT</b>	<b>REPORT TYPE (Strategic or Operational) (Cabinet only)</b>	<b>PORTFOLIO (Cabinet only)</b>
Environment & Economy Overview & Scrutiny Committee	16/05/23	Planning, Environment and Economy	<b>Communities for Work</b> To provide an update on the closure of the Communities for Work programme across Wales following the end of the European Structural Fund programmes.	Operational	Cabinet Member for Climate Change and Economy
Environment & Economy Overview & Scrutiny Committee	16/05/23	Streetscene and Transportation	<b>Review of Flintshire County Council's Integrated Transport Strategy</b> To undertake a review of Flintshire's Integrated Transport Strategy	Strategic	Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy
Environment & Economy Overview & Scrutiny Committee	16/05/23	Planning, Environment and Economy	<b>Renewal of Public Space Protection Orders (PSPO's)</b> To renew the PSPO's as legally they have to be reviewed every three years	Operational	Cabinet Member for Planning, Public Health and Public Protection

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Community & Housing Overview & Scrutiny Committee	17/05/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (C&amp;H OSC)</b></p> <p>To consider the Forward Work Programme of the Community &amp; Housing Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
<span style="writing-mode: vertical-rl; transform: rotate(180deg); position: absolute; left: -40px; top: 50%; font-size: small;">Page 136</span> Community & Housing Overview & Scrutiny Committee	17/05/23	Housing and Communities	<p><b>Void Management</b></p> <p>To provide a further update on voids management and delivery.</p>	Operational	Cabinet Member for Housing and Regeneration
Community & Housing Overview & Scrutiny Committee	17/05/23	Housing and Communities	<p><b>Food Poverty Update</b></p> <p>To provide an update in relation to the work that has been ongoing and the work that is planned in relation to the food poverty priority area. And to also highlight the positive role Flintshire has played in developing partnerships, supporting other organisations and facilitating action.</p>	Operational	Cabinet Member for Housing and Regeneration



COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Community & Housing Overview & Scrutiny Committee	17/05/23	Housing and Communities	<b>Gypsy and Traveller Transit Site</b> To report to the Committee on a Gypsy and Traveller Transit Site in the County.	Operational	Cabinet Member for Housing and Regeneration
Corporate Resources Overview & Scrutiny Committee	18/05/23	Overview and Scrutiny	<b>Action Tracking</b> To inform the Committee of progress against actions from previous meetings.	Operational	
Corporate Resources Overview & Scrutiny Committee	18/05/23	Overview and Scrutiny	<b>Forward Work Programme</b> To consider the Forward Work Programme of the Corporate Resources Overview & Scrutiny Committee.	Operational	
Corporate Resources Overview & Scrutiny Committee	18/05/23	Chief Executive's	<b>Employment and Workforce End of Year Update</b> To present end of year workforce statistics and their analysis.	Operational	

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COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Cabinet	23/05/23	Planning, Environment and Economy	<p><b>Town Centre Regeneration Loans</b> To provide an update on the Welsh Government Town Centre Loan funding available for the Council to administer as part of Flintshire's town centre regeneration programme.</p>	Operational	Cabinet Member for Climate Change and Economy
Cabinet	23/05/23	Education and Youth	<p><b>School Modernisation Update</b> To provide details of the changes to the operational construction programme for Band B – Sustainable Communities for Learning Programme noted in the Council's Strategic Outline Plan and to approve entering into a construction contract.</p>	Operational	Leader of the Council
Cabinet	23/05/23	Planning, Environment and Economy	<p><b>Draft Statement of Licensing Policy Review</b> To seek approval for the Draft Statement of Gambling Policy 2023 – 2026.</p>	Operational	Cabinet Member for Planning, Public Health and Public Protection

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Cabinet	23/05/23	Planning, Environment and Economy	<p><b>Communities for Work</b> To provide an update on the closure of the Communities for Work programme across Wales following the end of the European Structural Fund programmes.</p>	Operational	Cabinet Member for Climate Change and Economy
Cabinet	23/05/23	Planning, Environment and Economy	<p><b>Adoption of Skin Piercing Byelaws</b> To recommend the adoption of byelaws in relation to skin piercing. These are in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982, Part VIII, sections 14 and 17.</p>	Strategic	Cabinet Member for Planning, Public Health and Public Protection
June					

