



# CABINET

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**Monday 14 April 2025**

**10.00 a.m.**

**Council Chamber, Rotherham Town Hall,  
Moorgate Street, Rotherham. S60 2TH**

**Cabinet Members:-**

Leader of the Council

Housing Portfolio

Children and Young People Portfolio

Adult Social Care and Health Portfolio

Transport, Jobs and the Local Economy Portfolio

Finance & Safe and Clean Communities Portfolio

Councillor Chris Read

Councillor Sarah Allen

Councillor Victoria Cusworth

Councillor Joanna Baker-Rogers

Councillor Robert Taylor

Councillor Saghir Alam

## **CABINET**

**Venue:** The Town Hall, The Crofts, Moorgate Street, Rotherham.  
S60 2TH

**Date and Time:** Monday 14 April 2025 at 10.00 a.m.

**Agenda Contact** Governance Unit – [governance@rotherham.gov.uk](mailto:governance@rotherham.gov.uk)

This meeting will be webcast live and will be available to view via the [Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

## **A G E N D A**

### **1. Apologies for Absence**

To receive apologies from any Member who is unable to attend the meeting.

### **2. Declarations of Interest**

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

### **3. Questions from Members of the Public**

To receive questions from members of the public who wish to ask a general question in respect of matters within the Council's area of responsibility or influence.

Subject to the Chair's discretion, members of the public may ask one question and one supplementary question, which should relate to the original question and answer received.

Councillors may also ask questions under this agenda item.

### **4. Minutes of the Previous Meeting (Pages 7 - 25)**

To receive the record of proceedings of the Cabinet meeting held on Monday 17 March 2025.

## **5. Exclusion of the Press and Public**

Agenda Item 8 has exempt appendices. Therefore, if necessary when considering this item, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

## **FINANCE & SAFE AND CLEAN COMMUNITIES**

### **6. New Application for Business Rates Relief for Hope Church Rotherham and Target Housing Limited (Pages 27 - 46)**

Report by the Strategic Director of Finance and Customer Services.

#### **Recommendations:**

That Cabinet:

1. Approve the application for Discretionary Business Rate Relief for Hope Church Rotherham.
2. Refuse the application for Target Housing Limited.

## **LEADER OF THE COUNCIL**

### **7. Agreement of the borough's Household Support Fund allocation for 2025/26 (Pages 47 - 62)**

Report from the Assistant Chief Executive.

#### **Recommendations:**

That Cabinet agree:

1. That provisional allocations of the Household Support Fund Grant of £4.387m be made as follows:
  - a. £2.687m for food vouchers to children eligible for free school meals for school holidays up to and including Easter 2026.
  - b. £950k towards the estimated costs of the Council's Local Council Tax Support Top Up Scheme.
  - c. £500k to support applications from households for assistance with energy costs, through the Council's Energy Crisis Support Scheme.
  - d. £90k to provide additional financial support to care leavers.

- e. £60k to local voluntary and community sector (VCS) organisations to support vulnerable households over Christmas / New Year through a supplement to the Crisis Support service level agreement.
  - f. £100k to provide parcels of household items to be distributed through VCS support.
2. Delegate authority to the Assistant Chief Executive in consultation with the Leader, to determine revised and final allocations for the Household Support Grant. This will include provision for other eligible actions within the use of Household Support Fund should it not be possible to achieve full spend of the grant through the approved options.

## **TRANSPORT, JOBS AND THE LOCAL ECONOMY**

### **8. Acquisition of land and property at Sheffield Road, S60 1DA (Pages 63 - 78)**

Report from the Strategic Director of Regeneration and Environment.

#### **Recommendations**

1. That Cabinet endorse the allocation of the 'Strategic Acquisition Fund' to undertake the acquisition of land and property at Sheffield Road, shown in Appendix 1.
2. To authorise the Assistant Director of Property and Facilities Services to agree the terms and conditions and complete the acquisition of the land shown at Appendix 1 in consultation with the Cabinet Member for Transport, Jobs, and the Local Economy.

### **9. Economic Inactivity Trailblazer (Pages 79 - 107)**

Report from the Strategic Director of Regeneration and Environment.

#### **Recommendations:**

That Cabinet:-

1. Approve acceptance of the Council's indicative allocation of the Economic Inactivity Trailblazer funding to deliver activity targeted at implementing an integrated employment, skills and health system.
2. Approve use of the funding to manage the programme, commission community-based engagement activity, and personalised support (to include flexible support budgets), activate employers to create job opportunities for participants, pay for additional staff salaries (within RiDO, Employment Solutions and for other Pathways to Work roles within the Council) and cover miscellaneous costs.

3. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with Cabinet Member for Transport, Jobs and the Local Economy and the Section 151 Officer to determine detailed use of the grant or make any subsequent amendments to the proposed budget allocations.

**10. Household Design Guide Supplementary Planning Document (Pages 109 - 164)**

Report from the Strategic Director of Regeneration and Environment.

**Recommendations:**

That Cabinet: -

1. Approves a public consultation on the draft Supplementary Planning Document at Appendix 1.
2. Notes that following consultation a further report be brought to Cabinet to approve the adoption of the Supplementary Planning Document.

**11. Licensing Act 2003 - Statement of Licensing Policy (Pages 165 - 306)**

Report from the Strategic Director of Regeneration and Environment.

**Recommendation:**

That Cabinet approve the draft Licensing Act Statement of Licensing Policy attached to this report as Appendix 1 for consultation in accordance with the requirements of the Licensing Act 2003.

**12. Recommendations from Overview and Scrutiny Management Board (To Follow)**

To receive a report detailing the recommendations of the Overview and Scrutiny Management Board in respect of the above items that were subject to pre-decision scrutiny on Tuesday 8 April 2025.

**13. Date and Time of Next Meeting**

The next meeting of the Cabinet will be held on Monday 12 May 2025 commencing at 10.00am in Rotherham Town Hall.



**SHARON KEMP OBE,**  
Chief Executive.

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**THE CABINET**  
**17th March, 2025**

Present:- Councillor Read (in the Chair); Councillors Allen, Baker-Rogers, Cusworth and Sheppard.

Also in attendance Councillor Steele (Chair of the Overview and Scrutiny Management Board)

Apologies for absence were received from Councillors Alam and Taylor.

**126.       DECLARATIONS OF INTEREST**

There were no declarations of interest.

**127.       QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were nine questions:

1. Councillor Yasseen stated that 17 March was the last day of the Selective Licensing consultation. Over the last decade, Selective Licensing had failed to sustain improvements in private housing standards, as stated on the Council's website. Councillor Yasseen stated that Sheffield, Leeds and Doncaster had ended or narrowed their schemes, but Rotherham was planning an expansion on a failed scheme. She asked if the Council would work with tenants, landlords and wider stakeholders, especially Councillors, to develop an alternative approach instead of persisting with the current proposals?

Councillor Allen stated that the scheme in Rotherham was not an entire expansion. There was one new area, and other areas had been removed or amended. If the Council received information that would lead to an alternative scheme, they would be considered as part of the consultation feedback.

2. Mr Hussain asked a question in relation to Herringthorpe Cemetery, Dignity and Bereavement Services. He asked why the Council were not concluding the contract. Mr Hussain stated that at the liaison group meeting, Dignity had reached out to the Council's legal services, asking to arrange a meeting so that any outstanding matters could be resolved. In the second part of his question, Mr Hussain referenced the independent review of Bereavement Services that had been commissioned by the Council. He had previously asked to see this document but was informed that it was being factchecked by the Council. Mr Hussain believed that it would cease to be independent if the Council manipulated it in any way.

Councillor Sheppard stated that the meeting with Dignity would be taking place next week and he was hopeful that there would be progress. It was however a long term contract and as such the

discussions were very detailed. If any information could be shared after the meeting it would be. In relation to the independent review, Councillor Sheppard explained that the report author was still out of the country and there were a few details in the report that needed to be updated to ensure they were factual before it could be shared more widely.

In his supplementary question, Mr Hussain asked if the meeting next week was to conclude discussions or to fine Dignity for failings. In relation to the independent review, Mr Hussain asked why the Council needed to go back to the author when the author had submitted the final report.

Councillor Sheppard explained that he could not pre-empt what would happen at the meeting. In relation to the report, the Council wanted to make sure the detail was correct before it was published.

3. Mr Azam stated that the latest saga regarding cemeteries, Dignity and the Council had started in August 2024. He had been informed that it would be resolved by December 2024, but it was now March 2025 and discussions were still ongoing. Mr Azam stated that Dignity had to put a large amount of investment in place and were most likely looking at options on how to recover that, along with some contractual changes. He believed that meetings should be taking place weekly to resolve the matter with urgency. Referencing Councillor Sheppard's comments at the previous Council meeting, Mr Azam stated that there was not 1.2 years' worth of capacity for baby graves; there was no capacity. Urgency was required and Mr Azam asked for some proper answers. He stated that the Muslim community felt underwhelmed and fobbed off.

Councillor Sheppard refuted Mr Azam's comments and stated that the Council were working as hard as possible. He reiterated that the borough would not run out of graves but acknowledged the frustration felt.

In his supplementary question, Mr Azam referenced the independent report and stated that the author returned to the country at the end of February. The report had been submitted and the Council had responded with some required changes. Mr Azam stated that the community did not want a presentation. They wanted to see the report so they could work with the Council on how to progress going forward. There were 151 graves that were currently unmarked but there was no urgency from the Council. He asked why the report could not be released.

The Leader stated that Councillor Sheppard had already responded to that question. The Council were waiting for a report that met the terms of reference that had been set out. This had been delayed as the report author had been away. However, it was standard procedure to

make sure an independent report met the terms of reference agreed. Once this procedure had been concluded, the report would be made available.

4. Mr Smart asked what Rotherham Borough Council's definition of racism was.

The Leader explained that, to the best of his knowledge, the Council did not have its own written definition of racism. He would consult with legal services and provide a written response.

In his supplementary question, Mr Smart asked if the Council, Council Members or Council Officers were able to discriminate on any basis?

The Leader answered no. All were bound by the law and the Council's Constitution.

5. Ms Boote referenced the exhibition by local residents and artists on Monday 25 November to Friday 6 December 2024. She asked why the exhibition had been subject to censorship, how had that kind of censorship been allowed to happen and had it happened before.

The Leader stated that the items displayed in the library at Riverside House on the dates specified had been removed as the proper process for displaying them had not been followed. There was a process in place relating to the displaying of items in Council buildings that needed to be followed, and it had not been in this case. The Leader was not aware of any particular similar incidents but believed there would have been similar incidents previously.

In her supplementary, Ms Boote asked what steps had been taken to rectify the acts of censorship.

The Leader acknowledged that people could feel what they wanted to but in his view, it was not censorship and to say so was an inaccurate description of what happened. He reiterated that there was a process around displays, and it was common sense to have such a process to determine what was appropriate and how that came to be signed off. In the case referred to, this process was not correctly followed. It was not a matter of censorship or rectifying censorship but of ascertaining if displays were appropriate.

The Leader stated that the process could be shared with Ms Boote.

6. Mr Ramzan stated that at a meeting held with Councillor Sheppard on 2 December 2024, he had promised that an investigation would be undertaken on why the library had censored the Palestine art exhibition by local artists and members of the public. Mr Ramzan asked if an investigation had been done and if any documentation relating to the investigation could be provided by email.

Councillor Sheppard stated that since the Council had been made aware that the correct process had not been followed regarding the exhibition in the library, work had been done with the museum service who had a more advanced protocol for dealing with artworks. This had been reflected in the library protocol and lessons had been learnt.

In his supplementary question, Mr Ramzan stated that he had previously asked for any documentation relating to the removal of the Palestine art exhibition from the library but had not been provided with anything. He asked if the Council intended to provide any documentation.

The Leader reiterated that the process and rules around displays would be shared.

7. Mr Ashraf asked if all the correspondence on Gaza and Palestine, from any Councillor or Council Officer to any external organisation (including the national government,) could be sent to his email address. This should initially cover the period 7 October 2023 to the current day but then anything preceding that date. Mr Ashraf stated that he would provide a copy of his question to the Leader and to Governance for the sake of clarity as he did not feel his questions and answers were accurately minuted.

The Leader stated that this would not be possible as the Council did not have access to all correspondence sent by individual members. As such, this would also be outside the scope for a Freedom of Information request. As far as the Leader was aware, the Council had already published all the correspondence he as Leader and Councillor Alam had sent and received especially with the government. The Leader agreed to check this and provide correspondence if it was not already in the public domain.

In his supplementary question, Mr Ashraf asked if there were any UK laws that Rotherham Borough Council, Councillors or Council Officers were not subject to and if so, could details be provided.

The Leader answered no. The Council, Councillors and Council Officers were subject to the law in the same way as everyone else.

8. Ms Cartland-Ward asked a question in relation to the information provided at the Selective Licensing consultation meeting on 17 February at the Town Hall. She stated that there was a statement at that meeting saying that Masbrough was poor quality accommodation with 83% of properties failing on first inspection. Ms Cartland-Ward stated that she had been a good landlord, following Selective Licensing rules since it started 10 years ago. There had been no context as to what the 83% represented. Ms Cartland-Ward asked if this was 83% of properties inspected, 83% of properties that had

applied for a licence or 83% of all licensable properties?

Sam Barstow, Assistant Director of Community Safety and Street Scene confirmed that the 83% related to the properties that had been inspected and had failed. Failure meant the identification of category one or category two hazards. He confirmed that he would check the figures and get back to Ms Cartland-Ward in writing.

In her supplementary question, Ms Cartland-Ward stated that category two hazards were, in the main part, advisory and not failures. She also stated that in any Selective Licensing scheme, there would initially be failures over the first few years as it took time to implement changes. Ms Cartland-Ward confirmed that she had sent Councillor Allen and others an alternative proposal. She wanted Rotherham to be the number one Private Rented Sector area in the country. She asked why the 83% was still classed as failing if they had passed, been remediated or reinspected and fined for not applying the desired changes. She stated that the ones still failing now were surely the ones that had not previously been inspected. If this was the case, it felt like the Council was aiming to alienate landlords when some of them wanted to work with the Council, not against.

Sam Barstow stated that Ms Cartland-Ward was right in terms of the context where officers served those notices, particularly where those notices related to issues that were not of an advisory nature. Officers ensured that those issues had been rectified. However, the data suggested a significant level of failure across the properties in the particular areas as identified by officers during those first inspections. The Council was keen to continue to work with landlords and would consider in detail any alternative proposals such as the one submitted by Ms Cartland-Ward.

Ms Cartland-Ward urged the Council to reconsider putting good landlords through more Selective Licensing when it was likely new landlords that were failing.

9. Councillor Thorp asked why the Council were not acting more urgently in relation to Broom Lane crossing. It had been reported by MP's and ward members, but it seemed all the Council wanted to do was use funding from the cycle lane. Councillor Thorp had asked the question of SYMCA if they could use funding for the STRS. An answer had come back, not from SYMCA but from RMBC. Councillor Thorp asked, if the Council were not going to use the funding or not trying to get funding, what were they actually going to do quickly.

The Leader stated that the Council had been out to consultation and were considering a major programme of road traffic management, which included the cycle lane referenced. That would give the Council the opportunity to potentially undertake a substantial piece of work, more than, for example, putting a signal control crossing in place. The

Council needed to look at how it could fund that. It would be strange to put that work to one side and then try and find some money from somewhere else to do something separate. It made more sense to look at the bigger picture and take a more holistic approach given there was funding available to do that. There was a challenge, given the reported levels of poor driving in that area, what steps the community would support.

Simon Moss, Assistant Director of Planning, Regeneration and Transport explained that drivers failing to stop at zebra crossings such as the one at Broom Lane was a huge issue. As the matter had been raised as part of the consultation, improvements were being considered at that location. Simon Moss encouraged Councillor Thorp to engage in the next steps on that project in terms of public engagement. In the meantime, the Council continued to liaise with South Yorkshire Police with a view to attendance on the site to encourage improvements in driving standards.

In his supplementary question, Councillor Thorp reiterated that there was no urgency, and he believed that it would only become urgent when a child got knocked down and hurt or killed. He stated that Community Infrastructure Levy (CIL) funding could be used for the one crossing, and he asked if the Council would be prepared to look at that if it could be done quicker than the prolonged cycle lane extension.

The Leader did not rule it out but in order to use the CIL funding, the Council would need a scheme that was more worked up and this would take time. He also explained that this was not a simple matter of installing traffic lights because if people were willing to drive their cars into the school crossing warden and possibly kill them, they would be willing to drive through red lights. More decisive action was required to stop that behaviour and traffic in general needed to be slowed down. Forcing cars to drive slower and more sensibly would require bigger changes and more funding. The Council would continue its work looking at all the available options before making a decision on how big an intervention needed to be taken.

## 128. MINUTES OF THE PREVIOUS MEETING

**Resolved:** That the Minutes of the Cabinet meeting held on 10 February 2025 be approved as a true and correct record of the proceedings and signed by the Chair.

## 129. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there were no items of business on the agenda that would require the exclusion of the press and public from the meeting.

**130. CONFIRMATION OF SUPPLEMENTARY PUBLIC HEALTH GRANTS FOR 2025/26 AND APPROVAL OF GRANT SPEND**

Consideration was given to the report which provided an update on how the Supplementary Public Health Grant funding for substance misuse treatment and recovery and stop smoking and support had been spent during 2024/25. It also outlined the confirmation of allocations and changes to the supplementary grants for 2025/26. Approval was sought to delegate the 2025/26 spend to the Director of Public Health, in consultation with the Cabinet Member for Adult Care and Health, in line with the grant conditions and associated plans.

The Council had received Supplementary Public Health Grants as part of the governments strategies on Drugs and Alcohol, and Tobacco, respectively. Both Grants had specific conditions attached, including maintaining baseline Public Health Grant spend on the respective core services. The supplementary grants consisted of:

- Supplemental Substance Misuse Treatment and Recovery Grant (SSMTRG) – Rotherham allocation of £2,178,186.
- Inpatient Detoxification Grant (IPD) – Rotherham allocation of £64,077.
- Individual Placement Support Grant (IPS) – Rotherham allocation of £165,719.
- the Local Stop Smoking Services and Support Grant (LSSSSG) – Rotherham allocation of £398,587.

For 2025/26, the Office for Health Improvement and Disparities (OHID) had amalgamated several grants into a single Drug and Alcohol Treatment and Recovery Improvement Grant (DATRIG). The grants that would be consolidated which were received by Rotherham were SSMTRG and the IPD grant, with the IPS grant remaining as a standalone grant. Rotherham's allocation for the DATRIG had been confirmed as £2,242,263, which was the same as the combined amount received through the SSMTRG and IPD grants for 2024/25 with no uplift for inflation. The DATRIG grant priorities were broadly the same as those for SSMTRG. The renewed areas of focus were detailed in paragraph 1.7 of the report.

The 25/26 Grant Plan had been developed in consultation with the Rotherham Combatting Drugs Partnership (CDP) and was subject to an approval process from OHID. Whilst the DATRIG was made as part of a 10-year national strategy, this was a one year allocation and there was currently no certainty of funding beyond 2025/26.

Rotherham's 2025/26 allocation for the Individual Placement Support Grant was £165,719, giving an uplift on the 2024/25 allocation.

**Resolved:**

That Cabinet:

1. Note the delivery of commitments for 2024/2025 and the impacts of those services for Rotherham.
2. Note the allocations and changes to the supplementary Public Health Grants for 2025/2026.
3. Approve the delegation to Director of Public Health, in consultation with the lead member for Adult Care and Public Health, for spend against the Drug and Alcohol Treatment and Recovery Improvement Grant (DATRIG) in line with grant conditions.
4. Approve the delegation to the Director of Public Health, in consultation with the lead member for Adult Care and Public Health, for the spend against the Local Stop Smoking Services and Support Grant (LSSSSG) for 2025/2026 in line with grant conditions.
5. Approve the delegation to the Director of Public Health, in consultation with the lead member for Adult Care and Public Health, for spend against the Individual Placement and Support Grant for 2025/26 in line with grant conditions.

**131. MOVING ROTHERHAM PARTNERSHIP DELIVERY OF PLACE EXPANSION GRANT**

Consideration was given to the report which provided an overview of the proposed Sport England investment for Rotherham as part of the Place Expansion programme. It also outlined key activities to be undertaken to expand opportunities for physical activity and develop the existing Moving Rotherham Partnership priorities.

Inactivity in Rotherham was greater than the national average, with almost 1 in 3 adults inactive. Improving physical activity levels across the population, with a particular focus on the least active, would reduce the health risks associated with prematurely developing long-term conditions and improve healthy life expectancy which contributed to wider economic benefits, such as a healthier workforce.

In 2023 Sport England committed to investing £250m over the next 5 years to expand its Place Partnerships to an additional 80. Sport England's focus for funding was:

- Increasing activity (increasing amount of time people spend being active)
- Decreasing inactivity (decreasing the proportion of population that are classed as sedentary/inactive.)

- Tackling inequality.
- Providing positive experiences for children and young people.

Rotherham had been identified as investment ready due to the acknowledgement of the successful work and partnerships already in place, with the Council being chosen as a partner in phase one of place expansion. This had resulted in the awarding of a £455k Development Award to Rotherham. The investment had the potential to significantly impact on the Moving Rotherham priorities noted in paragraph 1.6 of the report and positioned Rotherham as part of a selected group of local areas that received direct support from Sport England.

The investment from Sport England was in two phases: a development bid, and main award. The development bid was to help better understand the needs and priorities for physical activity in Rotherham ahead of a full award bid being submitted in early 2026. The themes that had been identified to progress the work were set out in paragraph 2.3 of the report with the bid proposals set out in paragraph 2.4. The spend proposals were outlined in paragraph 2.5.

Delivery of the bid elements would additionally enable the partnership to expand its work across the 4 active priorities in areas not directly funded by the grant. Work would include greater reach to inactive people, with additional work to focus on community development, supported by Yorkshire Sport Foundation, and building a stronger disability network to support those with greater barriers to accessing physical activity. It also enhanced the existing work within the Culture, Sport and Tourism service, particularly with local sports providers, such as community sports clubs and voluntary organisations. It would contribute to the development of leisure facilities and green and blue space infrastructure. It aligned to the Children's Capital of Culture programme delivery, supporting a wider range of young people's active opportunities as defined by them.

During the meeting it was noted that this was positive news since there were acute challenges regarding inactivity across the borough. Members were supportive of the links to the Children's Capital of Culture programme.

**Resolved:**

That Cabinet:

1. Approve spending of the Sport England Place Expansion grant in line with Sport England grant conditions and the development bid proposal outlined in this report.
2. Note the ambitions of the Moving Rotherham Partnership beyond the Sport England grant.

**132. EARLY HELP STRATEGY: FAMILY HELP IN ROTHERHAM YEAR 1 UPDATE**

Consideration was given to the report which provided an update on the progress made in year 1 of the Early Help Strategy: Family Help in Rotherham 2024-2029. The Strategy was developed in response to legislative change. Working Together to Safeguard Children 2023 (Working Together) gave every practitioner working in a multi-agency system clarity about what was required of them individually and how they needed to work in multi-agency partnerships to deliver effective services, support and help to children and their families.

The Strategy described three areas of support for children and families. These were Universal and Community Family Help; Focused Family Help; and Specialist Family Help. In line with the new government direction, the Council had adopted the use of the term 'Family Help' as reflected in the Strategy. Going forward, unless referring to documents named under the previous naming configuration, Family Help would be the used term.

A five-year Delivery Plan accompanied the Strategy as a roadmap to achieving the three areas of support for children, young people and families. Phase 1 (2024/25) was titled "Design" and the objectives included:

- Consult with children, young people and families on new ways of working.
- Identify and consult with stakeholders (wider Local Authority, Police, Health etc.)
- Consider the new 'Working Together to Safeguard Children' Framework 2023 and incorporate any required changes for Rotherham (P2.)
- Develop a roadmap - child's journey across the Family Help system.
- Review and update Early Help Systems Guide (July 2024.)
- Budget and HR integration for relevant agencies.

Significant progress had been achieved against Phase 1 in year one of the five-year Delivery Plan and progress updates against each of the design objectives were included in the report.

In November 2024, the Government published 'Keeping Children Safe, Helping Families Thrive'. This policy statement set out the Government's ambitious approach to rebalancing the children's social care system toward earlier intervention through Family Help and strengthened multi-agency child protection - alongside other efforts to support children to live with kinship carers or in fostering families and fix the broken care market. The Families First Partnership Programme: Initial guidance document (which would be followed by published guidance in spring 2025) was the first step in confirming the expectations for the national reforms. The guidance was intended to support Local Authorities and partners to start

developing plans for April 2025 and beyond. The expectation for the next year was that Local Authorities and partners will focus primarily on transformation. A number of considerations were encouraged as detailed in paragraph 1.13 of the report.