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Social & Health Care Overview & Scrutiny Committee	8/06/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (S&amp;HC OSC)</b> To consider the Forward Work Programme of the Social &amp; Health Care Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
Social & Health Care Overview & Scrutiny Committee	8/06/23	Social Services	<p><b>North East Wales Community Equipment Service (NEWCES)</b> To receive a progress report on the service.</p>	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Social & Health Care Overview & Scrutiny Committee	8/06/23	Social Services	<p><b>Disabled Facilities Grants and Occupational Therapy</b> To receive an update.</p>	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Social & Health Care Overview & Scrutiny Committee	8/06/23	Social Services	<p><b>Social Services Annual Report</b></p> <p>For Members to view the draft Annual Social Services Report and feedback on the draft content considered for inclusion, which include the key developments of the past year and our priorities for next year.</p>	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
<p>Environment &amp; Economy Overview &amp; Scrutiny Committee</p> <p>Page 141</p>	13/06/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (E&amp;E OSC)</b></p> <p>To consider the Forward Work Programme of the Environment &amp; Economy Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Governance and Audit Committee	14/06/23	Social Services	<p><b>Audit Wales Review of Commissioning Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board</b></p> <p>To receive an update on the implementation of actions.</p>	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Page 142 Governance and Audit Committee	14/06/23	Education and Youth	<p><b>Estyn Inspection of Adult Community Learning (ACL) within the North East Wales Adult Community Learning Partnership</b></p> <p>To present the Estyn Report on Adult Community Learning Partnership.</p>	Operational	Leader of the Council
Governance and Audit Committee	14/06/23	Governance	<p><b>Annual Governance Statement 2022/23</b></p> <p>To endorse the Annual Governance Statement for 2022/23.</p>	All Report Types	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Governance and Audit Committee	14/06/23	Finance	<b>Certification of Grants and Returns 2021/22</b> To inform Members of the grant claim certification by Audit Wales for the year ended 31 March 2022.	Operational	Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement
Governance and Audit Committee	14/06/23	Governance	<b>Annual Audit Summary for Flintshire County Council</b> To receive the Annual Audit Summary from the Auditor General for Wales and note the Council's response.	All Report Types	
Governance and Audit Committee	14/06/23	Chief Executive's	<b>Audit Wales 2023 Audit Plan</b> To review the Audit Wales - Audit Plan 2023 for the Council which sets out the proposed audit work for the year along with timescales, costs and the audit teams responsible for carrying out the work.	Operational	

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Governance and Audit Committee	14/06/23	Governance	<b>Risk Management Update</b> To be assured that the updated risk management framework is comprehensive and functional.	All Report Types	
Governance and Audit Committee	14/06/23	Governance	<b>Internal Audit Charter</b> To outline to Members the updated Internal Audit Charter.	All Report Types	
Governance and Audit Committee	14/06/23	Governance	<b>Internal Audit Annual Report 2022/23</b> To inform members of the outcome of all audit work carried out during 2022/23 and to give the annual Internal Audit opinion on the standard of internal control, risk management and governance within the Council.	All Report Types	
Governance and Audit Committee	14/06/23	Governance	<b>Internal Audit Progress Report</b> To present to the Committee an update on the progress of the Internal Audit Department.	All Report Types	



COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Governance and Audit Committee	14/06/23	Governance	<b>Governance and Audit Committee Action Tracking</b> To inform the Committee of the actions resulting from points raised at previous Governance and Audit Committee meetings.	All Report Types	
Governance and Audit Committee	14/06/23	Governance	<b>Forward Work Programme</b> To consider the Forward Work Programme of the Internal Audit Department.	All Report Types	
Community & Housing Overview & Scrutiny Committee	14/06/23	Overview and Scrutiny	<b>Forward Work Programme and Action Tracking (C&amp;H OSC)</b> To consider the Forward Work Programme of the Community & Housing Overview & Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.	Operational	
Community & Housing Overview & Scrutiny Committee	14/06/23	Housing and Communities	<b>Void Management</b> To provide a further update on voids management and delivery.	Operational	Cabinet Member for Housing and Regeneration