During the meeting the establishment of a single assessment tool, called a Family Assessment of Need (FAN), was highlighted. This would be used across a child's journey and would be built on as the needs of the family changed. It would be accessed and jointly overseen by all agencies working with the family and would mean families only had to detail their circumstances once.

As Cabinet Member for Children and Young People, Councillor Cusworth stated that she was very pleased with the progress in the first year of the Strategy.

**Resolved:**

That Cabinet:

1. Note the progress made in year one of the Early Help Strategy: Family Help in Rotherham 2024 – 2029 Delivery Plan.
2. Note the minimum expectations detailed in The Families First Partnership Programme: Initial guidance document issued in December 2024.
3. Are provided with a further update, and refreshed action plan in autumn 2025, once future government guidance is received.

**133. RESPONSE TO OUTCOMES FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD RELATING TO THE CHILDREN'S COMMISSIONER'S TAKEOVER CHALLENGE - HEALTH AND WELLBEING**

Consideration was given to the report which provided Cabinet's response to the findings and recommendations of the Scrutiny Review – OSMB Children's Commissioner's Takeover Challenge – Health and Wellbeing. The Takeover Challenge took place on 17 October 2024 and the recommendations were formed by a review group consisting of members of Overview and Scrutiny and members of the Youth Cabinet. These recommendations were presented to Cabinet on 14 January 2025 and Cabinet agreed to provide a response.

The recommendations were set out in section 2.1 of the report and related to Vaping, Mental Health, Physical Activity and Healthy Eating. 12 of the recommendations had been accepted and Appendix 1 set out further detail on how the recommendations had been or would be actioned. Where the recommendations were made for schools, the Council would only be able to accept the recommendation on behalf of maintained

schools.

Recommendation 5 was that consideration be given to how the provision of a dedicated youth space for young people could be achieved, for example, a development of a space similar to the Barnsley Youth Zone. This would require significant capital and revenue investment that was beyond the Council's capabilities at present. It would also mean that all the Council's resource was centred in one area and not distributed across the Borough. Therefore, this recommendation was not accepted at this time.

Members of the Children and Young People's Partnership Board had suggested they would like to support the development of a strategy creating and communicating 'youth zones' for young people across the Borough, including dedicated digital spaces in libraries, youth clubs and 'safe spots'. These requests would be presented to the Rotherham Together Partnership for consideration and allocation to relevant agencies to progress.

The Chair of the Overview and Scrutiny Management Board was pleased that the vast majority of recommendations had been accepted and placed on record his thanks to the Youth Cabinet for their work.

**Resolved:**

That Cabinet approve the response to the recommendations, as detailed in Appendix 1, and note the report.

**134. MODERN SLAVERY TRANSPARENCY STATEMENT - ANNUAL REFRESH**

Consideration was given to the report which provided the annual update in relation to activities of the Council and its partners in seeking to both address and prevent modern slavery. The refreshed draft Modern Slavery Transparency Statement 2025/26, attached at Appendix 1 to the report, was also presented for consideration and approval prior to publication.

On 1 November 2022, the Council's Overview and Scrutiny Management Board (OSMB) held a 'Spotlight Review' into the Council's and partners responses to tackling Modern Slavery and Human Trafficking in Rotherham. This was supported by a wide range of partners. The findings and recommendations from the review were considered, approved, and incorporated into the current Modern Slavery Action Plan, attached to the report at Appendix 2.

The changes to the 2025/26 Modern Slavery Transparency Statement compared to the 2024/25 statement were detailed in paragraph 1.3 of the report. A range of activities had been delivered in accordance with the established action plan and these included:

- Staff within the procurement team undertook the Chartered Institute of Procurement and Supply (CIPs) ethical procurement and supply training as required in the Co-op Parties Charter for modern slavery in 2018 when the charter was adopted.
- Rotherham Safeguarding Adults Board had commissioned four 'Trafficking and Modern Slavery' training courses that were delivered to 48 professionals from across the partnership.
- As part of Safeguarding Awareness Week, 18 – 22 November 2024, bespoke modern slavery training was delivered to 54 professionals from a cross section of agencies.
- Training was also delivered to 450 members of the health service, including General Practitioners, Nurses and other medical professionals at an open learning event held on 14 November 2024 at the Magna Science Adventure Centre.
- During October 2024, Modern Slavery and Human Trafficking awareness raising information has been distributed to social landlords within the Councils Selective Licensing Scheme.
- As a result of work with the South Yorkshire Police Modern Slavery and Organised Immigration Crime Team, reporting pathways had been further improved with the introduction of an electronic reporting template available to partners.
- The Rotherham Safeguarding Children Partnership Manual was updated in December 2024 and now explicitly identified modern slavery and human trafficking and presented a pathway response when the risk was identified within children's services.
- The Council had 8 employees from across directorates who had received the necessary training to be successful in becoming modern slavery Single Point of Contact Officers (SPOCs).

Between April 2022 and December 2024, a total of 126 referrals from Rotherham were made by the Council and other First Responder Organisations to the National Referral Mechanism. All referrals were reported to the Safer Rotherham Partnership Board via the Performance Management framework.

Good progress had been made in respect of the actions within the existing action plan, with the majority of actions now fully completed. Work would now progress through the Modern Slavery Steering Group on the development of a revised action plan, including new, appropriate actions to enable further progression and improvements throughout 2025/26.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who advised that the recommendations be supported. OSMB had requested confirmation in relation to action 1C 'to the public and targeted businesses such as letting agencies' in the Modern Slavery Steering Group Action Plan, as to whether the training for taxi drivers had taken place and if not when it was scheduled for.

**Resolved:**

That Cabinet:

1. Note the progress made to date.
2. Approve the Modern Slavery Transparency Statement 2025/26 and its publication on the Council's website.

**135. HOUSING CAPITAL PROGRAMME 2025-29**

Consideration was given to the report which sought approval for the Housing Revenue Account (HRA) Capital Programme for 2025-29. Key areas of focus included improving council homes, providing aids and adaptations, and acquiring and building new council homes. The report summarised the investment that had taken place or was planned to take place during 2024-25, provided an outline four-year Capital Programme (2025-26 to 2028-29) and a detailed programme for 2025-26.

The total planned HRA capital investment in the years 2025-26 to 2028-29 was £290.906m. This sum had been modelled and included with the 2025-26 HRA Business Plan that was approved by Council on the 15 January 2025. The table at Appendix 1 set out the proposed programme, which was split into four areas:

- (a) Improving council homes and estates
- (b) Providing aids and adaptations
- (c) Delivering new council homes (Housing Delivery Programme)
- (d) Investing in IT to support digital transformation

Appendix 3 to the report set out the Improving Homes and Estates budget detail; Appendix 4 set out the Public Aids and Adaptation budget detail and Appendix 5 set out the Housing Delivery Programme budget detail.

The Council was working with an external contractor to undertake a programme of stock condition surveys to 100% of properties over the next three years. A pilot programme of surveys commenced in early February with the full project due to ramp up from April. The outcome of the stock condition survey would inform the evolution of the Capital Programme and in particular the investment required to ensure the Council's housing stock met the Decent Homes Standard.

The detailed 2025-26 programme was attached to the report at Appendix 2. The programme included continued delivery of phased external projects (e.g. roofing schemes) across the borough including, in Catcliffe, East Herringthorpe, Thurcroft, Richmond Park, West Melton and Maltby. The programme also included a major rewiring project at Wharnccliffe flats, the renewal of approximately 1,700 boilers and 200 kitchens or bathrooms. The programme also included £2m for larger planned repairs for example repairs to paths, paving and boundary walls, plastering and

pointing. There was also £2m for ventilation works, which formed part of a wider investment package to help prevent and mitigate damp and mould within properties. The programme also included £6.5m for major refurbishments to properties that became empty and were due to be re-let to a new tenant.

In addition to this there was £1.8million which would see works being undertaken to improve the thermal efficiency of assets which would result in more properties reaching EPC Band C. This could be increased as Rotherham Council had received an £8.8 million grant under the Warm Homes: Social Housing Fund Wave 3.

The proposed Capital Programme included £121m to support the Council's Housing Delivery Programme. This included £88m to deliver the existing pipeline of projects to achieve 1,000 new council homes by summer 2027, alongside a further £33m to ensure the continuation of the Housing Delivery Programme beyond 2027. This programme of activity would continue to deliver much needed affordable housing within the borough while increasing rental income to the HRA and helping to reduce the impact of Right to Buy on council housing stock levels. The programme assumed delivery of approximately 440 units across the 4 workstreams:

- New build
- S106 Acquisitions
- Market Acquisitions
- Small Sites Homebuilding Initiative

**Resolved:**

That Cabinet:

1. Approve the four-year outline Housing Revenue Account Capital Programme 2025-26 to 2028-29 with total planned investment of £291m broken down into the following areas of investment:
  - Improving homes and estates £154.1m
  - Aids and adaptations to Council homes £13.2m
  - Housing Delivery Programme £121m
  - IT and digital transformation £2.6m
2. Approve the detailed 2025-26 Housing Revenue Account Capital Programme with total planned investment of £73m broken down into the following areas of investment:
  - Improving homes and estates £33.1m
  - Aids and adaptations to Council homes £3.3m
  - Housing Delivery Programme £36m
  - IT and digital transformation £0.5m

**136. UK SHARED PROSPERITY FUND (UKSPF) 2025/26**

Consideration was given to the report which set out proposals and recommendations for the use of Rotherham's UK Shared Prosperity Fund (UKSPF) £3.28 million allocation in 2025/26. A transitional year allocation, this built upon the £7.2m of UKSPF that the borough received over three years from April 2022 to March 2025 and preceded the integrated settlement due to be in place for South Yorkshire from April 2026.

For the transitional year of funding, the proposed approach was to:

- maintain delivery of key business support and skills projects prior to the introduction of an integrated settlement from 2026/27.
- continue to support community-based projects across Rotherham, including events and Open Arms one-stop-shop advice sessions.
- provide ongoing support for Children's Capital of Culture during this festival year.
- fund other projects that reflect current priorities for Rotherham, including initiatives to rejuvenate the town centre.

There was no match funding requirement for UKSPF, but the outlined approach would complement budget investments that sought to create an inclusive economy and support residents with the high cost of living. Projects would support Rotherham businesses to start up and grow, enable people to develop their skills and achieve their aspirations, improve the town centre offer and increase footfall, and provide local help and advice in the communities where it was most needed.

Consideration had also been given to the deliverability of projects, bearing in mind that this was a one-year allocation. Most of the projects were therefore continuations from the current programme. A summary of the proposals for each theme was set out in the report, with a more detailed breakdown included at Appendix 2 and an overall financial summary provided in Appendix 1.

Following endorsement of the overall programme by Cabinet, it was proposed that the final and revised allocations for individual projects be approved by the Assistant Chief Executive in consultation with the Leader of the Council. This included use of the unallocated capital funding of £62,500 and unallocated revenue funding of £127,143.

During the meeting the Leader confirmed that the Council were urging the government to continue a similar form of funding going forward.

**Resolved:**

That Cabinet:

1. Endorse the projects for submission to South Yorkshire Mayoral Combined Authority for award of UKSPF for 2025/26 as follows:

- a) Local Business Support

- i) £945,256 for sub-regional business support supporting three strands of Launchpad (start-up support), Productivity and Low Carbon.
- ii) £390,000 (£270,000 capital) for shop unit grants and market improvements.
- iii) £137,667 for social value to increase opportunities for local businesses and ensure delivery against commitments.

- b) People and Skills

- i) £444,985 for a skills programme incorporating Ambition (children and young people), Core Skills (community-delivered basic skills training) and Advance (support to progress in work).
- ii) £275,000 for Children's Capital of Culture to extend the traineeship programme.

- c) Communities and Place

- i) £200,000 for Children's Capital of Culture, to provide additional capacity during the festival year, supporting ongoing programme development and delivery, as well as marketing and design costs.
- ii) £255,000 for Events, delivering a wide-ranging programme of events and festivals in the town centre.
- iii) £359,549 for community-based support, including ongoing delivery of local advice sessions and engagement events through Open Arms Rotherham, and further funding for Reaching Out (£30,000) - strengthening connections with Rotherham's diverse communities.
- iv) £86,000 (capital) for Active Lives, providing match funding to enable delivery of a multi-use games area.

2. Agree to delegate authority to the Assistant Chief Executive in consultation with the Leader of the Council to determine revised and final allocations for the UK Shared Prosperity Fund. This is to include provision for other eligible actions within the use of the fund should it not be possible to achieve full spend of the grant through the allocations above.

#### **137. TRANSPORT CAPITAL PROGRAMME 2025/2026**

Consideration was given to the report which detailed the Transport Programme for the upcoming 2025-26 financial year for both revenue and capital, including its funding sources and programme areas, and explained how projects would be managed within them. In July 2022, the Department for Transport (DfT) confirmed a new round of funding called the City Regions Sustainable Transport Settlement (CRSTS). This funding was distributed to Local Transport Authorities within Combined Authority areas for a funding period from 2022-2027. The DfT had allocated £570 million to South Yorkshire, of which a total of £72.4 million capital was designated for schemes in Rotherham.

The funding included a £6 million allocation over the 5-year period (2022-2027) for a Local Neighbourhood Complementary Transport Programme (LNCTP) that was intended to support localised transport improvements, including the Local Neighbourhood & Road Safety schemes and specific interventions, such as pedestrian crossings and minor works. The report considered the LNCTP funding that remained to be allocated in the 2025-26 financial year.

There was also an additional allocation of £426,400 for highway structures asset maintenance. This was part of the separate CRSTS Network Asset Maintenance block funding. Further, Rotherham Council had been invited to bid for Active Travel Fund tranche 5 (ATF5), as part of a wider South Yorkshire Mayoral Combined Authority bid. It was not confirmed if this bid was successful at the time of writing the report; approvals were sought subject to that bid being successful so as to allow work to commence promptly.

The report reflected on some of the successes from the previous year. Most notably, Rotherham was the first of the four South Yorkshire authorities to complete its Transforming Cities Fund programme. Additionally, the Council had delivered two highway structure projects and had delivered three new pedestrian crossings.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who advised that the recommendations be supported. OSMB had requested further information on the process of how new crossings were assessed and prioritised.

**Resolved:**

That Cabinet:

1. Approve the schemes and allocations of funding outlined in Section 2 of this report.
2. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine the type and location of pedestrian crossing to be designed per paragraph 2.2.4 following the prioritisation process.
3. Approve the reprofiling of £175,000 previously allocated to the Collision Investigation & Prevention workstream, to enable these funds to be allocated, subject to subsequent Cabinet decision, in the 2026/27 Transport Capital Programme as set out in paragraphs 2.2.11 and 2.2.12.
4. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine the schemes to be delivered with the Structures and Minor Works allocations.
5. Delegates authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine new schemes for delivery in Rawmarsh West and Wath wards, within budgets approved in March 2024, as part of tranche 2 of the Local Neighbourhood and Road Safety programme.

**138. LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY**

This item was deferred to the next meeting of Cabinet which would take place on Monday 14 April 2025.

**139. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

Consideration was given to the circulated report, the contents of which were included as part of the relevant items and the details included accordingly.

**140. DATE AND TIME OF NEXT MEETING****Resolved:-**

That the next meeting of the Cabinet be held on Monday 14 April commencing at 10.00am.

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**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

New Applications for Business Rates Discretionary Relief for Hope Church  
Rotherham and Target Housing Limited

**Is this a Key Decision and has it been included on the Forward Plan?**

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

Rachel Humphries – Operational Manager, Local Taxation, Revenues, Benefits and  
Payments, 01709 255159 or [rachel.humphries@rotherham.gov.uk](mailto:rachel.humphries@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

To consider the applications for the award of Discretionary Business Rate Relief for Hope Church Rotherham and Target Housing Limited. This is in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December 2016).

**Recommendations**

That Cabinet

1. Approve the application for Discretionary Business Rate Relief for Hope Church Rotherham.
2. Refuse the application for Target Housing Limited.

**List of Appendices Included**

Appendix 1 Initial Equality Screening Document  
Appendix 2 Equality Analysis Form  
Appendix 3 Carbon Impact Assessment

**Background Papers**

Discretionary Rate Relief Policy - Approved by Cabinet on 12<sup>th</sup> December 2016

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **New Applications for Business Rates Discretionary Relief for Hope Church Rotherham and Target Housing Limited**

### **1. Background**

1.1 Section 47 of the Local Government Finance Act (LGFA) 1988 conveys power on local authorities to allow discretionary relief that would be additional to the mandatory relief. This is given when the property is used wholly or mainly for charitable purposes by a charity or other non-profit body whose main objects are charitable or benevolent, or concerned with education, social welfare, science, literature or the arts.

1.2 The Council can grant discretionary relief to:-

- Registered Charitable Organisations, including Community Amateur Sports Clubs. The relief granted is up to 20% of the rate liability as these organisations are eligible for 80% mandatory rate relief.
- Other organisations or institutions that are not established or conducted for profit and whose aims are charitable or otherwise, philanthropic, religious, concerned with education, social welfare, science, literature or fine arts. Relief can be granted up to 100% of the business rates liability.
- Properties occupied by not for profit sports or social clubs, societies or other organisations for the purposes of recreation. Relief can be granted up to 100% of the business rates liability.
- Rate relief to ratepayers – Section 47 of the LGFA 1988 as amended by Section 69 of the Localism Act 2011. This amendment gives the Council the discretion to grant relief to any other body, organisation or ratepayer, having due regard to its Council Tax.

1.2.1 The Council has operated a system of awarding relief through the application of a policy that was approved by Cabinet on 12 December 2016.

1.2.2 Central Government and councils share every £1 of rates due as follows:

Central Government	50%
South Yorkshire Fire and Rescue Authority	1%
Rotherham MBC	49%

### **1.3 Application 1**

**Hope Church Rotherham, Unit C22, Alexandra Centre, Rail Mill Way, Parkgate, Rotherham, S62 6JE.**

1.3.1 Hope Church Rotherham is a registered charity whose main objectives are to advance the Christian faith, relieve sickness and hardship and to promote and preserve good health by the provision of funds, goods or services including the provision of counselling and support.

1.3.2 The property is being used as a donation drop off point for Rotherham Foodbank, which is facilitated by Hope Church Rotherham, and is also used as a store and sorting location for pending deliveries to the client services point which is located at the Unity Centre in Rotherham.

- 1.3.3 Referrals into the service are via a broad range of agencies but include Citizens Advice, Mental Health Teams, Social Care and Voluntary Agencies. These agencies issue a foodbank voucher to clients in need of support and a typical food parcel contains a minimum of three days nutritionally balanced, non-perishable, tinned and dried foods that have been donated by the local community.
- 1.3.4 The foodbank is part of a nationwide network of foodbanks, supported by The Trussell Trust, working to combat poverty and hunger across the UK.
- 1.3.5 Hope Church Rotherham's application for the award of discretionary relief is considered to be in line with the Council's qualifying criteria as set out in its policy and is recommended for approval. The organisation is inclusive to all and seeks to improve the lives and wellbeing of those experiencing poverty and hunger.
- 1.3.6 Hope Church Rotherham already receives 80% mandatory charitable relief towards their rates liability and is applying for a top up of up to 20% discretionary relief with regards to their remaining 2024/25 and 2025/26 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

#### 1.4 **Application 2**

##### **Target Housing Limited, 3 & 10 Elliott Court, Rotherham S65 1EW**

- 1.4.1 Target Housing Limited is a registered charity and social landlord which provides housing to the homeless or to those at risk of homelessness. Housing is available for those at risk of re-offending, victims of domestic abuse or anyone with drug related or mental health issues.
- 1.4.2 The property is used as offices to accommodate the housing support workers who support the residents in the properties.
- 1.4.3 Support staff provide individually tailored packages working in partnership with a network of voluntary, statutory and community organisations to ensure that the people they support receive the care that they need with full independence being the end goal.
- 1.4.4 Target Housing Limited has projects across South Yorkshire, Humberside, North East Lincolnshire and East Midlands. Not all vulnerable groups are supported in every area, but the organisation has around 200 staff supporting its clients towards achieving independent living.
- 1.4.5 Target Housing Limited's application for the award of discretionary relief is not considered to be in line with the Council's qualifying criteria as set out in its policy and is not recommended for approval. An award of discretionary rate relief would be considered to give them an unfair advantage over other social housing provisions in the borough who are offering a similar service.

- 1.4.6 Target Housing Limited already receives 80% mandatory charitable relief towards their rates liability and is applying for a top up of up to 20% discretionary relief with regards to their remaining 2024/25 and 2025/26 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

## **2. Key Issues**

- 2.1 To consider the applications for the organisations listed in Section 1 of the report requesting an award of discretionary rate relief.

## **3. Options considered and recommended proposal**

- 3.1 Given the discretionary nature of the relief requested, the Council can determine either to award or not award relief.
- 3.2 In helping Members make such a decision, the Council has put in place a specific Policy framework to consider individual applications. In accordance with that Policy, applications (including supporting documentation) for relief have been considered in line with the qualifying criteria and other considerations set out in that Policy.
- 3.3 In line with the Council's Business Rates Discretionary Relief Policy, having regard to the financial cost of the proposed relief, the charitable use of the premises and the contribution that this organisation makes to the local community, it is recommended that an award for discretionary relief be granted to Hope Church Rotherham and refused for Target Housing Limited.
- 3.4 The alternative options were to decline to award relief to Hope Church Rotherham and to award relief to Target Housing Limited. These options have been rejected as the application from Hope Church Rotherham meets the Council's Policy and the application from Target Housing Limited does not.

## **4. Consultation on proposal**

- 4.1 The recommendation in the report is based on the application of an existing policy. There has been no specific consultation carried out in relation to any individual organisation referred to within this report.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The applicants will be advised by letter of the outcome of their application for relief within 10 working days of the Cabinet decision.

## **6. Financial and Procurement Advice and Implications**

- 6.1 The applicants have completed a full application for the premises for the proposed relief to ensure compliance with the Council's discretionary scheme criteria.

- 6.2 Paragraph 6.3 shows the value of the relief by year for the recommended applicant alongside the specific cost to the Council. Paragraph 6.4 details, provided for information is the value of relief by year for the applicant that is not recommended for approval.

6.3 **RECOMMENDED FOR APPROVAL:**

Hope Church Rotherham

(Did not occupy until 26 November 2024)

<u>Year</u>	<u>Total Amount of Relief</u>	<u>Cost to RMBC</u>
2024/25	£234.77	£115.04
2025/26	£680.09	£333.24

6.4 **NOT RECOMMENDED FOR APPROVAL:**

Target Housing Limited

(Did not occupy until 1 July 2024)

<u>Year</u>	<u>Total Amount of Relief</u>	<u>Cost to RMBC</u>
2024/25	£389.58	£190.89
2025/26	£518.96	£254.29

- 6.5 As indicated in paragraph 1.2.2, 49% of the cost of the relief is met by the Council with 50% falling on Central Government and 1% on the South Yorkshire Fire and Rescue Service.

- 6.6 There are no direct procurement implications arising from the recommendations detailed in this report.

**7. Legal Advice and Implications**

- 7.1 The statutory framework for discretionary relief is set out in the body of the report.
- 7.2 The recommendation is made in accordance with the Council's Business Rates Discretionary Relief Policy and with consideration to the criteria. A decision to refuse the applications when the criteria set out within the policy has been met would leave the Council open to legal challenge.

**8. Human Resources Advice and Implications**

- 8.1 There are no direct human resources implications arising from this report.

**9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 Hope Church Rotherham facilitates the operation of a foodbank which issues foodbank vouchers to vulnerable individuals and families. Target Housing Limited is a social landlord which provides stable accommodation and support to vulnerable people.

## 10. Equalities and Human Rights Advice and Implications

- 10.1 The recommendation in the report is to grant discretionary relief to Hope Church Rotherham as this will positively impact the organisation ensuring continuity of service provision which helps tackle inequality and to refuse discretionary relief to Target Housing Limited which is offering services which are available from similar providers within the borough. This recommendation is based on the Council's Discretionary Business Rates Relief Policy under which other businesses are able to make an application.
- 10.2 An Initial Equality Screening Document has been completed and attached as Appendix 1. An Equality Analysis Form has been completed and attached as Appendix 2.

## 11. Implications for CO2 Emissions and Climate Change

- 11.1 It is anticipated that an award of relief would not change the organisation's current operational activities and therefore will not impact CO2 emissions.

## 12. Implications for Partners

- 12.1. As stated in 1.2.2, 1% of the cost of any relief granted is met by the South Yorkshire Fire and Rescue Authority. In this case this cost is minimal.

## 13. Risks and Mitigation

- 13.1 The Government has issued guidance notes to advise authorities what criteria should be used in considering applications for Discretionary Rate Relief. Authorities have been strongly advised to treat each individual case on its own merits and to not adopt a policy or rule which allows them to not consider each case without proper consideration. In cognisance of these guidance notes, the Council has formally adopted a Policy framework for considering individual discretionary business rates relief applications with the decision to award reserved for Cabinet.

## 14. Accountable Officers

Rob Mahon, Assistant Director, Financial Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	31/03/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	06/03/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	10/03/25

*Report Author: Rachel Humphries - Operational Manager-Local Taxation  
01709 255159 or [rachel.humphries@rotherham.gov.uk](mailto:rachel.humphries@rotherham.gov.uk)*

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## PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

### 1. Title

**Title: New Applications for Business Rates Discretionary Relief for Hope Church Rotherham and Target Housing Limited**

**Directorate: Finance and Customer Services**

**Service area: Financial Services**

**Lead person: Rob Mahon**

**Contact number: 01709 822034**

Is this a:

☐

**Strategy / Policy**

☐

**Service / Function**

☒

**Other**

**If other, please specify**

**Cabinet Report to consider applications for the award of Business Rates Discretionary Relief.**

### 2. Please provide a brief description of what you are screening

The report presents applications for the award of Business Rates Discretionary Relief which has been considered in line with the policy agreed by Cabinet on 12 December 2016.

The policy criteria includes consideration of organisations who actively encourage membership from particular groups in the community which include, young people, women, persons with a disability and ethnic minorities.

### 3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		✓
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		✓
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>	✓	
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		✓
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		✓
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		✓

If you have answered no to all the questions above, please explain the reason

The recommendation in the report is to award discretionary relief to Hope Church Rotherham which will positively impact the organisation ensuring continuity of access to service and to refuse relief to the Target Housing Limited as granting relief is not in line with the Council's policy.

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

#### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

The recommendation in the report is to award discretionary relief to Hope Church Rotherham which will positively impact the organisation ensuring continuity of service and will ensure service users with protected characteristics can continue to access to this service and to refuse relief to Target Housing Limited as awarding relief is not in line with the Council's policy.

- **Key findings**

Hope Church Rotherham's work with Rotherham foodbank is inclusive to all and seeks to improve the lives and wellbeing of those experiencing poverty and hunger

- **Actions**

Equality Analysis Form completed.

Date to scope and plan your Equality Analysis:	12 March 2025
--	---------------

Date to complete your Equality Analysis:	12 March 2025
--	---------------

Lead person for your Equality Analysis (Include name and job title):	Adrian Blaylock
---	-----------------

#### 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Rob Mahon	Assistant Director Financial Services	13/03/25

#### 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of <b>all</b> screenings should also be sent to <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a> For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.	
<b>Date screening completed</b>	25 February 2025
<b>Report title and date</b>	<b>New Applications for</b> Error! Reference source not found.
<b>If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication</b>	
<b>Date screening sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	25 February 2025

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
<b>Equality Analysis title: New Applications for Business Rates Discretionary Relief for Hope Church Rotherham and Target Housing Limited</b>	
<b>Date of Equality Analysis (EA): 11/03/25</b>	
<b>Directorate: Finance and Customer Services</b>	<b>Service area: Financial Services</b>
<b>Lead Manager: Rob Mahon</b>	<b>Contact number: 01709 822034</b>
<b>Is this a:</b> <input type="checkbox"/> <b>Strategy / Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input checked="" type="checkbox"/> <b>Other</b>	
<b>If other, please specify: Cabinet Report to consider applications for the award of Business Rates Discretionary Relief.</b>	

**2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance**

Name	Organisation	Role (eg service user, managers, service specialist)
Rob Mahon	RMBC	Assistant Director
Adrian Blaylock	RMBC	Head of Service
Rachel Humphries	RMBC	Operational Manager

**3. What is already known? - see page 10 of Equality Screening and Analysis Guidance**
**Aim/Scope (who the Policy/Service affects and intended outcomes if known)**

The report presents applications for the award of Business Rates Discretionary Relief which has been considered in line with the policy agreed by Cabinet on 12 December 2016.

The policy criteria includes consideration of organisations who actively encourage membership from particular groups in the community which include, young people, women, persons with a disability and ethnic minorities.

**What equality information is available? (Include any engagement undertaken)**

Hope Church Rotherham is a registered charity whose service is inclusive to all. The organisation seeks to improve the lives and wellbeing of those experiencing poverty and hunger.

Target Housing Limited is a registered charity and social landlord which provides housing to the homeless and those at risk of homelessness, supporting clients to live independently.

**Are there any gaps in the information that you are aware of?**

None

**What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?**

An award of business rates discretionary relief would remain in place until 31/03/2026 providing the organisation continues to provide the service. A review of relief is carried out annually and a further application and supporting evidence is required for any further award to be considered.

**Engagement undertaken with customers. (date and group(s) consulted and key findings)**

The applications and supporting information from the organisations have been reviewed.

<b>Engagement undertaken with staff (date and group(s) consulted and key findings)</b>	None
--	------

#### 4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

**How does the Policy/Service meet the needs of different communities and groups?** (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

Applications are considered in line with the Business Rates Discretionary Relief policy. No community or group is excluded from making an application for discretionary rate relief.

Hope Church Rotherham is a registered charity which is inclusive to all groups and communities within Rotherham. The property is being used as a donation drop off point for Rotherham Foodbank, which is facilitated by Hope Church Rotherham. The foodbank is part of a nationwide network of foodbanks, supported by The Trussell Trust, working to combat poverty and hunger across the UK.

Target Housing Limited is a registered charity and a social landlord providing housing to the homeless or to those at risk of homelessness. Housing is available for those at risk of re-offending, victims of domestic abuse or anyone with drug related or mental health issues

#### **Does your Policy/Service present any problems or barriers to communities or Groups?**

Hope Church Rotherham is a registered charity who is entitled to 80% mandatory charitable rates relief. They are inclusive to all communities and groups and a top up award of 20% discretionary rates relief will ensure continuity of service to this small organisation.

Target Housing Limited is a social landlord that has been established for over 30 years. As a registered charity they are entitled to 80% mandatory charitable rates relief, and it is not considered that a refusal of the 20% relief will adversely affect this organisation nor any communities or groups.

#### **Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

Hope Church Rotherham is inclusive to all communities and groups.

**What affect will the Policy/Service have on community relations?** (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

An award of relief to Hope Church Rotherham will ensure that this service that is available to all will continue and positively impact those groups in need within the community. The food donations that are given out are provided by local community donations.

Target Housing Limited is a social landlord that has been established for over 30 years. As a registered charity they are entitled to 80% mandatory charitable business rates relief, and it is not considered that a refusal of the 20% top up discretionary relief will change their organisation or affect communities or groups.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## **5. Summary of findings and Equality Analysis Action Plan**

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

<b>Title of analysis:</b> New Applications for Business Rates Discretionary Relief for Hope Church Rotherham and Target Housing Limited
<b>Directorate and service area:</b> Finance and Customer Services, Financial Services
<b>Lead Manager:</b> Rachel Humphries, Operational Manager, Revenues and Benefits Service
<b>Summary of findings:</b>
<p>The applications for the award of Business Rates Discretionary Relief which have been considered in line with the policy agreed by Cabinet on 12 December 2016. The recommendation is to award relief to Hope Church Rotherham and to refuse relief to Target Housing Limited which will not have an impact on equalities and diversity.</p> <p>The policy criteria includes consideration of organisations who actively encourage membership from particular groups in the community which include, young people, women, persons with a disability and ethnic minorities.</p>

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
A further application and supporting evidence and information will be required for a further award to be considered beyond 31 March 2026.	A,D,S,GR,RE,RoB,SO,PM,CPM,C O	03/2026

**\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups**

## 6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
Judith Badger	Strategic Director Finance and Customer Services	13/03/2025
Leader, Cllr Chris Read	Leader of the Council	

## 7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date Equality Analysis completed</b>	12/3/25
<b>Report title and date</b>	New Applications for Business Rates Discretionary Relief for Hope Church Rotherham and Target Housing Limited
<b>Date report sent for publication</b>	13/3/25
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	12/3/25

# Appendix 3 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
Emissions from non-domestic buildings?	No impact				
Emissions from transport?	No impact				
Emissions from waste, or the quantity of waste itself?	No impact				
Emissions from housing and domestic buildings?	No impact				
Emissions from construction and/or development?	No impact				
Carbon capture (e.g. through trees)?	No impact				

### Appendix 3 – Carbon Impact Assessment

Identify any emission impacts associated with this decision that have not been covered by the above fields:

N/A

Please provide a summary of all impacts and mitigation/monitoring measures:

It is anticipated that continuing to award relief will not change the organisations current operational activities and therefore will not impact CO2 emissions.

#### Supporting information:

**Completed by:**  
(Name, title, and service area/directorate).

Rachel Humphries, Operational Manager, Finance and Customer Services

**Please outline any research, data, or information used to complete this [form].**

**If quantities of emissions are relevant to and have been used in this form please identify which conversion factors have been used to quantify impacts.**

**Tracking [to be completed by Policy Support / Climate Champions]**

Tracking reference: CIA 428

Arthur King, Principal Climate Change Officer, Finance and Customer Services

**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

Agreement of the borough's Household Support Fund allocation for 2025/26

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Jo Brown, Assistant Chief Executive

**Report Author(s)**

Fiona Boden, Head of Policy, Performance and Intelligence

[Fiona.Boden@rotherham.gov.uk](mailto:Fiona.Boden@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

The Household Support Fund (HSF) has been extended by Government from April 2025 to March 2026, with £742m of funding available in England. Government has also produced accompanying detailed guidance setting out how the resource can be used. As with previous allocations, this sets out the expectation that the fund should be used to support vulnerable households.

Rotherham has been awarded £4.387m for the Borough for the 2025/26 financial year. This report provides recommendations for a provisional allocation of this funding. Any variations arising from actual spend under each of the provisional allocations will be managed through adjusting the allocation made towards the Energy Crisis Support Scheme.

**Recommendations**

That Cabinet agree:

1. That provisional allocations of the Household Support Fund Grant of £4.387m be made as follows:
  - a. £2.687m for food vouchers to children eligible for free school meals for school holidays up to and including Easter 2026.
  - b. £950k towards the estimated costs of the Council's Local Council Tax Support Top Up Scheme.

- c. £500k to support applications from households for assistance with energy costs, through the Council's Energy Crisis Support Scheme.
  - d. £90k to provide additional financial support to care leavers.
  - e. £60k to local voluntary and community sector (VCS) organisations to support vulnerable households over Christmas / New Year through a supplement to the Crisis Support service level agreement.
  - f. £100k to provide parcels of household items to be distributed through VCS support.
2. Delegate authority to the Assistant Chief Executive in consultation with the Leader, to determine revised and final allocations for the Household Support Grant. This will include provision for other eligible actions within the use of Household Support Fund should it not be possible to achieve full spend of the grant through the approved options.

### **List of Appendices Included**

Appendix 1 Equality screening  
Appendix 2 Climate impact assessment

### **Background Papers**

[Cabinet report – 18<sup>th</sup> November 2024 – Household Support Fund \(October – March 2024/25\)](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
None

**Council Approval Required**  
No

**Exempt from the Press and Public**  
No

## **Agreement of the borough's Household Support Fund allocation for 2025/26**

### **1. Background**

1.1 In the second six months of 2024/25, Rotherham Council received £2.489m from the Household Support Fund (HSF). In November 2024 Cabinet set out plans to use this fund to support our most vulnerable residents in the borough by:

- £1.028m in food vouchers for children eligible to receive free school meals during the Christmas, February half term and Easter holidays.
- £1.156m in energy grants through the Energy Crisis Support Scheme.
- £150k to provide Local Council Tax Support (LCTS).
- £45k in support for care leavers through food vouchers and support with energy costs.
- £60k to local voluntary and community sector (VCS) organisations to support vulnerable households over Christmas / New Year.
- £50k to provide essential household items for residents, which were distributed through VCS community support including food banks and social supermarkets, and as part of the Open Arms programme drop-in sessions.

The outcomes of the 2024/25 HSF will be reported back to Cabinet in June 2025. It should be noted that there is a flexibility to amend the allocation of funds between different support methods, the effectiveness of which will be assessed in the June review.

1.2 The HSF, which was first introduced in 2021/22, has now been extended to the end of March 2026 following an initial government announcement as part of the Autumn Budget 2024, with individual allocations made in March 2025.

1.3 The grant has been made available to county councils and unitary authorities in England to support those most in need and struggling with the cost of living. Funding has been reduced nationally in 2025/26, with Rotherham receiving £4.387m compared to £4.978m in 2024/25. The future of the funding stream beyond 2025/26 is not yet known and will be subject to the outcome of the Government's Comprehensive Spending Review that is currently underway.

1.4 This paper sets out the proposed uses of this funding within the borough, in accordance with the guidance provided by government and the learning from what has worked in previous years.

### **2. Key Issues**

2.1 Household Support Fund was made available by the Department of Work and Pensions (DWP) to county councils and unitary authorities in England to support those most in need. Local authorities were given discretion about exactly how this funding was used within the scope set out in guidance.

- 2.2 For the period April 2025 – March 2026, HSF guidance makes specific provisions for use of the fund. These are:
- Energy and water.
  - Food, whether in kind or through vouchers or cash.
  - Essentials linked to energy and water – household goods.
  - Wider essentials not linked to energy and water.
  - Advice services supplementary to other provision.
  - Housing costs taking account of the risk of homelessness and other local factors.

The fund cannot be used to provide mortgage support, though homeowners could still qualify for the other elements of the fund.

- 2.3 Conditions also set out that:
- There must be a clear rationale or documented policy/framework outlining the approach, including how eligibility is defined and how households access the fund.
  - The fund is intended to cover a wide range of low-income households in need, including families with children of all ages, pensioners, unpaid carers, care leavers and disabled people, larger families, single-person households, and those struggling with one-off financial shocks or unforeseen events.
  - Support is not restricted only to vulnerable households in receipt of benefits.
  - At least part of the scheme must operate on an application basis.
- 2.4 Following the experience of previous allocations of this fund, the Council will support a wide range of low-income households and is not limited to those in receipt of benefits. There is flexibility within the fund to identify which vulnerable households are most in need of support and apply discretion when identifying eligibility.

### **3. Options considered and recommended proposal**

- 3.1 The preferred option is outlined below. This is informed by previous experience of 'what works' in distributing these funds and complements other actions being taken by the Council to support people in need. It also complies with HSF grant guidance in terms of priority households and target groups for the funding. During 2025/26, it is intended to use monitoring data from HSF and related support schemes to help the Council and partner organisations understand levels of need and design future support provision to meet those needs.

Given that funding has been reduced in 2025/26 and considering the time constraints, it is felt that there is no viable alternative option for the 25/26 programme.

### 3.2 **Food vouchers for school holidays - £2.687m**

- 3.2.1 The Council will continue to provide vouchers to children eligible for free school meals to cover school holidays, which has proved to be an effective way of supporting low-income families. It is intended that this HSF allocation will cover the school holidays from May 2025 up to and including the Easter holidays in April 2026, this approach would fund thirteen weeks of school holidays in total.
- 3.2.2 The allocation provides for a growing number of children in receipt of free school meals with the numbers having already increased from 12,955 at Easter 2024 to 13,454 at February half-term 2025. In 2024/25 to date there has been a 4.9% increase in the number of vouchers issued, coinciding with the introduction of the auto-enrolment process in 2024. As such, whilst it is assumed that the number of children in receipt of vouchers will increase in 2025/26, it is estimated that this will be at a lower rate. Based on vouchers continuing to be £15 per child per week, this would amount to £2.687m and qualify as pro-active support.

### 3.3 **Council Tax Support Top Up Scheme - £950k**

- 3.3.1 The Council is aware that residents will still be facing increased household costs as a longer-term impact of the period of high inflation and energy prices. In recognition of this, the Council proposes to again provide a further Local Council Tax Support Top Up scheme across the financial year 2025/26. The scheme will provide an expected additional award of £126.12 for 2025/26, on top of the 2025/26 support to working age claimants provided via the Council's Local Council Tax Support scheme. Based on current caseloads, this is expected to provide additional support to approximately 14,400 households. Where a claimant has a bill of £126.12 or less, the bill will be reduced to zero.
- 3.3.2 This means that for a working age household in receipt of maximum Council Tax support in a non-parished area Band A property, there will be no bill to pay for 2025/26 Council Tax. Based on current caseloads, this is estimated to be approximately 11,000 households. The application of the scheme will include all those becoming eligible up to and including 31 March 2026.
- 3.3.3 The estimated scheme costs are between £1.7m and £1.9m and will be funded by £950k from the HSF allocation, with the remaining £950k funded through the Local Council Tax Support Grant reserve. The actual cost won't be known until the end of the 2025/26 financial year.

### 3.4 **Energy support - £500k**

- 3.4.1 The Council's energy scheme was extended into 2024/25 using funding carried over from 2023/24 (Covid Recovery Fund). This was supplemented again using HSF from the April 2024 – March 2025 allocations. The scheme was open to all households facing hardship, providing grants of £250 each.

- 3.4.2 Taking account of allocations to other elements of the programme, there is capacity to provide £500k for energy support, allowing up to 2,004 grants at £250 each. These one-off grants would be open to all households, including pensioners and it is proposed that the fund will support residents through with energy costs in autumn and winter 2025/26. This qualifies as open application-based support.

**3.5 Support for care leavers - £90k**

- 3.5.1 The allocations of HSF for 2024/25 included a £90k provision to CYPS to continue to support young people leaving foster or local authority care and living independently in their own accommodation. This funding is designed to provide additional financial support through the cost-of-living increases to these young people who are responsible for paying their own utility bills.
- 3.5.2 It is proposed that this is extended to cover April 2025 – March 2026 at the same level of funding of £90k. This would qualify as pro-active support.

**3.6 VCS support to vulnerable families over Christmas / New Year - £60k**

- 3.6.1 Over the last five years, HSF and the Covid Winter Grant have enabled local VCS organisations to provide additional support to vulnerable families that they work with. This primarily involved the provision of food hampers over Christmas and New Year. Small grants to organisations were administered by VAR. During Christmas and New Year 2024/25, owing to increased demand, an allocation of £60k was provided. This enabled more than almost 600 Christmas hampers to be distributed across the borough.
- 3.6.2 It is recommended that £60k is provided for 2025/26 to continue to provide this support. Consistent with how this has been administered previously, it is proposed that this would be facilitated through a supplement to the Crisis Support service level agreement.

**3.7 Wider household essentials support - £100k**

- 3.7.1 Building on the support provided from HSF between July 2024 and March 2025, this allocation will continue to provide parcels of household items (cleaning / personal hygiene etc) to vulnerable households. These would be distributed through VCS community support including food banks and social supermarkets, and as part of the Open Arms programme drop-in sessions.
- 3.7.2 An allocation of £100k is included on the basis of £25 value for each parcel, this would provide support to 4,000 households. It would be facilitated again through a supplement to the Crisis Support SLA. This would qualify as third-party organisations spend.

**3.8 Balance of spend**

- 3.8.1 It is likely that actual spend will vary from that allocated to specific uses dependant on demand. It is proposed that to ensure full spend for the year, any balancing sums be applied through the Energy Crisis Support Scheme.

#### **4. Consultation on proposal**

- 4.1 Officers in relevant Council services, along with VCS partners, have been engaged in developing the approach to the use of this funding allocation.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Arrangements are being put in place to implement the range of support measure so that residents can begin to access the benefits as soon as possible.

#### **6. Financial and Procurement Advice and Implications**

- 6.1 The Household Support Fund grant has been confirmed for 2025/26, and the allocation for Rotherham is £4,386,841, which is a lower level of support than in previous years. The proposed spend detailed above reflects the reduced allocation and is in accordance with the grant conditions.
- 6.2 Scheme spend will be reviewed as part of management of the grant with final allocations being determined once the final cost of holiday food vouchers and demand against the other allocations is confirmed. This aims to ensure that the grant will be fully utilised or committed before 31st March 2026. This includes provision to fund food vouchers for the Easter school holidays in 2026.
- 6.3 There are no direct procurement implications arising from the recommendations detailed in the report. Where support is being provided via third party organisations, this is being facilitated via grant agreements, which are outside the scope of procurement legislation. If there is a need to enter into contracts for goods/services to support this delivery, this must be undertaken in line with both the Council's own Financial and Procurement Procedure Rules (FPPR's) and relevant procurement legislation (namely the Procurement Act 2023 or the Public Contracts Regulations 2015, whichever is applicable).

#### **7. Legal Advice and Implications**

- 7.1 The recommended proposals are in accordance with the conditions of use of the grant. Further, the scheme is consistent with relevant public law principles, in particular it is lawful, fair and rational.
- 7.2 The Council can support this type of local welfare provision under the "Local authority's general power of competence", as set out in S.1 of the Localism Act 2011 (c. 20). Further Local authorities' have the ability to act in this area under powers contained in other legislation, for example, section 2 of the Local Government Act 2000 enables local authorities to provide financial assistance to any individual.

#### **8. Human Resources Advice and Implications**

- 8.1 There are no Human Resources implications associated with this report.

**9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The recommended use of Household Support Fund includes issuing vouchers in lieu of free school meals to eligible children for school holidays through to Easter 2026, as well as support for care leavers.

**10. Equalities and Human Rights Advice and Implications**

- 10.1 The objectives of the use of the grant and targeting towards vulnerable households, including families with children, will contribute to addressing economic and social inequalities. It will have a positive equalities impact.
- 10.2 Equalities data will be collected as part of administering the programme of support.

**11. Implications for CO2 Emissions and Climate Change**

- 11.1 There are no implications for CO2 emissions or climate change.

**12. Implications for Partners**

- 12.1. Partner organisations will be engaged in making referrals to support provided under the grant along with direct support to vulnerable households and those struggling with high cost-of-living.

**13. Risks and Mitigation**

- 13.1 Risk is primarily centred around achieving, whilst not exceeding, spend of the grant.
- 13.2 To address this, the recommendations provide for a delegated decision, that unless the final grant is substantially different from the estimate, to delegate authority to the Assistant Chief Executive in consultation with the Leader, to determine revised and final allocations for the Household Support Grant. This includes provision for other eligible actions within the use of Household Support Fund should it not be possible to achieve full spend of the grant through the approved options.

**14. Accountable Officers**

Fiona Boden, Head of Policy Performance and Intelligence

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	31/03/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	28/03/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	28/03/25

*Report Author:*      *Fiona Boden*  
                                  *Head of Policy, Performance and Intelligence*  
                                  *Assistant Chief Executive's Directorate*  
                                  [Fiona.Boden@rotherham.gov.uk](mailto:Fiona.Boden@rotherham.gov.uk)

This report is published on the Council's [website](#).

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## Appendix 1

### PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

#### 1. Title

**Title: Household Support Fund April 2025 – March 2026**

**Directorate:**  
**ACX**

**Service area:**  
**PPI**

**Lead person:**  
**Fiona Boden**

**Contact number:**  
**01709 255233**

Is this a:

☐

**Strategy / Policy**

☒

**Service / Function**

☐

**Other**

**If other, please specify**

#### 2. Please provide a brief description of what you are screening

The government is to provide a further allocation of Household Support Fund (HSF) covering the period 1<sup>st</sup> April 2025 to 31<sup>st</sup> March 2026.

The report has been produced to align with government guidance and proposals are based on the evidence of what has proved effective in delivering this funding previously in the borough. The use of the grant will support families and households in need in Rotherham.

### 3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	x	
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	x	
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>	x	
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		x
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		x
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		x
If you have answered no to all the questions above, please explain the reason		

If you have answered **no** to **all** the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be

considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

The primary focus of HSF is to support people or families on low incomes. Evidence tells us that some protected characteristic groups, for example disabled people or certain ethnic minority communities, are likely to be over-represented in this overarching target group.

In directly helping to address socio-economic disadvantage and reduce economic inequalities within the borough, the proposals will have a positive impact from an equality perspective.

- **Key findings**

The high cost of energy and other essentials disproportionately impacts low income and vulnerable households as they spend a higher proportion of their income on these essentials. Within this overall target group, there are specific proposals to support care leavers and children living in low-income households.

- **Actions**

The elements of the proposals that are open to applications (i.e. the energy support scheme) will be promoted through our local networks and specific advocacy or representative groups. This will help to ensure that vulnerable households and those protected characteristic groups who are most likely to require support, for example disabled people, are aware of the support that is available.

By utilising the local knowledge and existing client base of voluntary and community sector partners, the Christmas/New Year support for vulnerable families will target those most in need, including households who might be less likely to apply for an open application-based scheme.

Where possible, equalities data will be collected as part of delivering the proposed support packages. This data will be used to inform an equality analysis over the summer (following the compilation of quarter 1 monitoring information), which will inform ongoing and future provision.