<b>COMMITTEE</b>	<b>MEETING DATE</b>	<b>CHIEF OFFICER PORTFOLIO</b>	<b>AGENDA ITEM &amp; PURPOSE OF REPORT</b>	<b>REPORT TYPE (Strategic or Operational) (Cabinet only)</b>	<b>PORTFOLIO (Cabinet only)</b>
Community & Housing Overview & Scrutiny Committee	14/06/23	Housing and Communities	<b>Communal Heating Charges 2023/24</b> To consider the proposed heating charges in council properties with communal heating systems for 2023/24 prior to Cabinet approval.	Operational	Cabinet Member for Housing and Regeneration
Corporate Resources Overview & Scrutiny Committee	15/06/23	Overview and Scrutiny	<b>Action Tracking (CROSC)</b> To inform the Committee of progress against actions from previous meetings.	Operational	
Corporate Resources Overview & Scrutiny Committee	15/06/23	Overview and Scrutiny	<b>Forward Work Programme (CROSC)</b> To consider the Forward Work Programme of the Corporate Resources Overview & Scrutiny Committee.	Operational	
Cabinet	20/06/23	Social Services	<b>Maes Gwern</b> To provide an update on progress at the new Maes Gwern development in Mold.	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Cabinet	20/06/23	Streetscene and Transportation	<p><b>Adoption of Local Toilet Strategy</b></p> <p>The next statutory formal review point for our Local Toilet Strategy is required to follow the local government elections that were held in May 2022, and we now have one year from the date of the elections to review, revise, consult upon and publish updated strategies for our local area. This report sets out the approach being taken and the timescales of the review.</p>	Strategic	Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy
Cabinet	20/06/23	Governance	<p><b>Flintshire Connects Annual Report</b></p> <p>To provide an update on current service delivery and developments within Flintshire Connects Centres.</p>	Operational	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Cabinet	20/06/23	Chief Executive's	<b>Welsh Language Annual Monitoring Report 2022/23</b> To receive the Welsh Language Annual Monitoring Report 2022/23 and provide an overview of progress in complying with the Welsh Language Standards.	Operational	Cabinet Member for Education, Welsh Language, Culture and Leisure
Flintshire County Council Page 148	20/06/23	Planning, Environment and Economy	<b>Draft Statement of Gambling Policy Review</b> To seek Flintshire County Council approval for the Draft Statement of Gambling Policy 2023 – 2026		
July					
Environment & Economy Overview & Scrutiny Committee	11/07/23	Overview and Scrutiny	<b>Forward Work Programme and Action Tracking (E&amp;E OSC)</b> To consider the Forward Work Programme of the Environment & Economy Overview & Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.	Operational	

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Environment & Economy Overview & Scrutiny Committee	11/07/23	Planning, Environment and Economy	<b>FCC Social Enterprise Update Report</b> To provide an update of social enterprise activity, achievements and future priorities	Operational	Cabinet Member for Climate Change and Economy
Environment & Economy Overview & Scrutiny Committee Page 149	11/07/23	Chief Executive's	<b>Council Plan 2022-23 Year-End Performance (E&amp;E OSC)</b> To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.	Operational	Cabinet Member for Climate Change and Economy, Cabinet Member for Planning, Public Health and Public Protection, Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Community & Housing Overview & Scrutiny Committee	12/07/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (C&amp;H OSC)</b></p> <p>To consider the Forward Work Programme of the Community &amp; Housing Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
<p>P 309 150</p> Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<p><b>Estate Management</b></p> <p>To consider Estate Management and work being undertaken by the Council and the impact this has on tenants.</p>	Operational	Cabinet Member for Housing and Regeneration
Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<p><b>Anti-Social Behaviour</b></p> <p>To update Members on the Policy and to outline any proposed changes to the Policy.</p>	Operational	Cabinet Member for Housing and Regeneration
Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<p><b>Welfare Reform Update /Housing Rent Income</b></p> <p>To provide an update on the impacts of welfare reforms and the work that is ongoing to mitigate them.</p>	Operational	Cabinet Member for Housing and Regeneration