Date to scope and plan your Equality Analysis:	July 2025
Date to complete your Equality Analysis:	29th August 2025
Lead person for your Equality Analysis (Include name and job title):	Fiona Boden Head of Policy, Performance and Intelligence

## 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Jo Brown	Assistant Chief Executive	27 <sup>th</sup> March 2025

## 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date screening completed</b>	18 <sup>th</sup> March 2025
<b>Report title and date</b>	Household Support Fund April 2025 to March 2026, 14 <sup>th</sup> April 2025
<b>If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication</b>	Cabinet – report date 14 <sup>th</sup> April 2024
<b>Date screening sent to</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	19th March 2025

## Appendix 2 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
Emissions from non-domestic buildings?	No change				
Emissions from transport?	No change				
Emissions from waste, or the quantity of waste itself?	No Change				
Emissions from housing and domestic buildings?	No Change				
Emissions from construction and/or development?	N/A				
Carbon capture (e.g. through trees)?	N/A				
Identify any emission impacts associated with this decision that have not been covered by the above fields: It is not known how the delivery of this grant may affect the carbon emissions of those in receipt of the support. However, it is considered that the social benefits associated with the scheme outweigh the carbon impacts in this case.					

Please provide a summary of all impacts and mitigation/monitoring measures:

As with all Council activity there are likely to be emissions associated with the delivery of this scheme, however it is expected that these will be minimal and in line with previous iterations of the delivery of the grant.

<b>Supporting information:</b>	
<b>Completed by: (Name, title, and service area/directorate).</b>	Fiona Boden, Head of Policy, Performance and Intelligence, Assistant Chief Executive's Directorate
<b>Please outline any research, data, or information used to complete this [form].</b>	N/A
<b>If quantities of emissions are relevant to and have been used in this form please identify which conversion factors have been used to quantify impacts.</b>	N/A
<b>Tracking [to be completed by Policy Support / Climate Champions]</b>	Tracking Number: CIA 437  Arthur King, Principal Climate Change Officer, Finance and Customer Services

Public Report with Exempt Appendices  
Cabinet

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**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

Acquisition of land and property at Sheffield Road, S60 1DA

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Andrew Bramidge, Strategic Director of Regeneration and Environment

**Report Author(s)**

Lorna Vertigan, Head of Regeneration  
lorna.vertigan@rotherham.gov.uk

**Ward(s) Affected**

Boston Castle

**Report Summary**

The purpose of this report is to enable the progression of the Town Centre regeneration programme, specifically the creation of a new residential community through the allocation of funds to undertake the acquisition of land and property at Sheffield Road.

**Recommendations**

1. That Cabinet endorse the allocation of the 'Strategic Acquisition Fund' to undertake the acquisition of land and property at Sheffield Road, shown in Appendix 1.
2. To authorise the Assistant Director of Property and Facilities Services to agree the terms and conditions and complete the acquisition of the land shown at Appendix 1 in consultation with the Cabinet Member for Transport, Jobs, and the Local Economy.

**List of Appendices Included**

Exempt Appendix 1	Land at Sheffield Road (red line boundary)
Exempt Appendix 2	Summary of Negotiations
Appendix 3	Equalities Impact Assessment
Appendix 4	Carbon Impact Assessment

**Background Papers**

[Regeneration Programme Strategic Land Assembly Report to Cabinet March 2022](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

None

**Council Approval Required**

No

**Exempt from the Press and Public**

An exemption is sought for Appendix 1 and 2 under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive information with regards to commercial agreements which could disadvantage the Council in any negotiations if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information because the parties' commercial interest could be prejudiced by disclosure of this information.

## **Acquisition of land and property at Sheffield Road, S60 1DA**

### **1. Background**

- 1.1 Rotherham Council's regeneration of the town centre is well underway, with the Forge Island development now complete and work started at the markets and library, along with public realm improvements and preparation for a new residential community.
- 1.2 In March 2022 Cabinet approved, amongst others, the acquisition of the site identified at Appendix 1 to facilitate the Council's regeneration objectives. Further, in March 2023 and February 2024 Council approved the allocation of capital to the 'Strategic Acquisitions Fund.'
- 1.3 Having previously approved the acquisition, this report now seeks approval to allocate funds from the Strategic Acquisition Fund to the purchase of the land and property identified at exempt Appendix 1.

### **2. Key Issues**

- 2.1 The Council continues in its objective to create a sustainable and thriving town centre through diversification, the expansion of leisure opportunities, service provision and the creation of a new residential community. Acquisition of under used and derelict land and property along Sheffield Road has been ongoing since 2021 and terms have now been agreed on another significant land holding.
- 2.2 Negotiations undertaken by the Council's agent have concluded with agreement to purchase the site as detailed in exempt Appendix 2.
- 2.3 The future of the site is considered within a package of sites across the town centre which will be presented to the market in April 2025.
- 2.4 In the period up to the redevelopment of the land, the property will be managed by the Council's Property & Facilities Services team and under the current lease arrangements will generate an income to the Council.
- 2.5 Property Services have had oversight of the negotiations and have discussed the detail of the transaction with the agents and are in agreement that the proposed purchase price represents a reasonable consideration for the property interests that are being acquired.

### **3. Options considered and recommended proposal**

- 3.1 The acquisition of the property was approved at Cabinet in March 2022, therefore the options referred to here are solely in relation to the allocation of funding.
- 3.2 The Strategic Acquisition Fund was allocated for the purpose of purchasing property and enabling the regeneration programme, particularly in relation to the town centre. The acquisition and redevelopment of this property will

facilitate the development of new town centre housing and is therefore in keeping with the aims of this funding allocation.

**This option is recommended.**

- 3.3 Alternative funding could be sought, however given the existence of the Strategic Acquisition Fund and its express purpose being property acquisition this is considered the most appropriate fund.

**This option is not recommended.**

- 3.4 A do nothing option would see no funding allocated to this acquisition and the property remaining in private sector ownership. While the Council has acquired significant land and property within this area of the town, the proposition for the market and impact on the town centre of a larger development site is considered more beneficial.

**This option is not recommended.**

#### **4. Consultation on proposal**

- 4.1 Negotiation with the property owners has been undertaken by the Council's appointed agents.
- 4.2 Consultation on the proposed future of the site will be undertaken once a development partner has been appointed. However, the ambition to diversify the town centre and create a new community has been consulted upon through the development of the 2017 Town Centre masterplan and the Town Investment Plan in 2021.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Heads of Terms for the acquisition have been agreed and Legal Services are in the process of drafting contracts. Completion of the acquisition will be progressed subject to a Cabinet Decision.
- 5.2 The funding allocation proposed will be taken from the Strategic Acquisition Fund allocated for financial years 23/24/25.

#### **6. Financial and Procurement Advice and Implications**

- 6.1 The acquisition of land falls outside the scope of procurement legislation and as such there are no procurement implications associated with the recommendations detailed in this report.
- 6.2 The financial implications of the proposed recommendation are set out in the exempt Appendix 2. After acquisition there are revenue implications for long term property holding which will be covered by rental income and the feasibility fund.

**7. Legal Advice and Implications**

- 7.1 The recommendations contained in this report are in line with existing decisions and there are no further legal implications arising from the contents of this report.

**8. Human Resources Advice and Implications**

- 8.1 There are no direct HR implications arising from this report.

**9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 There are not considered to be any direct implications from the allocation of this funding.

**10. Equalities and Human Rights Advice and Implications**

- 10.1 There are not considered to be any direct implications from the allocation of this funding.
- 10.2 An Initial Equality Screening Assessment has been completed and is attached at Appendix 3.

**11. Implications for CO2 Emissions and Climate Change**

- 11.1 There are not considered to be any direct implications from the allocation of this funding.

**12. Implications for Partners**

- 12.1. There are not considered to be any direct implications from the allocation of this funding.

**13. Risks and Mitigation**

- 13.1 If the acquisition of the property does not proceed the funding could be reallocated to the acquisition of alternative properties.

**14. Accountable Officers**

Lorna Vertigan, Head of Regeneration  
Tim Hartley, Head of Property

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	31/03/25
Assistant Director of Financial Services (Deputy S.151 Officer)	Rob Mahon	26/03/25
Head of Legal Services (Monitoring Officer)	Bal Nahal	21/03/25

*Report Author:* Lorna Vertigan, Head of Regeneration  
[Lorna.vertigan@rotherham.gov.uk](mailto:Lorna.vertigan@rotherham.gov.uk)

This report is published on the Council's [website](#).

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

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

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## PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

### 1. Title

**Title:** Regeneration Programme: Strategic Land Assembly: Land at Sheffield Road

**Directorate:** R&E

**Service area:** Regeneration

**Lead person:** Lorna Vertigan

**Contact number:** 07748 142833

Is this a:

☐

**Strategy / Policy**

☐

**Service / Function**

☒

**Other**

**If other, please specify:** Allocation of funding for the acquisition of land and property

### 2. Please provide a brief description of what you are screening

This cabinet report seeks to allocate funding to the acquisition of property. The acquisition was approved in March 2022 and therefore this report refers solely to the allocation of money.

### 3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and

## Appendix 3

maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.		
Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>		X
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		X
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		X
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		X
If you have answered no to all the questions above, please explain the reason		
The report refers solely to the allocation of funds to the purchase of property at Sheffield Road, the purchase itself was approved at Cabinet in 2022. The acquisition of land and property is for the pursuance of various regeneration projects. Due to this report solely referring to the allocation of funds, there is no impact on equalities.		

If you have answered **no** to **all** the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

#### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

## Appendix 3

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

- **Key findings**

- **Actions**

Date to scope and plan your Equality Analysis:	NA
--	----

Date to complete your Equality Analysis:	NA
--	----

Lead person for your Equality Analysis (Include name and job title):	NA
---	----

### 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Lorna Vertigan	Head of Regeneration	12/03/25
Catherine Davis	Consultation & Engagement Manager	12/03/25

### 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date screening completed</b>	12 <sup>th</sup> March 2025
<b>Report title and date</b>	Regeneration Programme: Strategic Land Assembly, Land at Sheffield Road
<b>If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication</b>	Cabinet – 14 April 2025
<b>Date screening sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	12 <sup>th</sup> March 2025

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# Appendix 4 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
Emissions from non-domestic buildings?	NA				
Emissions from transport?	NA				
Emissions from waste, or the quantity of waste itself?	NA				
Emissions from housing and domestic buildings?	NA				
Emissions from construction and/or development?	NA				
Carbon capture (e.g. through trees)?	NA				

Identify any emission impacts associated with this decision that have not been covered by the above fields:

Please provide a summary of all impacts and mitigation/monitoring measures:

This cabinet report seeks to allocate funding to the acquisition of property. The acquisition was approved in March 2022 and therefore this report refers solely to the allocation of money. There are no impacts from the allocation of funding, although the future redevelopment of the site will generate emissions.

**Supporting information:**

**Completed by:  
(Name, title, and service area/directorate).**

Lorna Vertigan, Head of Regeneration, R&E

**Please outline any research, data, or information  
used to complete this [form].**

**If quantities of emissions are relevant to and have  
been used in this form please identify which  
conversion factors have been used to quantify  
impacts.**

**Tracking [to be completed by Policy Support /  
Climate Champions]**

Tracking reference: CIA433  
Katie Rockett, Climate Change Officer

**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

Economic Inactivity Trailblazer

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Andrew Bramidge, Strategic Director of Regeneration and Environment

**Report Author(s)**

Tim O'Connell, Head of Economic Development  
tim.o'connell@rotherham.gov.uk

**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report outlines a strategic initiative to implemented across South Yorkshire to reduce economic inactivity by integrating employment, skills and health services. With £1.7m in funding for Rotherham from the Department for Work and Pensions, the programme has been set a target to engage with over 1,000 economically inactive residents and transition 400 into employment in 2025/26.

The Pathways to Work model underpins the initiative, emphasising personalised support, employer engagement and system integration. Key components include:

- A System Service Manager function to oversee coordination.
- Community outreach programmes to engage hard-to-reach populations.
- Intensive Case Management for personalised employment support.
- Employer activation initiatives to create suitable job opportunities.

The report highlights the complex barriers to employment for economically inactive residents including health conditions, caring responsibilities and skills gaps and stresses the need for multi-agency collaboration across local authorities, health services and community organisations.

Cabinet approval is sought to accept funding and implement the programme.

## **Recommendations**

That Cabinet:-

1. Approve acceptance of the Council's indicative allocation of the Economic Inactivity Trailblazer funding to deliver activity targeted at implementing an integrated employment, skills and health system.
2. Approve use of the funding to manage the programme, commission community-based engagement activity, and personalised support (to include flexible support budgets), activate employers to create job opportunities for participants, pay for additional staff salaries (within RiDO, Employment Solutions and for other Pathways to Work roles within the Council) and cover miscellaneous costs.
3. Delegates authority to the Strategic Director, Regeneration and Environment, in consultation with Cabinet Member for Transport, Jobs and the Local Economy and the Section 151 Officer to determine detailed use of the grant or make any subsequent amendments to the proposed budget allocations.

## **List of Appendices Included**

Appendix 1a Equalities Analysis – Part A  
Appendix 1b Equalities Analysis – Part B  
Appendix 2 Carbon Impact Assessment

## **Background Papers**

[Pathways to Work Commission Report – July 2024](#)

[Get Britain Working White Paper – Nov 2024](#)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

None

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

## Economic Inactivity Trailblazer

### 1. Background

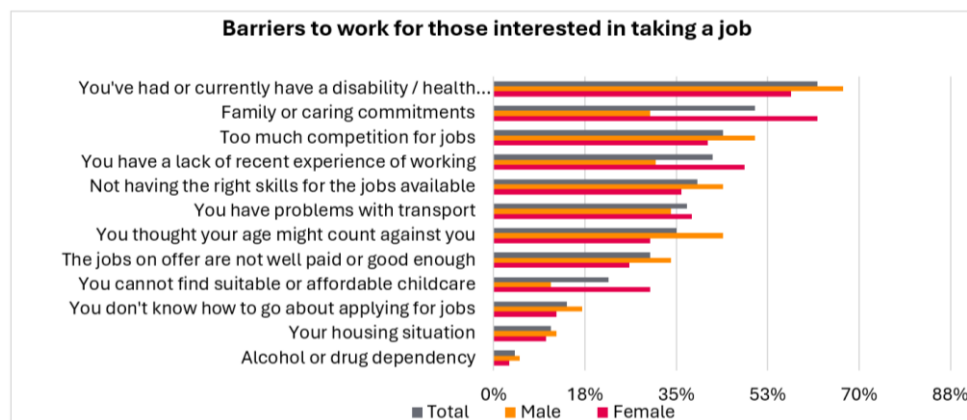
- 1.1 Economic inactivity refers to the labour market status of individuals of working age who are neither employed nor actively seeking work. Economic inactivity is a significant and ongoing national challenge, adversely affecting productivity, economic growth and public finances. Addressing economic inactivity is crucial for boosting economic resilience and for improving social mobility and long-term prosperity.
- 1.2 Around 1 in 4 individuals of working age in the UK are not working. In Rotherham the number is 46,600 (ONS March 2024) which is nearer to 1 in 3 of the working age population (aged 16-64). This comprises:
  - Students 11,200
  - Looking after family or home 8,500
  - Long term sick 15,000
  - Retired (under state pension age) 5,200
  - Other 6,000
- 1.3 The Pathways to Work (P2W) Commission established by Barnsley Council brought together experts and senior leaders in the field of work, skills and health to undertake a deep dive into the causes of economic inactivity. In its July 2024 report, the Commission called for a whole system approach to drive systemic change, overcome the complexity of the current system and deliver better outcomes from employment and health programmes.
- 1.4 P2W provides a proof-of-concept approach to tackling economic activity that brings together health, employment and skills services. Working regionally, through the four South Yorkshire Councils and SYMCA, the approach was developed into a scalable proposition and submitted to Government with a request for pilot funding.
- 1.5 The key components of the P2W approach comprise:
  - A System Steward – operating at regional level with responsibility for policy, regulatory, funding and quality parameters of the employment service system.
  - System Service Manager – at local authority level with responsibility for driving system change.
  - Engagement with potential beneficiaries delivered at a hyper-local level.
  - Personalised Support - Intensive Case Management (ICM) for people who have complex needs and/or significant barriers precluding them from securing employment.
  - Employment activation - a set of targeted interventions focused on employers to enhance the employment opportunities for those that are economically inactive.
- 1.6 In November 2024 the 'Get Britain Working' white paper announced South Yorkshire, alongside 4 other MCA areas, would receive funding for an

Economic Inactivity Trailblazer and an NHS Growth Accelerator aimed at boosting labour market participation and reversing a persistent trend of increasing economic inactivity across the region. SYMCA submitted a joint delivery plan for both programmes to the Department for Work and Pensions (DWP) and NHS England on 20<sup>th</sup> December 2024 founded upon the P2W recommendations. The Business Case for the Trailblazer has been agreed by the Investment Committee of the Department of Work and Pensions. Subject to Treasury approval it is expected that funding will be formally confirmed in early April 2025.

- 1.7 South Yorkshire's Economic Inactivity Trailblazer provides £10m of DWP funding for South Yorkshire for the 2025/26 financial year, with £1.7m allocated for activity in Rotherham, based upon target population share. Successful delivery of the Economic Inactivity Trailblazer is intended to lay the foundations for a longer-term funding arrangement under SYMCA's single settlement from April 2026.

## 2. Key Issues

- 2.1 Economic inactivity is complex and multi-faceted. Many economically inactive residents face multiple overlapping barriers to entering the labour market. In research carried out during the P2W commission two thirds of survey respondents identified three or more barriers to securing a job. Ill health was the most reported barrier with other key overlapping barriers including caring responsibilities, skills and transport.



- 2.2 The Council currently supports economically inactive residents to find employment and supports residents to avoid becoming economically inactive through services including Employment Solutions (879 people into employment and 825 into training since October 2020), Ambition (59 participants, 2 into employment and 25 into education/training) and Multiply (3,500 learning opportunities delivered, with 95% of learners showing an interest in continuing learning). This is part of a wider support system in Rotherham including delivery by Rotherham North Nottinghamshire College (RNN), mainly through the Adult Skills Fund, the local voluntary and community sector and health focussed activity including the Working Win and Workwell programmes.

- 2.3 The diverse range of provision highlights the need to develop multi-agency / referral networks that provide a simple, single point of access for residents seeking support and a central triage service for referrers. A triage function is required to ensure residents are signposted to the support that is most appropriate to their needs.
- 2.4 The Economic Inactivity Trailblazer targets engaging 1,000+ economically inactive residents in Rotherham and progressing 400+ into paid employment in 2025-26. This is an order of magnitude greater than currently achieved and will require a considerable expansion of activity across a range of areas described below and a corresponding increase in co-ordination of the complex system.
- 2.5 The UK government is adopting a dual approach to welfare reform, combining stricter benefit conditions with increased employment support to address economic inactivity. Recent government statements suggest a move towards tightening access to out of work benefits, with measures such as more rigorous work capability assessments, increased sanctions for those deemed not engaging with job-seeking requirements and restrictions on certain disability and sickness related claims. The aim is to reduce long-term reliance on welfare and encourage more people into the workforce. At the same time there is an indication of intent to expand initiatives providing practical support, recognising that many economically inactive individuals face barriers beyond financial disincentives. This includes investment in tailored employment support, skills training and mental health services to help those who can work transition into sustainable employment.
- 2.6 The Economic Inactivity Trailblazer is a key part of this broader strategy and represents a targeted effort to engage and support individuals in Rotherham who have been out of work due to health conditions, caring responsibilities or other challenges. The system change the Trailblazer seeks to address is an essential component of the overall approach and aligns with the government's push for a more proactive welfare system. The Trailblazer will not impose sanctions, instead it is intended to expand personalised support to ensure those capable of working are able to take steps towards employment. By working closely with local employers, health services and skills providers the initiative aims to test innovative approaches to tackling economic inactivity and help people overcome the complex barriers they face.
- 2.7 It should be noted that targets contained in the Trailblazer relate to numbers coming through the system and supported into employment rather than an overall net reduction in the numbers of economically inactive in Rotherham. Achieving a net reduction will require successful implementation of policy across a broad front.
- 2.8 **System Service Manager**

P2W positions a System Service Manager function at the local authority level, to administer the integration of service delivery as well as supporting

the capacity building of partners to deliver improved outcomes for the economically inactive. It has a central role to play in convening and managing partnerships across the system and integrating employment services with healthcare, skills development, and community provision. This will include establishing co-location of services and joint case management, as well as identifying gaps in provision, commissioning activity to fill identified gaps, establishing effective referral routes and the triage function, and developing strengthened links with the voluntary and community sector. This function does not currently exist and will need to be recruited. Initially, the role will be delivered by a team of 4 people comprising: the System Service Manager, a Commissioning Manager, a Monitoring Officer and Project Officer.

## 2.9 **Engaging the target population**

Delivering P2W requires that a much greater number of economically inactive residents, who are disconnected from the support system, are engaged than is currently the case. This includes those with chronic health issues, disabilities, caring responsibilities and older adults. Commissioned community outreach programmes, to include partnerships with local charities, health providers and community groups will have a leading role to play in making the required connections with these hard-to-reach residents. Grant funded activity that stimulates community engagement, leveraging hyper-local experience, and networks, will be essential to deliver outcomes in the first year of operation. This activity will guide people into the triage function, to ensure that they are moved into the programme of personalised support that best fits their circumstances.

## 2.10 **Personalised Support**

Intensive Case Management (ICM) will deliver 1:1 key worker support, developing and maintaining a close working relationship with the individual, monitoring the support plan, and acting as the central coordination and contact point between the individual and the wider system and available services. Through this function, residents will have access to personalised employment support, which includes flexible packages based on individual assessment, including wraparound activities, and funds to overcome specific barriers preventing the individual from entering the labour market).

2.11 The Council's Employment Solutions Service already provides expertise and capacity for ICM and has experience of providing personalised support for the individuals with complex needs. Further to the recent investment to mainstream the funding of the core service, additional staffing funded by P2W will enable the service to scale-up to meet the need to handle greater numbers of clients and to adapt delivery to provide an increased emphasis on operating within the community.

2.12 In addition to Employment Solutions, community based ICM delivered by trusted community champions will assist providing in hyper-local and specialist access, delivered within community settings to engage particular characteristics and hard to reach demographics. This delivery option should

be available for the System Service Manager to commission where targeted provision or additional capacity is necessary.

- 2.13 In addition to addressing the needs of residents currently economically inactive, a focus on prevention will be required. This will assist those at risk of economic inactivity early so they can confidently enter or remain in employment and have access to secure work, decent wages and opportunities for career progression. A large part of this delivery will be focused on young people and ensuring they receive support before falling into economic inactivity. This support will build on current Council programmes including Ambition and the South Yorkshire Careers Hub. The Advance team will also work with people already in employment providing support for retraining and career progression.

2.14 **Employer Engagement**

An essential component of the P2W approach is to provide employers with the support they need to be willing and ready to recruit those wishing to enter (or re-enter) the workplace. An employer offer is needed comprising a set of targeted interventions focused on providing the necessary workforce and supporting the employer to ensure it can fully integrate people into the workforce. Components of this offer exist but largely operate independently from each other and consequently there are a range of skills and employment initiatives that seek to engage with employers. Employers report that they find the landscape confusing and the offer ineffective. A key task for P2W will be to address this weakness, allocating resource to connect employers to a holistic system rather than individual projects and programmes.

- 2.15 The Council will play an important role as an exemplar employer, and will aim to demonstrate best practice, sharing innovation and learning from its successful programmes of work, including:
- use of the Social Value Policy to encourage and incentivise suppliers to provide opportunities to people who are economically inactive.
  - sharing the positive impact of committing to the Kickstart programme, which provided funding to create new jobs for people aged 16 to 24 who are at risk of long-term unemployment.
  - promoting the benefits of effective Occupational Health and HR practices for the retention of staff and the prevention of those at risk of leaving the workforce.
  - introducing flexible recruitment approaches to reduce barriers to employment.
  - identifying new ways to open up interview opportunities to people who are economically inactive.

- 2.16 The proposed utilisation of funds for the Trailblazer budget is as follows:

<b>Cost</b>	<b>Budget 2025/26</b>
<b>Programme Costs</b>	
System Service Manager & team	£242,767
Commissioned Services (Triage)	£60,000
<b>Employment Activation and Employer Engagement</b>	
Staff Costs - Employer Engagement activity	£112,000
Commissioned Services	£250,000
Other Costs	£93,000
<b>ICM and Personalised Support Allocation</b>	
Staff Costs - Employment Solutions	£501,240
Commissioned Services	£300,000
Community Engagement	£110,000
Other	£36,000
<b>Total</b>	<b>£1,705,007</b>

- 2.17 This funding will be utilised to manage the programme, commission community-based engagement activity, and personalised support (to include flexible support budgets), activate employers to create job opportunities for participants, pay for staff salaries (within RiDO, Employment Solutions and for other Pathways to Work roles within the Council) and cover miscellaneous related costs.
- 2.18 The proposed utilisation of funds is based on assumptions relating to speed of mobilisation, implementation, delivery, and market response to commissioned packages of work. For the programme to be delivered, flexibility to reallocate funding between budget headings is necessary.

### **3. Options considered and recommended proposal**

#### **3.1 Do not Participate in Pathways to Work**

Pathways to Work is envisaged as region-wide system change within the employment, skills and health landscape, with a view to simplifying the system, improving the lives of residents, strengthening communities and addressing long-standing structural economic challenges. SYMCA and the four South Yorkshire LAs need to work in partnership to achieve this. Non-participation would result in Rotherham missing an opportunity to secure resources to address what is a persistent and increasing challenge to improving economic and social inclusion. Given the high profile of the Pathways to Work Commission, and with Government funding an Economic Inactivity Trailblazer for South Yorkshire, non-participation would carry reputational risk.

#### **3.2 Recommended Proposal**

1. Approve acceptance of the Council's indicative allocation of the Economic Inactivity Trailblazer funding to deliver activity targeted at implementing an integrated employment, skills and health system.

2. Approve use of the funding to manage the programme, commission community-based engagement activity, and personalised support (to include flexible support budgets), activate employers to create job opportunities for participants, pay for staff salaries (within RiDO, Employment Solutions and for other Pathways to Work roles within the Council) and cover miscellaneous costs.
3. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with Cabinet Member for Transport, Jobs and the Local Economy and the Section 151 Officer to determine detailed use of the grant or make any subsequent amendments to the proposed budget allocations.

#### **4. Consultation on proposal**

- 4.1 A wide range of partners and stakeholders have been informed of, and consulted on, the proposed Pathways to Work and Economic Inactivity Trailblazer. These include:
  - Inclusive Economy Board
  - Inclusive Employment Workstream
  - Business Growth Board
  - Employment and Skills Board
  - Various VCS organisations – on potential engagement activity.
  - Local Integration Board (LIB)
  - Humanitarian and Communities Group
- 4.2 As a South Yorkshire wide activity, regular meetings have been held between SYMCA and the four local authorities to develop the programme(s). These meetings have included DWP and the NHS, to connect with the Health Growth Accelerator which the latter is leading.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The Economic Inactivity Trailblazer is intended to establish operations in the first quarter of 2025/26.
- 5.2 Achieving this timetable is dependent on receipt and approval of a funding agreement.

#### **6. Financial and Procurement Advice and Implications**

- 6.1 The Pathways to Works Economic Activity Trailblazer is funded by Department of Work and Pensions (DWP) and is distributed via SYMCA. Currently, it is one-off for the 2025/26 financial year but there is potential for a further three years. The amounts for each partner are yet to be formally confirmed and as such, additional work will be required to ensure the plan laid out in this report complies with the grant terms and conditions.

- 6.2 Where the commissioned services identified in this report are awarded via grant, there are no procurement implications as grants do not fall in the scope of procurement legislation. Where formal contracts for service are required, these must be procured in compliance with relevant legislation (Procurement Act 2023 or the Public Contracts Regulations 2015 whichever is applicable) as well as the Council's own Financial and Procurement Procedure Rules.

## **7. Legal Advice and Implications**

- 7.1 If this fund is approved any funding agreement issued will need to be reviewed by Legal Services and all funding conditions adhered to in order to ensure compliance with the grant.
- 7.2 There are no further legal implications raised by this report.

## **8. Human Resources Advice and Implications**

- 8.1 The Council will follow due processes for the proposed posts.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The Economic Inactivity Trailblazer will have positive implications for Children, Young People and Vulnerable Adults being targeted at many of the most disadvantaged and under-serviced residents who are caught in a cycle of low income, poor access to services, poor health and low aspiration. The P2W programme includes a focus on prevention and will target young people who are not in employment, education or training (NEET), to include care leavers and those from households experiencing inter-generational inactivity or unemployment. It aims to break the inertia of economic inactivity by providing hyper- local and specialist employment support, delivered sensitively in non-threatening environments and by activating employers to create viable, appealing job opportunities.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 The programme will target economically inactive residents across a range of sub-cohorts, including, those with disabilities and health conditions (who are significantly less likely to work), ethnic minority groups (who are over-represented among economically inactive people) and young people who are not in employment, education or training (NEET), to include care leavers and those from households experiencing inter-generational inactivity or unemployment.
- 10.2 An Equalities Analysis has been completed and is attached as Appendix 1.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 The Economic Inactivity Trailblazer will have both direct and indirect implications for CO2 emissions and climate change. The expansion of employment support services will increase staff travel and office-based

activities which could contribute to higher emissions. However, the programme aims to deliver activity hyper-locally within communities, minimising the distance residents need to travel to access services and receive support.

- 11.2 A reduction in rates of economic inactivity is likely to result in economic growth which has the potential to increase CO2 emissions. To mitigate negative impact, it will be necessary to draw on a range of other projects policies to promote environmentally sustainable economic growth and within the programme encourage employers to adopt sustainable workplace practices.

## **12. Implications for Partners**

- 12.1. The success of P2W and the Economic Inactivity Trailblazer is dependent on strong collaboration between multiple partners including

- Rotherham Council Services – RiDO, Employment Solutions, and Neighbourhoods will play key roles in delivering the programme.
- SYMCA – responsible for regional coordination and securing long-term funding through the single settlement.
- Other South Yorkshire authorities – as region wide programme P2W/Trailblazer needs to be successful across the area. This also allows the areas to try different innovative approaches within their localities, which could be expanded if successful.
- Department for Work and Pensions and NHS England – providing policy support and funding for integrated health and employment services.
- Local Employers and Business Networks – engaged to create inclusive employment opportunities.
- Voluntary and Community Sector Organisations – essential for community-based outreach and personalised support delivery, particularly for those disengaged and disadvantaged groups where “lived experience” is necessary.

- 12.2 Through the System Service Manager, a governance framework will be established to ensure alignment between partners, avoid duplication of services and facilitate data sharing while complying with GDPR regulations.

## **13. Risks and Mitigation**

- 13.1 **Low Engagement from Target Groups** - some economically inactive individuals may be difficult to reach due to health, confidence or trust barriers.

- 13.2 **Retaining Individuals in the Programme** – similar previous activity with these cohorts has shown a figure of below 50% is realistic for the retention of a person from initial referral to starting in employment.
- 13.3 **Employer Reluctance** - businesses may hesitate to employ individuals with complex needs or lack the necessary support structures.
- 13.4 **Service Capacity Constraints** - scaling up intensive case management and outreach could strain existing support services.
- 13.5 **Sustainability of Funding** - the £1.7 million allocation for Rotherham is time limited; future funding uncertainties could impact long term programme viability.
- 13.6 **Very stretching targets** – current success rates indicate that 400+ people into employment in Year 1 through the Trailblazer will be extremely challenging.
- 13.7 **Data Sharing and Integration Issues** – challenges in coordinating information between employment, health and skills services.
- 13.8 **Mitigations**
- 13.9 **Community Based Outreach** - partnering and commissioning with VCS and local organisations to deliver engagement at hyper-local level.
- 13.10 **Effective Triage** – ensuring that each individual gets the support they need from the most appropriate programme available to them.
- 13.11 **Employer Incentives** developing a structured employment support package including workplace adjustments and continuing in-work support to the individual at the commencement of their employment.
- 13.12 **Workforce Expansion and Training** - recruiting additional caseworkers and upskilling existing staff to handle increased service demand.
- 13.13 **Long Term Funding Advocacy** engaging with SYMCA and DWP to secure continued investment beyond the initial trailblazer.
- 13.14 **Clawback of Funds** – DWP has advised that the intention of the Trailblazer is to innovate and test new ways of working. Consequently, there is no intention in Year 1 to clawback funds based on outputs. This will allow partners to test out some more innovative approaches, with risk mitigated.
- 13.15 **Robust Data Sharing Agreements** - establishing clear protocols to facilitate secure and effective information sharing across agencies.
- 14. **Accountable Officers**  
Tim O'Connell, Head of Economic Development

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	31/03/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	24/03/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	24/03/25

*Report Author:*      *Tim O'Connell*  
*tim.o'connell@rotherhamgov.uk*

This report is published on the Council's [website](#).

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## PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title	
<b>Title: Pathways to Work/Economic Inactivity Trailblazer</b>	
<b>Directorate: R&amp;E</b>	<b>Service area: RiDO</b>
<b>Lead person: Simeon Leach</b>	<b>Contact: Simeon.leach@rotherham.gov.uk</b>
Is this a:	
<input checked="" type="checkbox"/> <b>Strategy / Policy</b>	<input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b>
<b>If other, please specify</b>	

2. Please provide a brief description of what you are screening
A proposal to deliver a proof of concept aimed at reducing economic activity in the borough through systemic change bringing together health, employment and skills services.
Underpinned by a DWP funded programme aiming to support 400 economically inactive residents into work during 2025/26.

3. Relevance to equality and diversity
All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser

relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	x	
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	x	
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>	x	
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>	x	
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>	x	
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>	x	
If you have answered no to all the questions above, please explain the reason		

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

#### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society

by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

The Economic Inactivity Trailblazer will aim to assist a cohort of residents who are typically disadvantaged and caught in a cycle of low income, poor access to services, poor health and low aspiration. The programme aims to break the inertia of economic inactivity by providing hyper-local and specialist employment support, delivered sensitively in non-threatening environments, and by activating employers to create viable, appealing job opportunities for residents who currently think work is not for them. The programme will target economically inactive residents across a range of sub-cohorts, including, those with disabilities and health conditions (who are significantly less likely to work), ethnic minority groups (who are over-represented among economically inactive people), young people who are not in employment, education or training (NEET), to include care leavers, carers and those from households experiencing inter-generational inactivity or unemployment.

- **Key findings**

Around 1 in 4 individuals in the UK are not working. In Rotherham the number is 46,600 (ONS March 2024) which is nearer to 1 in 3 of the working age population.

The current system supporting people back into work is fragmented, making it complex and confusing for individuals and employers

Economically inactive people are concentrated in the borough's poorest communities and among minority groups

There is no one experience of 'economic inactivity'.

The term 'economic inactivity' simplifies the diversity of experiences and people, and the blurred lines between health, care and other barriers.

The severity of the impacts of experiencing 'economic inactivity' is connected to individual's resource, situation, and support networks.

- **Actions**

Include 1:1 support for disadvantaged and under-serviced residents to deliver an individual-centric, strengths based, trauma-informed personalised service, predominantly through a keyworker model, that connects those who are economically inactive to the myriad ecosystem of support services. Every personalised support journey will be unique, working towards sustained employment that aligns with the complex needs of each individual.

Programme to include a targeted hyper local approach to engagement using trusted VCS

partners with lived experience to capture the needs of priority cohorts. This alongside a robust triage operation will ensure support services will be focussed on tackling these multiple barriers those with the greatest needs often face.

Explore opportunities to strengthen data and information flows to support a flexible, responsive system which can deploy resources in line with available evidence and support effective interventions through data sharing.

Date to scope and plan your Equality Analysis:	1 <sup>st</sup> March 2025
Date to complete your Equality Analysis:	14 <sup>th</sup> April 2025
Lead person for your Equality Analysis (Include name and job title):	Simeon Leach Economic Strategy and Partnerships Manager

## 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Simeon Leach	Economic Strategy and Partnerships Manager	14 March 2025
Tim O'Connell	Head of Economic Development	14 March 2025
Simon Moss	Assistant Director Planning, Regen and Transport	14 March 2025

## 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

Date screening completed	18 March 2025
Report title and date	Economic Inactivity Trailblazer 14 <sup>th</sup> April 2025
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	14 <sup>th</sup> April 2025
Date screening sent to Performance, Intelligence and Improvement <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	14.03.2025

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
Equality Analysis title: Pathways to Work Economic Inactivity Trailblazer	
Date of Equality Analysis (EA): 06 March 25	
Directorate: Regeneration and Environment	Service area: Planning Regeneration and Transport
Lead Manager: Simeon Leach	Contact number: 0794 990 1043 <a href="mailto:Simeon.leach@rotherham.gov.uk">Simeon.leach@rotherham.gov.uk</a>
Is this a:	
<input checked="checked" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function
<input type="checkbox"/> Other	
If other, please specify	

## 2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance

Name	Organisation	Role (eg service user, managers, service specialist)
Simeon Leach	Rotherham MBC	Service Specialist
Tim O'Connell	Rotherham MBC	Manager
Simon Moss	Rotherham MBC	Assistant Director

## 3. What is already known? - see page 10 of Equality Screening and Analysis Guidance

### **Aim/Scope (who the Policy/Service affects and intended outcomes if known)**

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

The economic inactivity trailblazer aims to reduce economic inactivity in Rotherham by integrating employment, skills and health services. The programme seeks to engage over 1000 economically inactive residents and support 400 into employment in 2025/26

The target groups include:

- people who are not in education or training who are aged 16-24 years old
- People with learning difficulties & disabilities
- people with Physical Disabilities
- people who are ex-offenders
- people who are refugees & asylum Seekers
- ethnic minority groups
- care leavers
- carers and single parents
- older people

### **What equality information is available? (Include any engagement undertaken)**

Local population demographic data (Census 2021 emerging)

Ward profiles contain detailed, localised information

**ONS Data Sept 2024** - 44,100 economically inactive individuals in Rotherham - approximately 1 in 3 of the working age population. Of these it is thought about 6,100 currently want a job.

Through engagement, including a telephone survey of 750 economically inactive South Yorkshire residents, and data analysis, **the Pathways to Work Commission July 24** identified systemic barriers including health conditions, caring responsibilities, skills gaps and transport issues.

The commission identified there are more women out of work than men, though the gap has narrowed in recent decades. Broadly, economically inactive people are more likely to

be female whilst active unemployed people are slightly more likely to be male, particularly in the youngest cohorts.

Participation in work also varies by age, with the youngest and oldest cohorts most likely to be economically inactive – in large part due to education participation amongst the former and early retirement amongst the latter.

Rates of economic inactivity are far higher in areas of income deprivation – the wards of Rotherham East, Rotherham West, Boston Castle and Dalton and Thrybergh have the highest rates of unemployment, economic inactivity and long-term sickness.

Discussions have been held with a number of VCS groups located in the above areas, to identify the best places, and ways, to engage with those local residents from the target cohorts in situations where they feel comfortable.

In the Census 2021, the majority of economically inactive were white English, Welsh, Scottish, Northern Irish or British (29,541 – 20.7% of the cohort). Long term sick or disabled was the most common reason for economic inactivity

20,321 Rotherham residents (14.8% of 163,490) excluding students declared a non-white British Ethnic Group. Of these 5,117 (25.2%) were economically inactive. The largest subgroup (9,284) was Asian, Asian British or Asian Welsh. Within this ethnicity cohort 2,704 (29.1%) were economically inactive. Looking after home or family was the most common reason for economic inactivity in this group. Inactivity is notably high in the “Other” ethnic group cohort (37.8% of 1,847) within this cohort looking after home or family and “other reasons” were the most common reasons for economic inactivity (equal distribution between the two).

**Are there any gaps in the information that you are aware of?**

Disaggregated data on economic activity by all protected characteristics.  
Longitudinal data on employment outcomes for programme participants.

**What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?**

Engagement on the programme will be through local VCS organisations, working at a hyper local level in their communities. As part of their contract, the delivery organisations will monitor those people that are engaged and those that are subsequently referred onto a support programme.

Information recorded is likely to include:

- Name
- Date of birth
- Sex
- Ethnicity
- Highest education level
- Live fit note (if applicable)

<ul style="list-style-type: none"> <li>• Employment status</li> <li>• Length of time unemployed (if applicable)</li> <li>• In receipt of benefit(s)</li> <li>• Disability status</li> <li>• Health condition</li> </ul>	
<b>Primary non-health related barriers to work</b>	
<b>Engagement undertaken with customers. (date and group(s) consulted and key findings)</b>	<ul style="list-style-type: none"> <li>• Humanitarian and Communities Group meeting – 09.12.24</li> <li>• A number of conversations with those VCS organisations who work with the targeted cohorts within their communities</li> </ul>
<b>Engagement undertaken with staff (date and group(s) consulted and key findings)</b>	<ul style="list-style-type: none"> <li>• Discussion with Neighbourhoods team and how they can contribute to delivery of the programme, particularly VCS organisations with links to the target cohorts.</li> <li>• Regular updates and discussions with the Employment and Skills Board of the RTP. Last meeting 5<sup>th</sup> March 2025</li> </ul>

#### 4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

How does the Policy/Service meet the needs of different communities and groups? (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

**Age** - the programme includes targeted support for residents of all ages, including young people and older individuals, to enter and sustain employment.

**Disability** - Intensive Case Management and workplace adjustments for people with long term health conditions

**Race/ethnicity** - tailored outreach, including personalised support, to groups with higher economic inactivity rate rates.

**Gender** - recognising and tackling gender barriers, such as childcare responsibilities, that are affecting employment.

**Carers** - Specific support for those balancing caring duties and work readiness.

**Socio-economic status** - Addressing financial barriers such as the “benefit trap,” transport issues and low digital literacy.

**Does your Policy/Service present any problems or barriers to communities or Groups?**

**Potential barrier** - low engagement from some hard-to-reach groups due to trust issues or systemic barriers.

**Mitigation** local outreach through trusted VCS partners and personalised trauma informed support.

**Potential barrier** employer reluctance to hire individuals with complex needs.

**Mitigation** employer incentives and in work support to facilitate sustained employment.

**Potential Barrier** – individuals struggling on a return to work.

**Mitigation** – personalised support, will continue in the early part of a person's employment, with support available as required after that period.

**Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

Yes by

- providing personalised employment support
- enhancing employer engagement and awareness
- improving referral pathways to health and social support services
- Offering flexible support projects to address individual needs

**What affect will the Policy/Service have on community relations?** (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

The service is expected to

- improve social mobility and economic inclusion
- foster stronger collaboration between the council, businesses and community groups.
- reduce long term dependency on benefits improving overall economic resilience.
- Build the capacity of those VCS organisations located

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## **5. Summary of findings and Equality Analysis Action Plan**

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the T impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

<b>Title of analysis: Economic Inactivity Trailblazer</b>
<b>Directorate and service area: Regeneration and Environment, Rotherham Investment and Development Office</b>
<b>Lead Manager: Simeon Leach</b>
<b>Summary of findings:</b>

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
<b>Commission trusted VCS partners to lead engagement with targeted cohorts</b>	<b>all</b>	<b>07/25</b>
Establish information sharing agreements to aggregate data on economic activity by all protected characteristics.	<b>all</b>	<b>09/25</b>
Establish triage and arrangements for tracking longitudinal data on employment outcomes for programme participants.	<b>all</b>	<b>09/25</b>

**\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups**

## 6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
Simon Moss	Assistant Director Planning Regeneration and Transport.	14/03/2025
Cllr Robert Taylor	Cabinet member Jobs and the Economy	18/03/2025

## 7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date Equality Analysis completed</b>	18/03/25
<b>Report title and date</b>	Economic Inactivity Trailblazer 14 April 25
<b>Date report sent for publication</b>	
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	14/03/25

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## Appendix 2 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
<b>Emissions from non-domestic buildings?</b>	Increase	Moderate impact from the expansion of employment support services which could increase office-based activities and contribute to higher emissions	A reduction in rates of economic inactivity is likely to result in economic growth which has the potential to increase CO2 emissions.	Scope to mitigate within the Economic Inactivity Trailblazer is minimal. To mitigate negative impact, it will be necessary to work in tandem with a range of other policies to promote environmentally sustainable economic growth and within the programme encourage employers to adopt sustainable workplace practices	Monitoring will not take place within this programme
<b>Emissions from transport?</b>	Increase	Moderate impact from the expansion of employment support services which could increase staff travel and contribute to higher emissions	<p>Delivering activity hyper-locally within communities, will reduce the distance residents need to travel to access services and receive support.</p> <p>A reduction in rates of economic inactivity is likely to result in economic growth which is likely to generate more transport movements and thereby increase emissions.</p>	Scope to mitigate within the Economic Inactivity Trailblazer is minimal. To mitigate negative impact, it will be necessary to work in tandem with a range of other policies to promote environmentally sustainable economic growth and within the programme encourage employers to adopt sustainable transport practices	Monitoring will not take place within this programme

			An increase in the production of goods and services locally may have a beneficial impact on local supply chains and help reduce the number of transport movements both in the production process and consumption.		
<b>Emissions from waste, or the quantity of waste itself?</b>	Increase	No impact	A reduction in rates of economic inactivity is likely to result in economic growth which has the potential to increase waste production	Scope to mitigate within the Economic Inactivity Trailblazer is minimal. To mitigate negative impact, it will be necessary to work in tandem with a range of other policies to promote environmentally sustainable economic growth and within the programme encourage employers to adopt sustainable waste management practices	Monitoring will not take place within this programme
<b>Emissions from housing and domestic buildings?</b>	Increase	No impact	A reduction in rates of economic inactivity is likely to result in economic growth. This has the potential to increase household incomes resulting in greater consumption which may have an impact on emissions.	Scope to mitigate within the Economic Inactivity Trailblazer is minimal. To mitigate negative impact, it will be necessary to work in tandem with a range of other policies to promote environmentally sustainable behaviours.	Monitoring will not take place within this programme

<b>Emissions from construction and/or development?</b>	No Impact	No impact	No Impact	No Impact	Monitoring will not take place within this programme
<b>Carbon capture (e.g. through trees)?</b>	No impact	No Impact	No Impact	No Impact	Monitoring will not take place within this programme
Identify any emission impacts associated with this decision that have not been covered by the above fields:					
None identified.					

Please provide a summary of all impacts and mitigation/monitoring measures:

Direct carbon impact is expected to be moderate due to increased building energy use and transport emissions associated with staff and service users.

Impact is primarily indirect as a result of the programme reducing levels of inactivity and as a result delivering broader economic growth. Directly managing the carbon impact of economic growth is outside the scope of the Pathways to Work programme and will be reliant on wider policies and measures in place. Mitigation will be through encouraging employers to adopt sustainable workplace practices such as green travel plans, carbon efficiency building improvements and committing to the principles of the Rotherham together Partnership Climate Change.

Supporting information:	
Completed by: (Name, title, and service area/directorate).	Simeon Leach Economic Strategy and Partnerships Manager
Please outline any research, data, or information used to complete this [form].	
If quantities of emissions are relevant to and have been used in this form please identify which conversion factors have been used to quantify impacts.	N/A
Tracking [to be completed by Policy Support / Climate Champions]	Tracking reference: CIA435 Katie Rockett, Climate Change Officer

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**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

Household Design Guide Supplementary Planning Document

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Andrew Bramidge, Strategic Director of Regeneration and Environment

**Report Author(s)**

Katherine Boswell, Planning Officer  
01709 823804 or Katherine.boswell@rotherham.gov.uk

**Ward(s) Affected**

Borough-Wide

**Report Summary**

Cabinet approval is sought to undertake public consultation on the following draft Supplementary Planning Document:

- Householder Design Guide

Rotherham's Local Plan provides the framework for determining planning applications. Supplementary Planning Documents provide additional detail and guidance to support policies in the Local Plan. Once adopted, they are a material consideration which can be taken into account when determining planning applications. Supplementary Planning Documents help improve planning applications, which in turn can speed up the planning process and produce better outcomes for the community. The Householder Design Guide SPD was last revised in 2019. However, this now requires further updating to account for the latest guidance on boundary treatment and renewable energy considerations.

**Recommendations**

That Cabinet: -

1. Approves a public consultation on the draft Supplementary Planning Document at Appendix 1.

2. Notes that following consultation a further report be brought to Cabinet to approve the adoption of the Supplementary Planning Document.

**List of Appendices Included**

Appendix 1 Draft Householder Design Guide SPD  
Appendix 2 PART A - Initial Equality Screening Assessment  
Appendix 3 Carbon Impact Assessment

**Background Papers**

Rotherham Local Plan 2013 – 2028:

[https://www.rotherham.gov.uk/info/200074/planning\\_and\\_regeneration/617/a\\_guide\\_to\\_the\\_local\\_plan](https://www.rotherham.gov.uk/info/200074/planning_and_regeneration/617/a_guide_to_the_local_plan)

Adopted Statement of Community Involvement:

<https://www.rotherham.gov.uk/planning-development/guide-can-influence-planning-decisions/1>

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## Household Design Guide Supplementary Planning Document

### 1. Background

- 1.1 Rotherham's Local Plan provides the framework for determining planning applications. Supplementary Planning Documents (SPDs) provide additional detail and guidance to support Local Plan policies. Once adopted, they are a material consideration which can be taken into account when determining planning applications. The documents also offer further assistance and clarification to applicants when preparing planning applications. SPDs provide detailed guidance to householders, agents and developers to help improve the quality of submitted planning applications, which in turn can speed up the planning process and produce better outcomes for the community.
- 1.2 Following adoption of the Local Plan Core Strategy (2014) and Sites and Policies documents (2018), the Householder Design Guide SPD was revised in 2019. However, this now requires further updating on boundary treatment and renewable energy considerations.
- 1.3 Priority has been given to preparing guidance which supports the delivery of new homes and other development, and updating existing guidance regularly used when considering and determining planning applications. The Householder Design Guide SPD is now at final draft stage and can be taken forward to public consultation.