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<b>Council Plan 2022-23 Year-End Performance (C&amp;H OSC)</b> To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.	Operational	Cabinet Member for Housing and Regeneration
Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<b>Temporary Accommodation Audit Update</b> To provide a progress report on the action plan for service improvement following the audit of the Temporary Accommodation.	Operational	Cabinet Member for Housing and Regeneration
Community & Housing Overview & Scrutiny Committee	12/07/23	Housing and Communities	<b>Void Management</b> To provide a further update on voids management and delivery.	Operational	Cabinet Member for Housing and Regeneration
Corporate Resources Overview & Scrutiny Committee	13/07/23	Overview and Scrutiny	<b>Action Tracking (CROSC)</b> To inform the Committee of progress against actions from previous meetings.	Operational	

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Corporate Resources Overview & Scrutiny Committee	13/07/23	Overview and Scrutiny	<b>Forward Work Programme (CROSC)</b> To consider the Forward Work Programme of the Corporate Resources Overview & Scrutiny Committee.	Operational	
Corporate Resources Overview & Scrutiny Committee	13/07/23	Chief Executive's	<b>Council Plan 2022-23 Year-End Performance (CROSC)</b> To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.	Operational	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources
Corporate Resources Overview & Scrutiny Committee	13/07/23	Social Services	<b>Joint Funded Care Packages - Update Report</b> To share an update on the current situation on the long term debt with the Betsi Cadwaladr University Health Board since the last report was received.	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing



COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Education, Youth & Culture Overview & Scrutiny Committee	13/07/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (EY&amp;C OSC)</b></p> <p>To consider the Forward Work Programme of the Education, Youth &amp; Culture Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
Education, Youth & Culture Overview & Scrutiny Committee	13/07/23	Chief Executive's	<p><b>Council Plan 2022-23 Year-End Performance (EY&amp;C OSC)</b></p> <p>To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.</p>	Operational	Leader of the Council
Cabinet	18/07/23	Governance	<p><b>Annual Performance Report</b></p> <p>To review the Annual Performance Report for 2022/23</p>	Strategic	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Cabinet	18/07/23	Chief Executive's	<b>Annual Performance Report 2022/23</b> To approve the Annual Performance Report 2022/23 prior to endorsement by County Council	Strategic	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources
Cabinet	18/07/23	Chief Executive's	<b>Prudential Indicators - Actuals 2022/23</b> The report provides details of the Council's actual Prudential Indicators for 2022/23 compared with the estimates set for Prudence and Affordability	Operational	Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement
Cabinet	18/07/23	Social Services	<b>Annual Social Services Report</b> Cabinet to view the draft Annual Social Services Report and feedback on the draft content considered for inclusion, which include the key developments of the past year and our priorities for next year.	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Social & Health Care Overview & Scrutiny Committee	20/07/23	Overview and Scrutiny	<p><b>Forward Work Programme and Action Tracking (S&amp;HC OSC)</b></p> <p>To consider the Forward Work Programme of the Social &amp; Health Care Overview &amp; Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.</p>	Operational	
Social & Health Care Overview & Scrutiny Committee Page 155	20/07/23	Chief Executive's	<p><b>Council Plan 2022-23 Year-End Performance (S&amp;HC OSC)</b></p> <p>To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.</p>	Operational	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
<p>Governance and Audit Committee</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 156</p>	26/07/23	Finance	<p><b>Treasury Management Annual Report 2022/23 and Treasury Management Update Q1 2023/24</b></p> <p>1. To present to Members the draft Treasury Management Annual Report 2022/23 for comments and recommendation for approval to Cabinet.</p> <p>2. To provide an update on matters relating to the Council's Treasury Management Policy, Strategy and Practices to the end June 2023.</p>	Operational	Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement
<p>Governance and Audit Committee</p>	26/07/23	Finance	<p><b>Supplementary Financial Information to Draft Statement of Accounts 2022/23</b></p> <p>To provide Members with supplementary financial information to accompany the draft accounts as per the previously agreed Notice of Motion.</p>	Operational	Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement

COMMITTEE	MEETING DATE	CHIEF OFFICER PORTFOLIO	AGENDA ITEM & PURPOSE OF REPORT	REPORT TYPE (Strategic or Operational) (Cabinet only)	PORTFOLIO (Cabinet only)
Governance and Audit Committee	26/07/23	Finance	<b>Draft Statement of Accounts 2022/23</b> To present the draft Statement of Accounts 2022/23 for Members' information only at this stage.	Operational	Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement
August					
September					
October					

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A  
of the Local Government Act 1972.

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