### 2. Key Issues

- 2.1 The Householder Design Guide SPD sets out guidance on householder extensions to domestic properties and the erection of buildings within the curtilage (garden area). The SPD considers issues such as the scale and proportion of development, overshadowing, privacy and materials.
- 2.2 The SPD has been revised in order to give the most up to date guidance to residents, planning agents and developers. The revisions include updates to general wording throughout the document, and:
  - Design Guidance 2.10, which includes changes to the wording for boundary walls and fences to be more concise on the design principle of boundary treatment on domestic dwellings.
  - Section 2.13, Renewable Energy Technology, where further guidance has been added, to include more renewable energy types that could be incorporated into domestic development. Reducing emissions on domestic dwellings has become more prevalent, in order to help reduce CO2 emissions, therefore the guidance is updated to reflect this.
- 2.3 In line with The Town and Country Planning (Local Planning) (England) Regulations 2012 the Council is required to undertake public consultation on a draft SPD for a minimum of four weeks, and to take account of any comments received in preparing final documents. Once adopted by the

Council these documents can then be taken into account when determining planning applications.

### **3. Options considered and recommended proposal**

#### **3.1 Option 1: carry out public consultation on the draft SPD**

Whilst SPDs provides further guidance to assist those preparing and determining planning applications, there is no requirement that the Council must produce them. However, they provide valuable additional guidance to applicants by providing clarity on Local Plan policy requirements and enable the Council to refuse non-compliant planning applications. An up-to-date SPD provides appropriate guidance to relevant development.

#### **3.2 Option 2: do not carry out public consultation on the draft SPD**

If no public consultation is undertaken then the final document could still be used by the Council as informal guidance but cannot be adopted as SPD. The document may still have some weight when determining planning applications, however any weight would be less than if it was adopted as an SPD.

#### **3.3 Option 3: decline to take forward the SPD**

Taking forward the SPD will provide guidance to applicants, helping speed up the planning process by minimising amendments or negotiations that may be necessary following submission of planning applications. Adoption of the SPD will ensure that it has more weight in planning decision-making and will enable the Council to refuse non-compliant planning applications. This will give more certainty for the community and prospective developers on the Council's preferred approach to the subjects covered in the SPD.

#### **3.4 Option 1 is the recommended option.**

### **4. Consultation on proposal**

#### **4.1 Preparation of the draft SPD has been undertaken in conjunction and consultation with the Development Management Team. Member engagement will be arranged during the consultation period to allow members to raise any specific questions and provide feedback on the details of the draft SPD.**

#### **4.2 Consultation will be undertaken in line with the Council's adopted Statement of Community Involvement. This statement sets out how the Council involves the public and stakeholders in producing planning policy documents and consulting on planning applications.**

#### **4.3 Consultation will be undertaken via the Council's planning consultation website. This notifies interested parties (including statutory consultees, members of the public and other stakeholders) on the Local Plan consultation database which allows and encourages comments to be submitted online. A summary of the consultation plan is set out below.**

<p><b>Where will the draft SPD be available to view?</b></p>	<p>The draft SPD will be available to view on the Council's planning consultation website, with links from the Planning Policy webpage and from the corporate consultations webpage.</p> <p>The document can be viewed online at Rotherham's libraries which offer internet access (free for library members and at a minimal cost for non-members). Library staff will be briefed and are able to offer assistance if required.</p> <p>A printed copy of the draft SPD will be available to view at the Council's main offices at Riverside House during normal office hours.</p>
<p><b>How will people know about the draft SPD?</b></p>	<p>The Council's Planning Service maintains a database of those interested in preparation of the Local Plan and other planning documents. They will be notified by email of the consultation.</p> <p>Notification will also be sent to any relevant stakeholders identified whose details are not currently held on the consultation database.</p> <p>The Council's Planning webpages will be updated to provide details of the consultation and how to provide comments.</p> <p>A notice publicising the consultation will be placed in the local press.</p>

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Subject to approval by Cabinet, it is proposed to undertake public consultation over a four-week period during June and July 2025 with exact dates to be confirmed.
- 5.2 Following consultation, any comments received will be considered in producing a final version of the SPD and a consultation feedback report produced detailing the main issues raised and how these have been addressed.
- 5.3 A further report will be brought to Cabinet seeking adoption of the final SPD once the consultation process has concluded and any comments submitted have been taken into consideration.

## **6. Financial and Procurement Advice and Implications**

- 6.1 The proposed consultation will be carried out via the Council's planning consultation website and any additional costs associated with this consultation will be limited to minimal printing and advertising costs. These

costs will be managed within the Service's existing approved revenue budget.

- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

## **7. Legal Advice and Implications**

- 7.1 Public consultation on the draft SPDs will allow the Council to ensure more robust decision-making and thus mitigate any risks of challenge.
- 7.2 In the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended the Council is required to undertake public consultation on a draft SPD for a minimum of four weeks and to take account of any comments received in preparing the final documents. Once adopted by the Council these documents can then be taken into account when determining planning applications. The SPD becomes a material consideration.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct Human Resources implications arising from the recommendations contained in this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The SPD is intended to assist in delivering the Council's strategy and policies set out in the Local Plan. This includes promoting and delivering sustainable patterns of development and sustainable communities, reducing pollution and conserving and enhancing the quality of the built and natural environment.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 The SPD is intended to assist in delivering the Council's strategy and policies set out in the Local Plan. SPD provide guidance on the strategic policies of the Local Plan.
- 10.2 The published Integrated Impact Assessments (IIA) that supported the preparation, examination and adoption of the Rotherham Local Plan provide a comprehensive Equalities Assessment of all the strategic policies of the Local Plan. Community and stakeholder consultations were undertaken at various stages of Local Plan preparation, and this resulted in further refinements to policy wording. At each stage of Local Plan preparation an IIA, including an Equalities Assessment, was prepared and refined to reflect the most up to date policies that emerged following consultation.
- 10.3 An equalities screening assessment has been carried out and is attached in Appendix 2.

**11. Implications for CO2 Emissions and Climate Change**

- 11.1 A carbon impact assessment has been carried out and is attached at Appendix 3. (Ref. CIA421)
- 11.2 There are no implications for CO2 emissions and climate change associated with undertaking consultation on the draft SPD.

**12. Implications for Partners**

- 12.1 The implications for partners or other directorates are mainly associated with consultation on the draft SPD and to ensure partners and directorates are fully engaged in the process.

**13. Risks and Mitigation**

- 13.1 The Council may be open to legal challenge should the SPD not be produced in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. Legal advice will be sought as necessary.

**14. Accountable Officers**

Simon Moss, Assistant Director of Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	31/03/2025
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	18/03/2025
On behalf of Assistant Director of Legal Services (Monitoring Officer)	Bal Nahal	18/03/2025

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This report is published on the Council's [website](#).

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# Householder Design Guide

## Supplementary Planning Document



Consultation Draft  
April 2025

[www.rotherham.gov.uk](http://www.rotherham.gov.uk)

# Contents

## Householder Design Guide

Introduction	4
Status	5
Planning Policy	6
National Planning Policy	6
Local Planning Policy	6
Permitted Development & Prior Notifications	8
Conservation Areas & Listed Buildings	9
General Principles	10
Proportion	10
Overshadowing	12
Privacy	15
Outlook	16
Architectural Details	17
Materials	17
Garden Space	18
Amenity of Occupiers	18
Extension Types	19
Conservatories	19
Single Storey Rear Extensions	20
Single Storey Side Extensions	21
Front Extensions and Porches	22
Two Storey Side Extensions	24
Two Storey Rear Extensions	27
Garages and Outbuildings	28
Making a Vehicular Access	29
Dependant Relative Annex	30
Boundary Walls and Fences	31
Roof Alterations	33

Making a Bungalow into a Two Storey House/ Raising Roof Heights	35
Renewable Energy Technology	36
Other Issues	38
Contact Details	40

## Introduction

This Supplementary Planning Document offers detailed advice and guidance in support of Local Plan policies on how best extensions and other developments within the garden area of residential properties can meet relevant criteria, promoting good practice and consistency of decision making. It aims to ensure that extensions make a positive contribution to the local environment and do not detract from the host property and the street scene or cause undue harm to neighbouring amenity.

- 1** Permitted developments (set out in The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended) allows householders opportunity to extend their property and construct outbuildings without planning permission. Those extensions/outbuildings that do not fall within permitted development are therefore more likely to raise neighbouring and visual amenity concerns.
- 2** This Supplementary Planning Document (SPD) has been prepared in order to offer guidance on householder extensions to domestic properties and the erection of buildings within the curtilage (garden area). The guidance is not intended to provide information as to what requires planning permission or give information regarding land ownership issues or Building Regulations. Applicants may also wish to refer to the Government's "Permitted development rights for householders: technical guidance":  
<https://www.gov.uk/government/publications/permitted-development-rights-for-householders-technical-guidance>
- 3** The maximum distances for space standards quoted in this document have been derived from a comparative analysis of a range of sources including detailed research and minimum space standards adopted by a number of local authorities. They are also the same as those that can be found within the South Yorkshire Residential Design Guide which applies to proposals of 10 or more dwellings but is also a point of reference for smaller schemes and extensions.
- 4** The document is structured into three parts:
  - Part 1 sets out guidance on a range of different general principles.
  - Part 2 provides examples which give further information regarding specific householder proposals (such as different types of extension, providing vehicular access, and boundary treatments).
  - Part 3 provides guidance on a number of other issues.

## Status

- 5** This Supplementary Planning Document (SPD) has been prepared in line with national planning policy and relevant legislation and regulations. The National Planning Policy Framework (NPPF) identifies that SPDs add further detail and guidance to the policies in the development plan. They are capable of being a material consideration in planning decisions.
- 6** As required by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) consultation on a draft of this SPD took place between **xxxxxxx** and **xxxxxxx**. The accompanying Consultation Statement sets out further detail on this consultation, including who was consulted, a summary of the main issues raised and how these have been addressed in the SPD. It also contains an adoption statement, confirming that this SPD was adopted by Rotherham Council on **xxxxxxx**.

# Planning Policy

## National Planning Policy

- 7** The NPPF makes clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, creating better places in which to live and work and helping make development acceptable to communities (paragraph 131).
- 8** Design quality should be considered throughout the evolution and assessment of proposals. NPPF (paragraph 137) also states that development should, amongst other things:
  - add to the overall quality of the area;
  - be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - be sympathetic to local character and history, including the surrounding built environment and landscape setting; and
  - create places that are safe, inclusive and accessible and which promote health and well-being.

## Local Planning Policy

- 9** Rotherham's Local Plan consists of the Core Strategy (adopted in September 2014) and the Sites and Policies Document(adopted in June 2018). These are available from our website: <https://www.rotherham.gov.uk/planning-development/guide-local-plan/1>
- 10** This guidance provides additional detail to, and should be read in conjunction with, the following policies:
  - Policy CS28 Sustainable Design sets out a range of design considerations to which proposals should have regard.
  - Policy CS30 Low Carbon & Renewable Energy Generation supports the use of renewable, low carbon and decentralised energy.
  - Policy SP55 Design Principles sets out detailed design principles to which proposals should have regard.
  - Policy SP56 Car Parking Layout sets out design guidance specific to car parking.
- 11** As set out in Policies CS28 and SP55, the Council will have regard to a range of issues when considering planning applications, including:
  - that design should take all opportunities to improve the character and quality of an area and the way it functions;
  - that development proposals are responsive to their context and visually attractive as a result of good architecture and appropriate landscaping;
  - the setting of the site, including the size, scale, mass, volume, height, orientation, form, and grain of surrounding development;
  - the type of building materials, their colour and architectural detailing;
  - whether proposals reinforce and complement local distinctiveness and create a positive sense of place;

- the creation of safe, secure and accessible environments including the use of lighting; and
- the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from overshadowing.

## Permitted Development & Prior Notifications

- 12** There are certain types of development that can be carried out to properties without the need to submit a planning application. This is known under national legislation as Permitted Development. In order for your proposal to be determined as permitted development, each 'class' has its own limitations and conditions, that must be complied with. One condition on certain classes of permitted development is that a Prior Approval application be submitted in order to determine if the proposal needs 'Prior Approval'.
- 13** Further Guidance on Permitted Development can be found via the link: [https://assets.publishing.service.gov.uk/media/5d77afc8e5274a27cdb2c9e9/190910\\_Tech\\_Guide\\_for\\_publishing.pdf](https://assets.publishing.service.gov.uk/media/5d77afc8e5274a27cdb2c9e9/190910_Tech_Guide_for_publishing.pdf)
- 14** Whilst there is no set guidance for Prior Notifications, in the Householder Design Guide, the schemes can be assessed against our design criteria. This criterion includes:
- **Non-compliance with local character**  
Would the design of the development be harmful to the character of the surrounding properties, do the materials used look to be in keeping with the materials used in the local area?
  - **Overbearing**  
Is there a negative impact from the development to surrounding properties, especially neighbouring properties, is it excessive in size?
  - **Overshadowing**  
Would the proposed development look to cast shadows on nearby property's habitable rooms or outside space?
  - **Overlooking**  
Would the development cause overlooking from views from new windows, balconies or raised decking, to living spaces at neighbouring properties?

## Conservation Areas & Listed Buildings

- 15** In cases where a householder development proposal, affects a dwelling in a Conservation Area or is a Listed Building, planning permission may be required. Where a proposal may meet Permitted Development criteria (under normal circumstances), it is important to be aware that this may not apply to a dwelling in a Conservation Area or if it is Listed. Therefore, it is important to discuss any proposal on a property that is in a Conservation Area, or that is Listed, with the Planning Department before undertaking any works.
- 16** For further details on Conservations Areas or Listed Buildings, you can contact the Development Management Team at [development.management@rotherham.gov.uk](mailto:development.management@rotherham.gov.uk)

# General Principles

## Proportion

### Design Guidance 1.1

The size and design of extensions should be subsidiary to the existing dwelling and allow the original building to remain dominant. Matching roof styles should be used in any new extension proposals.

It is important that an extension is in proportion with the existing house. In general, it should not dominate the house by being bigger, higher or set forward (towards the street). Extending a house in that way will make it look unbalanced and incongruous, particularly if neighbouring houses are similar in design and regularly set out.

It is usually preferable for an extension to be subordinate in scale to the original house. A lower roofline, and setting back the extension behind the house's building line, will allow the existing house to remain dominant.

In almost all cases a flat-roofed extension will be unacceptable where clearly visible in the streetscene, unless the existing property has a flat roof. Pitched roofs are an important part of the character of houses and, wherever possible, an extension should have a pitched roof which matches the roof style of the original house.

### **Appropriate subservient extension set back with a lower roof line**



**Inappropriate extension higher than existing property and not in proportion**



**Inappropriate extension coming forward of the property and dominating the host property**



## Overshadowing

### Design Guidance 1.2

Extensions should not overshadow neighbouring properties to an unreasonable degree. The Council will take account of the orientation and position of neighbours' windows in relation to the extension. Where an extension would be likely to significantly reduce the amount of sunlight and/or daylight casting a shadow over private amenity space or entering the window of a habitable room (such as a kitchen, living room or bedroom) planning permission may not be granted.

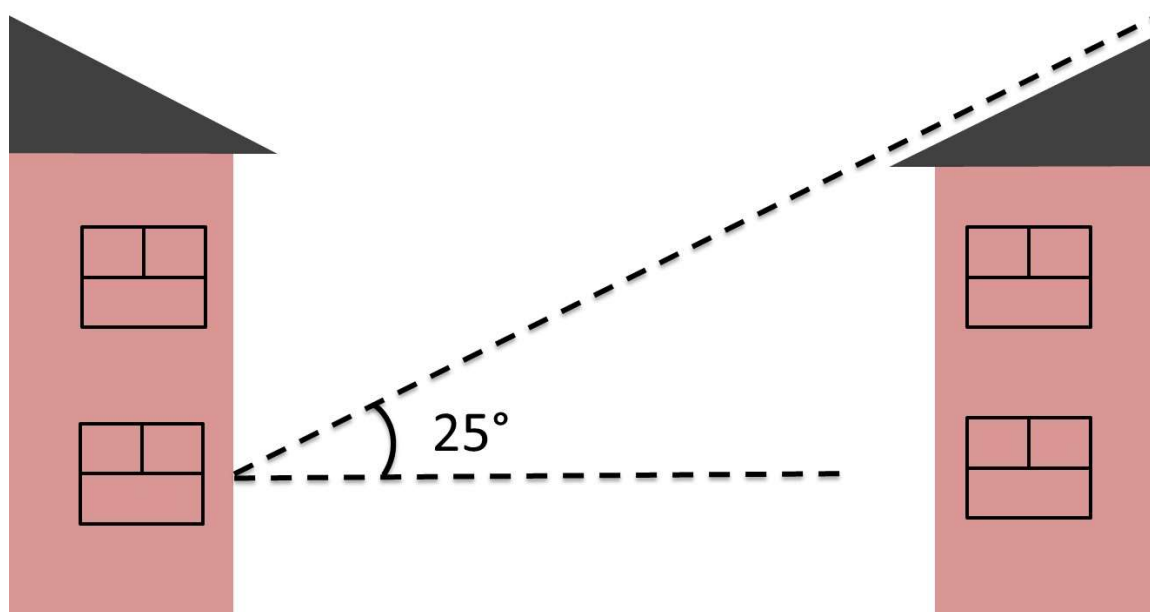
For two storey rear extensions, a minimum of 45° clearance from a neighbouring window and a 25° vertical clearance would apply. This may also apply to two storey side extension and it would be assessed on a case by case basis.

- 17** Extensions close to the boundary with neighbouring properties can create excessive overshadowing especially during the winter months, casting a shadow over habitable room windows and private amenity space to an unreasonable degree.

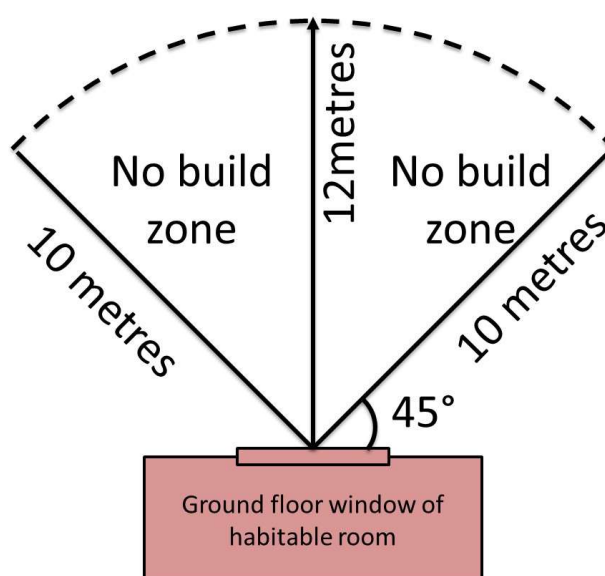


**25° Rule**

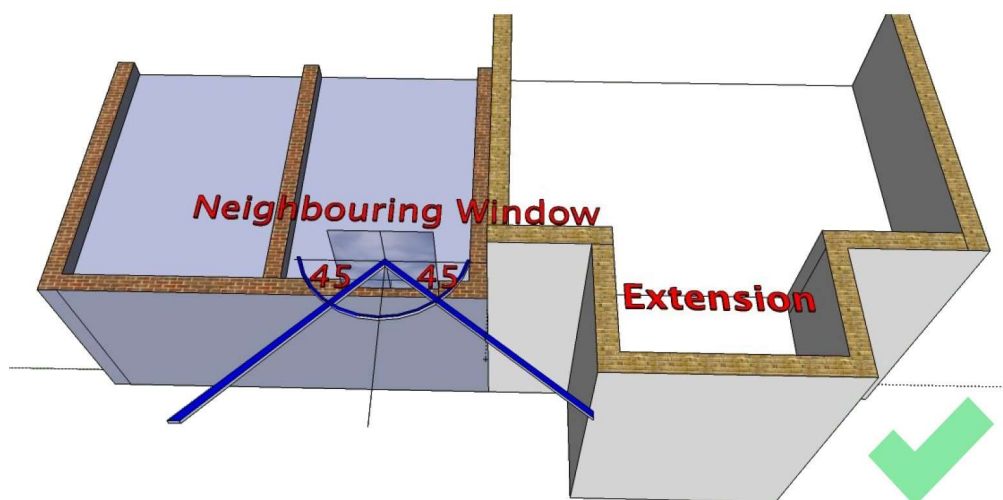
- 18** The minimum vertical clearance of 25° is measured from the centre of the lowest window of an existing building.

**45° Rule**

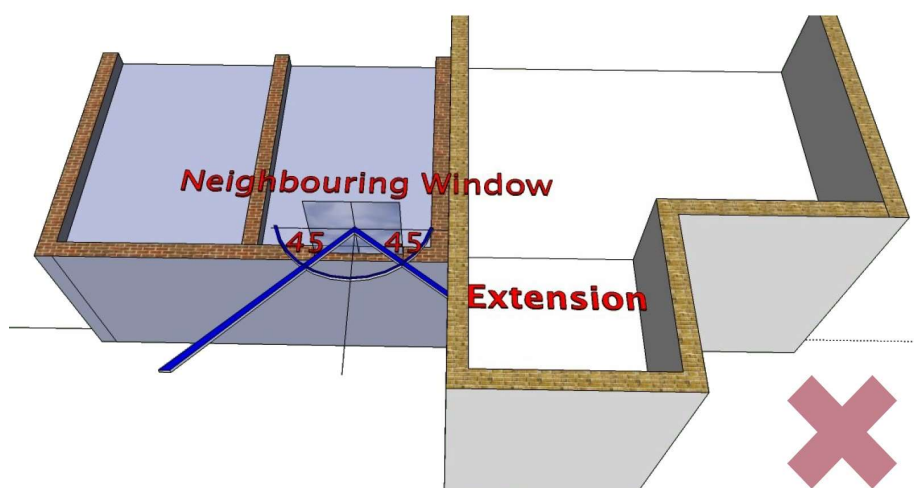
- 19** For two storey extensions, a no-build zone extends for 12 metres directly from the ground floor window of neighbouring habitable rooms, and for 10 metres at a 45° angle from the window.



- 20** Setting an extension away from a habitable room window will reduce any potential loss of daylight and appear less overbearing to the neighbour.



- 21** A rear extension close to a neighbour's habitable room window can create an unacceptable loss of daylight and create an oppressive overbearing impact.



## Privacy

### Design Guidance 1.3

Balconies, decking, raised patios, verandahs and windows serving habitable rooms such as kitchens, living rooms and bedrooms should be sited so that they do not directly look into the habitable windows of adjacent houses or their private gardens. To achieve this any new habitable room windows above ground floor should not face and be sited within 10 metres of a neighbour's boundary, and should maintain more than 21 metres between facing habitable room windows, as this would result in a significant loss of privacy.

Balconies can create an unacceptable loss of privacy and are usually unacceptable on semi-detached and terraced properties. Where they are proposed, they must be a minimum of 2 metres from any neighbouring boundary with appropriate screening provided to avoid any overlooking.

Floor to ceiling windows and French / patio doors can increase the effect of overlooking and will usually be resisted if they are proposed in elevations above ground floor where they would be near to the boundary of an adjacent residential property.

- 22** Balconies can often create overlooking, which can be avoided through careful design and screening.



## Outlook

### Design Guidance 1.4

An extension close to either a habitable room window of a neighbouring property, or to its private garden, should not have an overbearing effect on that property or an unreasonable effect on its outlook.

- 23** A mono-pitched roof design can often create an overbearing effect in addition to potentially reducing daylight. Mono-pitched roofs should be avoided close to boundaries with neighbouring properties.



## Architectural Details

### Design Guidance 1.5

Architectural details such as lintels, cills, bonding and coursing present in the existing property should be replicated in proposed extensions. The arrangement of windows, their size, material and opening style should reflect the existing design and maintain a similar solid to void ratio.

## Materials

### Design Guidance 1.6

Extensions should be constructed in matching materials to match the host property. Bricks and stonework should be coursed and pointed to match the existing details. Tiles should match the existing tiles in terms of material, texture, size and colour.

### Example

This two storey side extension is inappropriately designed with a poor match of brickwork and roof tiles, even small variations in materials can look out of place. The design has no regard for the host property and the window arrangement has been designed to meet internal requirements rather than reflect the window design and arrangement on the host property.



## Garden Space

### Design Guidance 1.7

Adequate private amenity space should be maintained in any extension proposals. This means maintaining private gardens of two bedroom houses of at least 50 square metres and for three or more bedroom houses, 60 square metres. Where new parking areas are proposed, landscaping should be maintained and provided to soften the impact.

- 24** Boundary walls, planting and lawns form an important part of the character of suburban areas. Hardstanding at the front garden will erode this character with little definition between the public and private realm.



## Amenity of Occupiers

### Design Guidance 1.8

A proposal which results in any habitable room without the provision of a sufficient outlook will normally be refused. High level windows/roof lights or obscurely glazed windows do not provide a sufficient outlook to a habitable room and result in a poor standard of amenity.

## Extension Types

### Conservatories

#### Design Guidance 2.1

Conservatories are normally an acceptable feature on the rear elevation of domestic properties and in some instances on side elevations. Conservatories are generally not an acceptable feature on front or principal elevations, on barn conversions and at first floor level.

Where conservatories are close to the boundaries of neighbouring properties obscure glazing or a brick wall should be provided on the boundary elevation to prevent direct overlooking.

Where they are on or close to a boundary, they should not project more than 4 metres beyond the neighbouring property's rear elevation.

- 25** Conservatories on the front or principle elevations tend to look out of place in the street-scene.



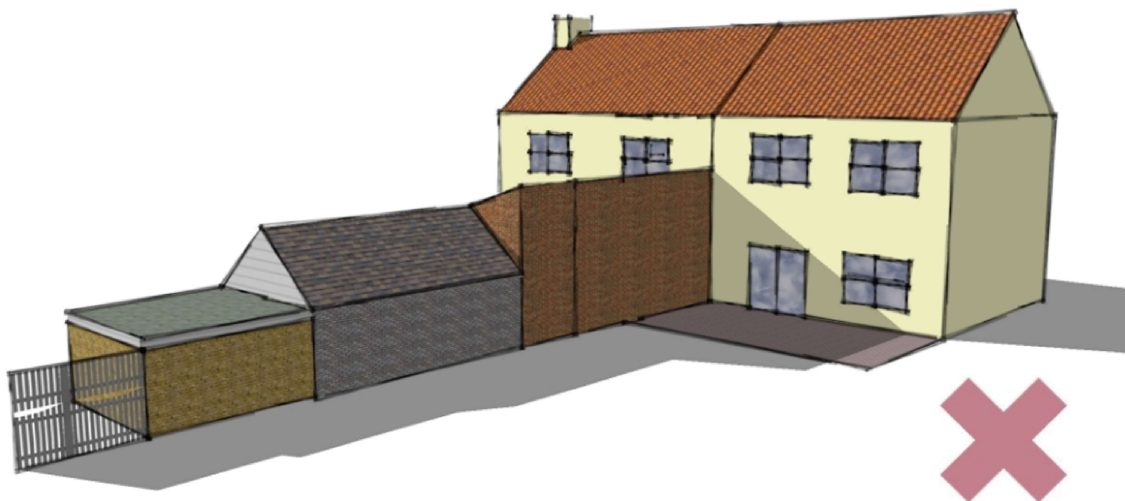
## Single Storey Rear Extensions

### Design Guidance 2.2

Single storey rear extensions are generally an acceptable feature on domestic properties and the current permitted development rights allow for some extensions to be constructed without planning permission.

Single storey rear extensions, on or close to a boundary, should project no more than 4m from a neighbouring property's existing rear elevation.

- 26** The cumulative impact of single storey side extensions can have an overbearing impact upon neighbouring properties.
- 27** Mono-pitched extensions should be avoided.



## Single Storey Side Extensions

### Design Guidance 2.3

Single storey side extensions are generally an acceptable feature on domestic properties and the current permitted development rights allow an extension to be constructed without planning permission up to half the width of the original house.

The Council will be critical of side extensions of excessive width and for a single storey extension this should not exceed more than  $\frac{2}{3}$  the width of the original house.

In addition, for side extensions on corner plots or where the extension would project towards a highway, a single storey extension should retain as a minimum, a 1 metre landscaping strip between the existing dwelling and the highway.

### Example

This single storey side extension does not meet the design guidance as it should be set back from the public highway by at least 1 metre and it should not exceed  $\frac{2}{3}$  the width of the original house.



## Front Extensions and Porches

### Design Guidance 2.4

Front extensions are eye catching and can significantly alter the appearance of a building. In general, bay windows should be retained and on terraced and semi detached properties single storey extensions that extend across the entire frontage and two storey front extensions will normally be refused.

Front extensions should not harm the character and appearance of the host property or be of a design out of keeping with others in the street.

The impact on the amenities of the neighbouring property should also be considered and any front extension should project no more than 2 metres, or 1 metre where it is within 2 metres of a neighbouring window.

Porches should be individually designed to follow the character of the existing building and the introduction of features such as classical columns, pediments and rustic timbers etc will not be accepted unless they are a feature of the original house.

### Porches

- 28** A modest front porch is acceptable on the majority of houses.
- 29** A pitched roof would improve both the appearance and longevity of the porch.



## Front Extensions

- 30** Large single storey front extensions fail to respect the character of the host properties and have a significant impact on the overall street-scene.



- 31** Two storey front extensions look out of keeping on semi-detached properties and can often create conflicting focal points and a disorderly street-scene.



## Two Storey Side Extensions

### Design Guidance 2.5

Two storey side extensions should generally be set back by a minimum of 0.3 metres at first floor level on the front elevation, with the roof set down and back from the main body of the house. This is in order to create a subservient extension. This would also prevent the extension from unbalancing a pair of semi-detached properties. In addition the roof style of the extension should match that of the host property and parapet walls should be avoided. Where the semi is hipped, the extension should have a hipped roof and likewise with a gable roof.

The Council will be critical of two storey side extensions of excessive width. Any such extension should not exceed more than half the width of the original house. Where the existing house is narrow or this would result in an impractical extension it may be acceptable to have an extension slightly more than half the width of the house but this should be offset with a greater set back at the first floor to a minimum of 0.5 metres.

In addition, on corner plots or where the extension would project towards a highway, the Council will not normally grant planning permission for an extension which takes up more than half of the available width between the side of the house and the highway.

A two storey extension should not come within 12 metres of a ground floor principal habitable room window of a neighbouring property and have a minimum 25° vertical clearance.

Where an extension is built on a driveway, at least 5 metres between the front of the extension and the front boundary with the footpath should be left. This will allow space for a car to park in front of the extension, which is important in keeping on-street car parking to a minimum. The Council is likely to be critical of a proposal if on-site car parking space is restricted whilst increasing the living accommodation in the house. Any additional front parking should be hard surfaced in either porous material or be drained to a separate soakaway, and at least one third of the front garden area should be left for planting.

- 32** A small first floor set back on the front elevation with a hipped roof to match with the property can minimise the terracing effect. It would also help to maintain the suburban character and semi-detached style of the property.



- 33** A subservient extension set back from the main body of the house will usually achieve the best results allowing the host property to remain dominant and minimising any clash in materials.



- 34** A flush extension will also increase the likelihood of a difficult match in material or between different brickworks.

- 35** A gable roofed extension of a hipped roof property will look out of place and unbalance a property.



- 36** A modern flat roof style extension will not usually be appropriate and will look out of keeping with the host property.
- 37** It is usually best that any extension is designed in the same architectural style and materials as the host property.



## Two Storey Rear Extensions

### Design Guidance 2.6

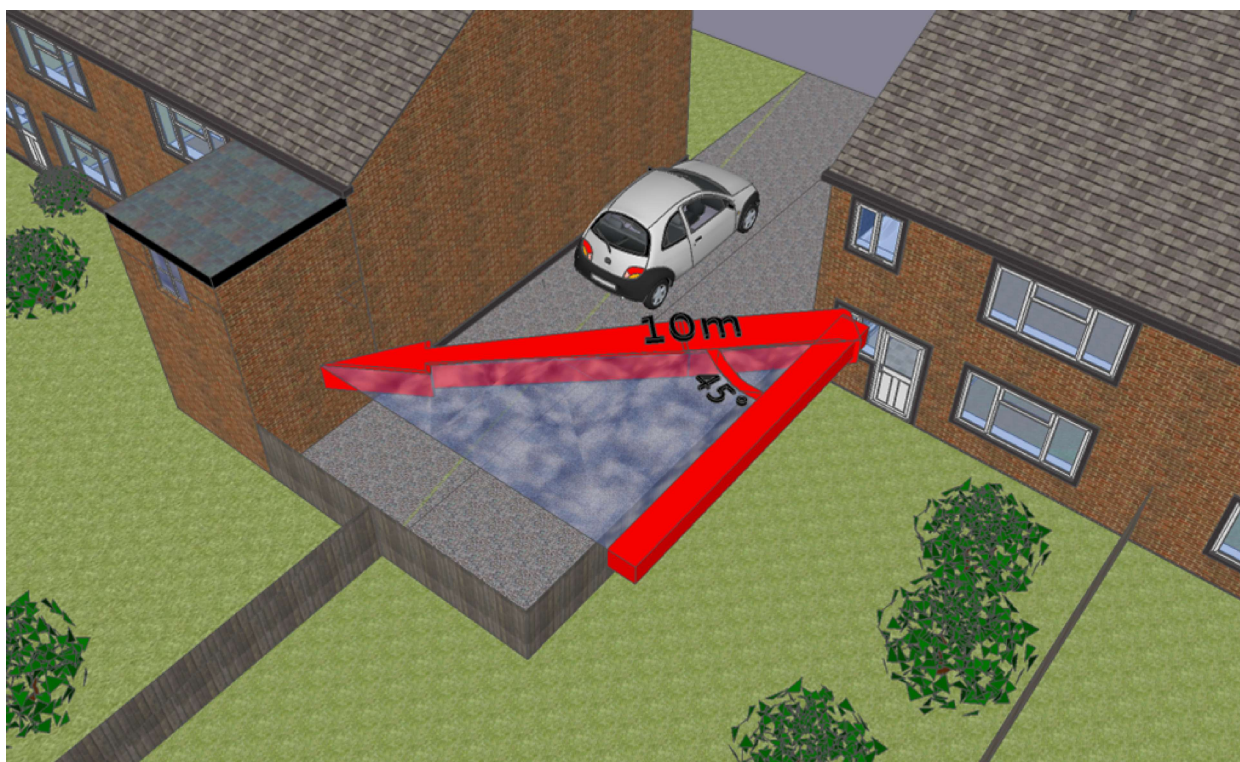
Two storey rear extensions should be designed so as not to come within a 45° angle of the nearest neighbouring rear elevation habitable room window (measured from the centre of the window). The Council will protect the outlook from a habitable room window for up to 10 metres, beyond this distance the impact is likely to be acceptable.

The extension should also not come within 12 metres of a ground floor habitable room window of a neighbouring property that faces the extension and have a minimum 25° vertical clearance from that window.

The extension should not be a disproportionate addition to the host property and in general should not exceed 3 metres if close to a shared boundary or 4 metres elsewhere.

It should include a similar roof design to match with the property.

For the purposes of privacy and avoiding an 'overbearing' relationship, a minimum distance of 21 metres between facing habitable room windows and 10 metres from a habitable room window to a facing neighbour's boundary should be maintained.



## Garages and Outbuildings

### Design Guidance 2.7

Garages should generally be restricted to rear and side gardens where they may benefit from permitted development.

Garages that require permission should not be of an excessive size and height and the use of concrete sectional garages should be avoided in prominent locations visible from the public highway.

The Council will not be supportive of garages in front gardens unless it can be demonstrated that no harm to the street scene will occur.

- 38** Garage and outbuilding are rarely appropriate in front gardens as it would spoil the street-scene and reduce natural surveillance to the detriment of crime prevention.



## Making a Vehicular Access

### Design Guidance 2.8

In most cases, making an access to a property for a vehicle means lowering the kerb outside the property. It also usually involves various works within the property, such as removing a front wall, fence or hedge and laying a drive or hardstanding.

Most such vehicular accesses are exempt from planning control if it is not on a classified road and serving something that is otherwise permitted development. However, the following consent may be required:

- Highway Consent under Section 184 of the Highway Act for the constructional details of any work within the highway.
- Consent to carry out pruning and/or felling tree work if the property is in a Conservation Area or the trees are being protected by Tree Preservation Orders
- Listed Building Consent if the work would involve demolition and/or may affect the setting of adjacent Listed Building

This should be checked before any work is carried out on site.

Where planning permission is needed, the Council will want to make sure that the access is as safe as possible. The location of the access, and the visibility it provides for drivers using it, will be considered. On particularly busy roads, the Council may decide that an access would not be safe unless a turning space is provided on the property, so that cars do not have to reverse into the road. If this is not possible, or if there are other traffic hazards that cannot be overcome, permission may be refused.

New hardstandings should be porous or drained in a sustainable manner avoiding water flowing in to the public highway or main drains.

## Dependant Relative Annex

### Design Guidance 2.9

The Council is sympathetic towards the wishes of people who wish to provide ancillary accommodation for a dependant relative. Frequently, this will mean adding an extension to the family house, to provide semi-independent living accommodation for the elderly person, disabled relative, son or daughter. Most such extensions are subject to planning control, and to the same rules as any other house extension.

The Council will consider whether the additional accommodation to be provided exceeds what is reasonably necessary for the occupant. Typically, this will be limited to a single storey one bedroom unit not exceeding 50m<sup>2</sup>, where the host property has a garden of sufficient size to accommodate such an addition without harming neighbouring amenity or the host property's amenity.

An annex should be linked to the host property to allow its conversion to other ancillary uses should the dependant relative move on. In certain circumstances a slightly larger annexe may be acceptable to provide adequate wheelchair access.

Planning permission is not likely to be granted for large detached annexes with little relation to the host property or where separate vehicular access is easily achievable, as it could easily be adapted to independent dwelling units. This is because most "dependant relative annexe's" are on conventional houses or bungalows, and share access, car parking and gardens with the "host property", and for this reason are not suitable for use as independent dwelling units.

All of the above guidelines apply also to any proposal to build a free-standing building in a residential curtilage for use as a "dependant relative annexe". The conversion of an existing outbuilding in a residential curtilage to a "dependant relative annexe" may not need planning permission.



## Boundary Walls and Fences

### Design Guidance 2.10

Planning permission will be required for any boundary wall, fence or gates which are higher than 1 metre and adjacent to a highway used by vehicular traffic. Elsewhere, walls, fences and gates will require permission if they exceed 2 metres in height.

The LPA consider that 'adjacent to a highway' generally means within 1 metre of the highway, though may be more than this provided it is close enough to have the perceived function of forming a boundary between a highway and the adjoining land. Decisions are taken on a case by case basis.

A highway (defined by Highways Act 1980) means the whole or part of a highway and does include the footpath, and generally include grass verges between the road and the property boundary. A highway may also be a private road so long as it is one over which the public has a right to pass and repass.

The height of the fence/wall/gate is measured from the natural ground level which may be higher or indeed lower than surrounding land.

Where permission is required, careful consideration of the location and choice of materials should be used as the wall or fence can have a significant effect on neighbours' properties and can be a prominent feature in the street scene. High front boundary walls/fences/gates create a poor street scene and can be visually oppressive particularly in areas where front gardens are generally open or formed of low boundaries. The following points should be considered: Visibility at the entrance to a drive may be important in road safety terms, especially for pedestrians passing your house. A fence or wall on a side boundary can obstruct visibility to a drive.

The use of good-quality materials will greatly improve the appearance of the fence, wall or gates. A structure of utilitarian appearance, especially at the front, will spoil the look of the house. Hedges are very attractive garden features if properly cared for. If they are allowed to get out of control they can become unsightly and a nuisance to neighbours and passersby on the street. Neighbours can cut back overhanging growth, and the Council can take action against a householder under the Highways Act, 1980, if a highway is obstructed by an overgrown hedge.

Where security is sought, the use of railings may be acceptable as they can provide the appropriate barrier whilst allowing visibility through the garden area.



## Roof Alterations

### Design Guidance 2.11

Loft conversions, or rooms in the roof-space, are often advertised as a simple way of providing extra living space. However, there can be problems. The following points should be considered:

Increased overlooking of neighbours' properties can be a problem, especially with a bungalow where dormer windows in the loft can overlook previously private areas. The Council will be critical of all proposals which have a significant effect on neighbours' privacy.

Roof lights often do not require planning permission and are cheaper to install and maintain, and will have less visual impact on the appearance of a house. They will also reduce possible overlooking problems.

Where a dormer is to be built on a front elevation, it should be modest in size relative to the size of the roof and should be designed to reflect the architectural character of the house. The Council will be critical of front dormers if they are an uncommon feature in the locality or would appear out of character on the host dwelling. Dormer cheeks should be clad in tiles or slates to match those on the roof. Pitched roofed dormers will normally be preferable on a front elevation, and are likely to be more durable than flat-roofed dormers.

The conversion of an existing hipped-end roof into a gable, in order to allow extra space for a loft conversion, can make a house look odd and unbalanced, particularly if it is semi-detached or the houses in the area are generally of uniform or similar in design.

- 39** Dormer windows should be modest in size and evenly positioned on a roof slope.
- 40** The use of tile or lead cladding and covers with pitched roofs will minimise the visual appearance of dormers and reduce long term maintenance costs.



- 41** Large flat roof dormers would look out of place and rarely respect or improve the appearance of the host property.

- 42 The use of UPVC cladding will accentuate the appearance of a dormer and overtime may discolour or stain, which would incur long term expense and maintenance problem.
- 43 A hip to gable extension rarely looks acceptable and on a semi-detached property can create an awkward imbalance visually.
- 44 Front dormers may not be acceptable on semi-detached properties especially in areas with no other properties on the street that has front dormers.



## Making a Bungalow into a Two Storey House/ Raising Roof Heights

### Design Guidance 2.12

It is not the Council's usual practice to support bungalows being altered to two-storey houses, as in most cases this would have a serious effect on neighbours' amenity and on the appearance of residential areas. In addition, the Council would generally not support the raising of the roof of an existing semi-detached or terraced house/ bungalow. The Council will consider such proposals for "upward extensions" very carefully, having regard to the following guidelines:

Planning permission may be granted for an upward extension on a detached bungalow in certain circumstances:

- Where the dwellings in an area are of varied types, with little uniformity of design and layout, and there is already a mix of dwellings height, and
- Where new habitable room windows at first-floor level and above would be more than 21 metres from habitable room windows of existing dwellings to the front, side or rear and more than 10 metres away from a neighbours boundary.

Where raising the roof or an upward extension is considered acceptable in principle, it is essential that it be designed to minimise the effect on neighbours' properties by overshadowing and overlooking, and to not appear out of place in the street-scene.

Furthermore, the most appropriate design solution will depend on the design of the property and neighbouring properties. It may be appropriate to create a "dormer bungalow": by building a more steeply-pitched roof with dormer windows in it. Dormers should be modest in size, relative to the size of the roof, and should be designed to reflect the architectural character of the house. Dormer cheeks should be clad in tiles or slates to match those on the roof. The dormers should not project above ridge level, and should be small proportionate pitched roofed dormers rather than flat roofed.



## Renewable Energy Technology

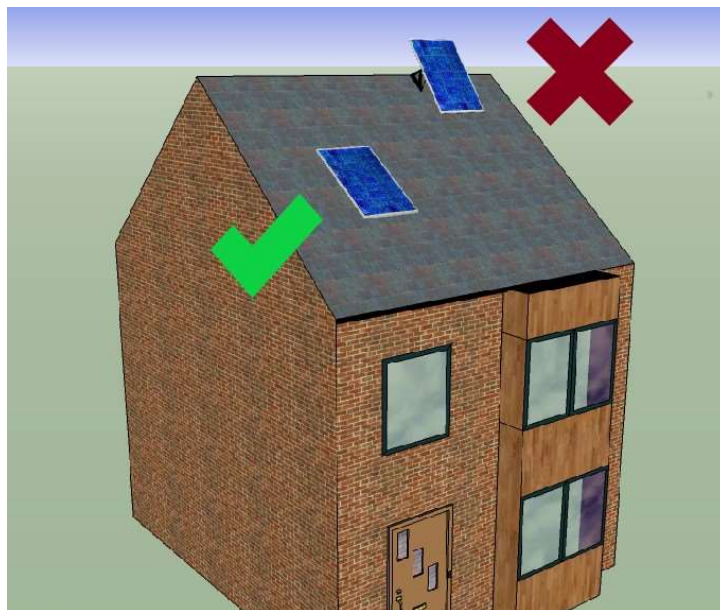
### Design Guidance 2.13

Planning for Climate Change will help achieve our Net Zero targets by 2040. Each development, no matter the size, should embed key sustainable design principles. Therefore, if you are planning on extending or altering your property, even the smallest opportunities can be taken to improve its environmental performance. Most renewables can be fitted/applied without planning permission and under Permitted Development. However, you should always check with the Council, especially if you live in a Conservation Area or Listed Building.

When using renewable energies to enhance your property, be sure to consider your neighbours and the surrounding area. Therefore, when adding any renewable energy source to your home, it should not cause excessive noise to neighbouring properties and not appear unduly prominent on front elevations or within the streetscene.

### Solar Photovoltaics (Solar Panels)

- 45** Solar Panels capture the sun's energy using photovoltaic cells. They do not require direct sunlight to work and they can still generate some electricity on a cloudy day. To maximise efficiency they should be south facing. In most cases solar panels will not require planning permission on domestic dwellings.



### Solar Hot Water Heating

- 46** Solar Hot Water Heating is the conversion of sunlight into renewable energy, using a solar thermal collector.
- 47** These systems are widely used for domestic properties and do not require planning permission if they are under a certain size.

### Wind Power

- 48** Wind turbines do sometimes require planning permission so early consultation with the planning department is advised. Where the wind turbines are to be located, impact on

local view points and surrounding ecology, should be assessed before installation and ideally should be monitored in advance. before installing.

### **Ground Source heat Pumps & Air Source Heat Pumps**

- 49** A ground source heat pump is a device that extracts heat from the ground, via pipes, in order to warm air heating systems and hot water in your home. Air Source heat pumps extract heat from the air in order to heat your home.

### **Green Roofs and Walls**

- 50** Green roofs and green walls can be applied to residential properties. They provide both solar and thermal protection as well as decreasing flooding, when there is excess rainfall.

### **Rainwater Harvesting**

- 51** This is the collection, storage and distribution of recycled rainwater. Rainwater harvesting is used to provide drinking water and domestic water. It is collected via and distributed through a gutter or downpipe and directed to an underground storage tank.

## Other Issues

### Site boundaries

- 52** Applicants should make sure that no part of an extension including rainwater goods, foundations, canopies and overhangs extend beyond the site boundary. Such boundary disputes, although not a planning consideration, can often lead to lengthy and expensive civil disputes between neighbours.

### Party Wall Act

- 53** Applicants should be aware that the planning process does not address issues raised by the Party Wall Act, where a neighbour's consent may be required prior to carrying out building works close to the boundary of your property, albeit on your land.

### Crime prevention

- 54** It is important to consider at an early stage the impact the proposal may have on the security of a dwelling and neighbouring properties. Security measures should be unobtrusive and designed as an integral part of the overall scheme. Opportunities to break in, such as flat roofed areas providing easy access to first floor windows, should be avoided. Extensions and high walls that block the surveillance of the public realm should also be avoided.

### Trees and hedges

- 55** Important trees and hedges may need protecting during the construction period and the Council may include relevant planning conditions in any approval requiring applicants to do so. Trees within Conservation Areas, and trees protected by Tree Preservation Orders cannot be felled or pruned without the consent of the Planning Local Authority.

### Sustainability

- 56** Current Building Regulations require new extensions to be built to a high standard and to be well insulated. New extensions can also offer the opportunity for residents to introduce new renewable technologies such as solar panels in order to reduce the carbon footprint of a property and reduce running costs.

### Flood risk

- 57** Extensions within a zone of medium-high risk flooding will require a Flood Risk Assessment. Applicants should consider designing extensions to cope with possible flooding as well as considering how their own proposals, such as hardstandings, may increase the likelihood of flood occurring.

### Wildlife

- 58** Birds and bats are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017. Where birds have been found present in or on a building adequate care should be taken to protect active nesting sites by altering working practices and/or timing. It is a criminal offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats, damage or destroy a bat roosting place (even if bats are not occupying the roost at the time) or intentionally/recklessly obstruct access to a bat roost. If a bat, or roosting potential, is identified then specialist advice must

be sought before progressing. Where necessary, mitigation for any loss of wildlife habitat may also be required. Consideration should be given on ecological enhancement measures as part of the building work, such as providing hedgehogs access in boundary treatment or integrate bat/bird/bee boxes to the external wall of the build.

### **Building Control**

- 59** Many forms of development may also require Building Regulations Consent, and you are advised to contact Building Regs at [building.control@rotherham.gov.uk](mailto:building.control@rotherham.gov.uk)

## Contact Details

**If you have any questions regarding this Supplementary Planning Document, please contact Planning Policy**

Submit an enquiry to Planning Policy online

<https://www.rotherham.gov.uk/xfp/form/535>

Email: [planning.policy@rotherham.gov.uk](mailto:planning.policy@rotherham.gov.uk)

Telephone: 01709 823869

Website: <https://www.rotherham.gov.uk/locaplan>

Post:

Planning Policy

Planning, Regeneration and Transport

Regeneration & Environment Services

Rotherham Metropolitan Borough Council

Riverside House, Main Street, Rotherham, S60 1AE

**For planning application and pre-application advice, please contact Development Management**

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

Email: [development.management@rotherham.gov.uk](mailto:development.management@rotherham.gov.uk)

Telephone: 01709 823835

Website: <https://www.rotherham.gov.uk/planning-applications/get-advice-planning-proposals>

Post:

Development Management

Planning, Regeneration and Transport

Regeneration & Environment Services

Rotherham Metropolitan Borough Council

Riverside House, Main Street, Rotherham, S60 1AE



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## PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

### 1. Title

**Title:** Householder Design Guide Supplementary Planning Document

**Directorate:**  
Regeneration & Environment Services

**Service area:**  
Planning Policy Team  
Planning, Regeneration and Transport

**Lead person:**  
Katherine Boswell  
Planning Officer

**Contact number:**  
823805

Is this a:

☒

**Strategy / Policy**

☐

**Service / Function**

☐

**Other**

**If other, please specify**

### 2. Please provide a brief description of what you are screening

Consultation is to be undertaken on a revised Supplementary Planning Document (SPD) which will look to provide additional guidance for implementing adopted Local Planning policies on householder development. The SPD will be used by applicants submitting planning applications across the borough. The outcome will be planning decisions which comply with the relevant planning policies set out in the SPD, which will have an impact on residents, workers, visitors or other users of any future development.

### 3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		✓
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		✓
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>		✓
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		✓
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		✓
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		✓

If you have answered no to all the questions above, please explain the reason

The revised SPD is intended to provide further assistance to all applicants applying for planning permission as to how Local Plan policies will be implemented and planning decisions made. As such the document will provide assistance to all, regardless of their protected characteristic(s).

The Local Plan was supported by an Integrated Impact Assessment, which included an Equalities Impact Assessment (EqIA). In doing this, the effects of the planned growth on all sections of the community were comprehensively assessed; the plan was then passed by the inspector and subsequently adopted by the Council. The outputs and

recommendations arising from the EqIA were taken into account in drafting the policies of the Local Plan. Therefore, any subsequent measures to implement the Local Plan as adopted reflect the equalities assessment and the outputs and recommendations, previously undertaken and included within the accompanying IIA.

The revised SPD is independent of the protected characteristics of a person. There is no evidence that there will be a differential impact based on the protected characteristics of a person.

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

#### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

*(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)*

- **Key findings**

*(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)*

- **Actions**

*(think about how you will promote positive impact and remove/reduce negative impact)*

Date to scope and plan your Equality Analysis:	N/A
Date to complete your Equality Analysis:	N/A
Lead person for your Equality Analysis (Include name and job title):	N/A

### 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Andy Duncan	Planning Policy Manager	05/02/2025

### 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date screening completed</b>	05/02/2025
<b>Report title and date</b>	Consultation on Draft Supplementary Planning Document
<b>If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication</b>	Cabinet - 14 April 2025
<b>Date screening sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	07/02/2025

# Appendix 3 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
Emissions from non-domestic buildings?	N/A				
Emissions from transport?	N/A				
Emissions from waste, or the quantity of waste itself?	N/A				
Emissions from housing and domestic buildings?	Reduce Emissions	N/A	Advising developers and applicants on different renewables that can be incorporated into the domestic projects, could look to reduce emissions through developments in the borough.	The SPD will have a larger section on Renewable Energy that can be incorporated into domestic developments. This section will look to advise applicants/developers on different renewables and how they can be used in property development to help reduce carbon emissions.	N/A

<b>Emissions from construction and/or development?</b>	N/A				
<b>Carbon capture (e.g. through trees)?</b>	N/A				
Identify any emission impacts associated with this decision that have not been covered by the above fields:					

Please provide a summary of all impacts and mitigation/monitoring measures:

The draft Householder Design Guide SPD, has a much larger section on Renewable Energy, where technology can be incorporated into domestic development. The section advises applicants and developers on how they can reduce emissions through the introduction of renewables on their properties.

<b>Supporting information:</b>	
<b>Completed by: (Name, title, and service area/directorate).</b>	Katherine Boswell, Planning Officer, Planning Policy, Regeneration & Environment Service
<b>Please outline any research, data, or information used to complete this [form].</b>	N/A
<b>If quantities of emissions are relevant to and have been used in this form please identify which conversion factors have been used to quantify impacts.</b>	N/A
<b>Tracking [to be completed by Policy Support / Climate Champions]</b>	Tracking reference: CIA 421  Arthur King, Principal Climate Change Officer



Public Report  
Cabinet

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**Committee Name and Date of Committee Meeting**

Cabinet – 14 April 2025

**Report Title**

Licensing Act 2003 – Statement of Licensing Policy

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Andrew Bramidge, Strategic Director of Regeneration and Environment

**Report Author(s)**

Alan Pogorzelec, Licensing Manager

01709 254955 or [alan.pogorzelec@rotherham.gov.uk](mailto:alan.pogorzelec@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

Section 5 of the Licensing Act 2003 requires the Council to publish a Statement of Licensing Policy which sets out the principles it proposes to apply in exercising functions under the Act. The Statement of Licensing Policy must be reviewed and republished at five year intervals.

The current Statement of Licensing Policy was published in 2020, and therefore is now due for the five year review. The Cumulative Impact Policy was reviewed in 2023 and is therefore not due for further review until 2026.

The Council's Licensing Service have carried out informal consultation with partners, local licence holders and members of the public to identify any areas within the current Policy that would benefit from development. This feedback has been used to formulate an ambitious draft Policy that is considered to strike an appropriate balance between the need to promote a thriving licensed trade within the Borough whilst ensuring that any negative impacts of licensable activity are kept to an absolute minimum.

The draft Policy is presented to Cabinet for review and approval prior to the commencement of a period of statutory consultation. A further report will be

presented to Cabinet after the consultation has concluded for approval of the final Statement of Licensing Policy 2025.

### **Recommendations**

That Cabinet approve the draft Licensing Act Statement of Licensing Policy attached to this report as Appendix 1 for consultation in accordance with the requirements of the Licensing Act 2003.

### **List of Appendices Included**

Appendix 1 Draft Licensing Act 2003 Statement of Licensing Policy 2025  
Appendix 2 Equality Analysis – Initial Screening Document  
Appendix 3 Carbon Impact Assessment

### **Background Papers**

Licensing Act Statement of Licensing Policy 2020  
Guidance issued under s182 of the Licensing Act 2003

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
None

**Council Approval Required**  
No

**Exempt from the Press and Public**  
No

## **Licensing Act 2003 Statement of Licensing Policy**

### **1. Background**

- 1.1 As the Licensing Authority under the Licensing Act 2003 (the Act) the Council is responsible for licensing:
- the sale and supply of alcohol.
  - regulated entertainment such as live and recorded music, performances of theatre, dance, cinema and indoor sports.
  - the sale of hot food and drink between 11 pm and 5 am.
- 1.2 Under Section 5 of the Act, a licensing authority must prepare a Statement of Licensing Policy which effectively sets out the principles it proposes to apply in exercising functions under the Act. This Statement of Policy must be published at least every five years.
- 1.2.1 The Statement of Licensing Policy has a number of key objectives including:
- Providing applicants with a clear, consistent basis for submitting applications and notices in the Borough.
  - Providing a clear, consistent basis for determining licensing applications in Rotherham.
  - Ensuring the relevant views of those affected by licensed premises are taken into consideration.
  - Ensuring that local area issues are taken into account by licensed premises; and
  - Supporting the wider strategies of the Council and the approach to licensed activities and premises across the Borough.
- 1.3 The current Statement of Licensing Policy was published in 2020, and therefore the five year formal review is now due.
- 1.4 Licensing officers commenced the review of the Policy in October 2024 and this included a period of informal consultation with partner agencies, licence holders and members of the public. In addition, officers have carried out a review of other policies from across the UK to identify best practice that could be adopted in Rotherham.
- 1.5 As a result of this initial review, licensing officers have developed a draft Policy, attached as Appendix 1, that is considered to be ambitious in nature, whilst continuing to strike the correct balance between promoting a vibrant licensed economy and protecting local people and communities from any negative consequences of licensable activity. The areas where changes have been made are highlighted in yellow on the attached document.
- 1.6 This draft Policy is being presented to Cabinet for consideration and approval prior to the commencement of a period of statutory consultation. Following the consultation, a further report will be brought to Cabinet for consideration and agreement of the Statement of Licensing Policy 2025.

## 2. Key Issues

2.1 The licensed entertainment and hospitality industry is a major provider of full time, part time and casual employment and it makes a significant contribution to the local economy. It fulfils an important social and community role, providing facilities for both residents and businesses, and provides vital support for related sectors such as retail and tourism.

2.2 As of December 2024, the number of licensed premises in Rotherham is as follows:

Club licensed to sell alcohol (e.g. working men's club)	51
Premises licensed to sell alcohol (e.g. pub, shop, restaurant)	682
Premises licensed for late night refreshment (e.g. late night takeaway) or regulated entertainment (without alcohol)	124

2.3 The Council's Statement of Licensing Policy should strike a balance between the need to encourage a vibrant and dynamic entertainment industry as part of the regeneration of the Borough, whilst ensuring that the Licensing Objectives specified in the Act are sufficiently promoted. The Licensing Objectives are:

- The prevention of crime and disorder,
- The promotion of public safety,
- The protection of children from harm,
- The prevention of public nuisance.

2.4 The way that licensable activities are managed on site can often influence the wider issues that arise through the sale and supply of alcohol or the provision of late night refreshment. Critically, there are areas of the Statement of Licensing Policy that can direct the way that establishments are managed and operated, including setting standards for training around key priorities through to requirements for security staff and their training and accreditation.

2.5 It is for this reason that the draft Policy includes additional sections relating to specific aspects of the licensed economy. It is expected that the inclusion of these sections within the Policy will encourage applicants and licence holders to adopt best practice, and clearly set out the Council's expectations with regard to the activities that take place at licensed premises.

2.6 It is recognised that many of the principles outlined below are aspirational in nature, and it will be made clear within the Policy that although the Council has certain expectations of licensed premises in the Borough, the principles within the Policy will only be mandated if they are required to prevent one or more of the Licensing Objectives from being undermined. Despite the limitations of the Licensing Act and Statement of Licensing Policy, it is nonetheless considered important that the Council provides appropriate best practice guidance and encourages local licence holders to go beyond the

minimum that is required with the ultimate aim of ensuring that licensed premises are safe and enjoyable places to be, and that the activities that take place there have minimal negative impact on local communities and the wider environment.

- 2.7 The Council is mindful that there is a need to encourage and facilitate growth and development within the Borough, and the licensed trade have an obvious role in this. It is therefore important that the Statement of Licensing Policy does not deter appropriate development and investment within the Borough, and the draft Policy is considered to strike the correct balance between encouraging economic growth and minimising any negative impacts on those that may be affected by the activities that are taking place.

Key new additions to the draft policy include:

- 2.8 Specific policies with regard to the Licensing Objectives:

The current Policy outlines the Council's expectations with regards to the promotion of the Licensing Objectives. The proposed Policy develops this by providing additional information and advice regarding the obligations that licensed premises have with regard to, for example, the prevention of general crime and disorder, counter terrorism (including Martyn's Law) and safeguarding of children and vulnerable adults.

In addition, the proposed Policy will provide licence holders and applicants with details of good practice which the Council believes will assist licensed premises to further promote the Licensing Objectives. Such good practice includes making adequate provision for the welfare of customers, management of smoking / vaping, minimisation of waste, rehearsal of written contingency plans and enhanced safeguarding practices (such as the appointment of a "safeguarding champion" at the premises).

- 2.9 Premises specific policies:

The proposed Policy recognises that the expectations / requirements applicable to licensed premises will vary depending on the nature of the premises themselves. For example, requirements for pubs / bars will be different to late night takeaways. The Policy will therefore set out specific areas relevant to each class of premises and make it clear that the Council expects applicants and licence holders should consider these matters when submitting an application / managing their premises.

- 2.10 Promoting Equality and Inclusion in Licensed Venues:

It is already a requirement that licensed premises should operate in a manner that does not discriminate against groups / individuals with a particular characteristic. The proposed Policy encourages applicants and licence holders to go further than this to further improve the experiences of all communities within licensed venues. This will include the provision of inclusive and transparent policies / procedures, accessible venues and regular training for staff on equality and inclusion.

2.11 Promotion of Environmental Best Practice:

Licensed premises have a significant role in maintaining and promoting a clean and green Borough. The proposed Policy sets out good practice regarding waste minimisation, energy efficiency, reducing road traffic and action on climate change. Simple, practical suggestions on how premises can improve their environmental performance will be detailed in the Policy (for example, the use of online menus and reusable drinking vessels).

2.12 Safety of Women in Licensed Venues:

The Policy will provide advice and guidance on the practical steps that licensed venues can take to keep women safe when using licensed premises. The adoption of good practice will be encouraged, including Ask for Angela, Walksafe (and similar schemes) – along with training for staff and regular testing of procedures to ensure that they are being effectively implemented within the premises.

2.13 Core Hours Policies:

The Policy recognises that premises operating hours can have a significant impact on local residents, the economy and the local area. It therefore sets out a number of core hours that are applicable to each type of licensed premises. The Policy makes it clear that applications for licences outside of the core hours will not necessarily be refused, but that the Council will expect applicants to provide more detail on the steps they will take to minimise the impact on the local area outside of the core hours specified in the Policy.

2.14 Clarification of Roles, Responsibilities and Guidance:

The Policy will set out the responsibilities of licence holders, applicants, the Council and partners. It will also provide guidance to members of the public so that they feel confident raising concerns relating to licensed premises and are aware of the opportunities within (and importantly, the limitations of) the Licensing Act 2003 when it comes to addressing concerns with regard to licensed premises.

2.15 Large Events:

The Policy will include specific guidance for large events taking place at outdoor venues, sports stadia, arenas etc with a capacity of more than 2000 persons. The Policy will strongly encourage involvement with those with an interest in large events in the Borough (for example, through attendance at Rotherham Safety Advisory Group). The Policy will recognise the benefits of large events, but clarify the expectation that applicants and licence holders will give additional consideration to security, counter terrorism, safeguarding, traffic management, welfare facilities etc.

2.16 More detail in relation to the proposals outlined in paragraphs 2.8 to 2.15 is included within the draft policy, in particular within Appendices F to H. The

amendments reflect national best practice and the Council's ambition to develop a Licensing Act Policy that both addresses our local priorities and encourages licence holders and applicants to meet the highest standards possible.

### **3. Options considered and recommended proposal**

3.1 The Council is statutorily obliged to publish a Statement of Licensing Policy and to consult on that Policy. However, the Council does have a degree of discretion in relation to the contents of the Policy and the way in which a consultation is conducted.

#### **3.2 Option 1**

To consult on the content of the current Policy, and to seek comment on the aspects of the Policy that should be developed or amended. These comments would then be formulated into a draft Policy that would be further consulted upon prior to being brought to Cabinet for consideration for adoption.

Although this approach will facilitate the capturing of views / comments from a large cross section of those affected by the Policy, it is unlikely to result in the provision of feedback that is significantly different to that which has already been obtained through the informal consultation and document review undertaken by licensing officers.

#### **3.3 Option 2**

The Council proposes a draft Policy with amendments based on the feedback obtained via the document review and informal consultation carried out by licensing officers. This would allow all those affected by the Policy to comment on the proposals, whilst ensuring that the development process remains as efficient as possible.

3.4 Option 2 is preferred as it both demonstrates the Council's ambitions to move forward its Policy position and will allow for a more efficient Policy development process, which will still ensure that all those affected by the Policy have the opportunity to comment on the proposals. This report therefore recommends that Cabinet approve the draft Licensing Act Statement of Licensing Policy for consultation in accordance with the requirements of the Licensing Act 2003.

### **4. Consultation on proposal**

4.1 Before determining its Policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:

- the chief officer of police for the area.
- the fire and rescue authority for the area.
- each local authority's Director of Public Health in England (DPH) for an area any part of which is in the licensing authority's area.

- persons/bodies representative of local premises licence holders.
- persons/bodies representative of local club premises certificate holders.
- persons/bodies representative of local personal licence holders; and
- persons/bodies representative of businesses and residents in its area.

- 4.2 The views of all these persons or bodies will be given appropriate weight when the Policy is determined. It is recognised that in some areas it may be difficult to identify persons or bodies that represent all parts of industry affected by the provisions of the 2003 Act, but licensing authorities must make reasonable efforts to do so. Licensing authorities should note that the terms of the 2003 Act do not prevent them consulting other bodies or persons.
- 4.3 In addition, responses to the consultation will be sought from the wider public to ensure that the Council's approach is fully informed at a local level.
- 4.4 The Council's Licensing Committee, who are responsible for considering and determining applications under the Licensing Act 2003, will be fully consulted as part of this approach.
- 4.5 The consultation is anticipated to be open for a period of six weeks and will take the form of an online consultation, with written requests for responses directed to those stakeholders that the Council is statutorily required to consult with.
- 4.6 The consultation will be complemented by communication and marketing methods including website, intranet, social media and ward member briefings. Detailed consideration will be given to ensuring that the consultation is open and accessible to all.
- 4.7 The responses received will be fully considered and will be used to inform the development of a final Statement of Licensing Policy which will be presented to Cabinet before formal adoption by the Council later in 2025.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Subject to Cabinet approval, the consultation will commence in May 2025. The results of the consultation will be used to finalise the Statement of Licensing Policy and this will then be presented to Cabinet in the summer of 2025.
- 5.2 The final Policy will then be considered by full Council with a recommendation from Cabinet that the Policy is approved.
- 5.3 The Policy will then fall due for a further formal review in 2030.

## **6. Financial and Procurement Advice and Implications**

- 6.1 This proposal is part of the statutory duty as a Licensing Authority. The costs of this are met within the Licensing account and should be covered by fees

paid by licence holders. Under the Licensing Act 2003, the fees a Licensing Authority can charge are set by Central Government and not at a local level.

- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

## **7. Legal Advice and Implications**

- 7.1 Section 5(1) of the Licensing Act 2003 [the Act] requires a licensing authority to determine its Licensing Policy with respect to the exercise of its licensing functions and to publish this before the beginning of each five year period.
- 7.2 The Licensing Policy must be published before the licensing authority carries out any function in respect of individual applications and notices made under the terms of the Act. During the five-year period, the policy must be kept under review.
- 7.3 The Licensing Authority must consult with those persons listed in Section 5(3) of the Act in relation to a proposed statement of Licensing Policy, as set out at Paragraph 4.1 of this report.
- 7.4 The Council must have regard to the Statutory Guidance issued under Section 182 of the Act, Part 14 relates to Statements of Licensing Policy. Paragraph 14.6 makes it clear that subject to any statutory requirements, the extent of the consultation process of a matter for each Local Authority. The Act does not set out a minimum consultation period in respect of the proposed statement of Licensing Policy.
- 7.5 The Guidance makes it clear that Local Authorities should always consider a full consultation, as a limited consultation may not allow all person's sufficient opportunity to comment on and influence local policy, which in turn then leaves the Council open to legal challenge.
- 7.6 The extent of the consultation process requires consideration of any previous consultation and the length of time since that consultation, it is good practice to consult widely.
- 7.7 The Council must have regard to all relevant legislation and statutory guidance in order to ensure that the consultation process is conducted in accordance with any legal requirements and full consideration must be given as to the length of the consultation to minimise the risk of legal challenge.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct HR implications arising from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 It is appreciated that it would not be possible for licensing Policy statements to anticipate every issue of concern that could arise in respect of children in

relation to individual premises and therefore the individual merits of each application should be considered in each case.

- 9.2 However, the protection of children from harm is one of the Licensing Objectives and the draft Policy sets out a series of actions that can be taken by licence holders to ensure that this is promoted within premises that they are responsible for. This may include limiting the access of children to any premises where this is appropriate for the prevention of physical, moral or psychological harm, but could also include a range of other alternatives such as the introduction of good safeguarding practice.
- 9.3 The draft Policy also includes reference to model conditions that maybe used to promote the protection of children from harm.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 This report seeks a decision with regard to the commencement of consultation on a draft Policy. Consequently, the decision itself will have minimal impact on equalities and human rights. However, it is recognised that the Policy will make reference to the steps that licence holders and applicants can take with regard to the promotion of equality and diversity within the venue.
- 10.2 Section 149 of the Equality Act 2010 imposes a Public Sector Equality Duty (PSED) on the Council and Public Sector Partners. This duty requires the Authority to eliminate discrimination, advance equality of opportunity and foster good relations when exercising any of its functions.
- 10.3 In accordance with corporate requirements, an Equality Analysis screening assessment has been undertaken. Given that this report recommends undertaking consultation to inform the development of a Policy, it is assessed that an Equality Analysis is not required at this stage as any changes to Policy are not as yet identified. However, once the consultation is completed then the need for Equality Analysis will be revisited. A copy of the initial screening assessment is attached as Appendix B.
- 10.4 The Human Rights Act 1998 requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in any way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality: the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 This report seeks authorisation for Council officers to commence consultation on the proposed Policy, therefore the decision itself will have minimal implications for CO2 emissions and climate change.
- 11.2 However, the Policy itself encourage licensed premises to have regard for environmental best practice, which if adopted would positively impact on the level of CO2 emissions and contribute to a reduced impact on climate change.

## **12. Implications for Partners**

- 12.1 The draft Statement of Licensing Policy does not introduce any negative implications for partners.
- 12.2 A number of partner agencies will be formally consulted with during the statutory consultation process, and their contributions will be taken into consideration during the drafting of the final Policy document.

## **13. Risks and Mitigation**

- 13.1 Failure to publish a Licensing Act Statement of Licensing Policy exposes the Council to legal challenge as a result of failing to comply with statutory requirements.
- 13.2 Failure to carry out the required consultation in accordance with the legislation and guidance is also likely to open the Council up to legal challenge.
- 13.3 In addition, the absence of an up-to-date Policy may lead to inappropriate decisions being made in relation to licence applications.
- 13.4 In order to mitigate this risk, it is proposed that the Statement of Licensing Policy be introduced as soon as possible (ensuring that all statutory processes are observed).

## **14. Accountable Officers**

Alan Pogorzelec, Licensing Manager

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	31/03/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	17/02/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	19/02/25

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This report is published on the Council's [website](#).



# **Rotherham Metropolitan Borough Council Licensing Act 2003 Statement of Licensing Policy**

**2025 - 2030**

## **Contents**

1 Introduction	4
1.1 Purpose	4
1.2 Consultation	4
1.3 Licensable Activities	5
2 Fundamental Principles	9
2.1 Background	9
2.2 The Licensing Objectives and Responsible Authorities	10
2.3 Balance	12
2.4 Relevancy	12
3 Cumulative Impact	13
4 Licensing Hours	17
5 Promotion of the Licensing Objectives	18
6 The Prevention of Crime and Disorder	19
7 Public Safety	22
8 The Prevention of Public Nuisance	24
9 The Protection of Children from Harm	27
9.1 General	27
9.2 Children and Cinemas	28
9.3 Children and Public Entertainment	28
9.4 Proof of Age Cards	28
9.5 Staffing Levels	29
9.6 Staff Training	29
10 Public Health Considerations	30
10.1 National Context	30
10.2 Local Context	30
11 Special Events in the Open Air or in Temporary Structures	32
12 Integrating strategies	33
12.1 Public Health	33

12.2 Safer Rotherham Partnership	33
12.3 Planning	33
12.4 Culture and Tourism	34
12.5 Building Control	35
12.6 Promotion of Equality	36
12.7 Disabled Access	37
12.8 Transport	37
12.9 Environmental Best Practice	37
12.10 Women's Safety	39
13 Duplication	40
14 Standardised Conditions	41
14.1 Model Conditions	41
14.2 Mandatory Conditions	41
15 Entitlement to Work in the UK	43
16 Personal Licences	44
17 Temporary Event Notices (TENs)	45
18 Enforcement	46
19 Live Music, Dancing, Theatre, Circuses and Street Arts	47
20 Wholesale of alcohol	48
21 Delegation of Functions	49
22 Period of Validity & Review	50
<b>Appendices</b>	
Appendix A Model conditions	
Appendix B Mandatory conditions	
Appendix C Right to work documentation	
Appendix D Guidance notes for applicants	
Appendix E Useful contacts	
Appendix F Licensing Objectives Policies	
Appendix G Operational Considerations	
Appendix H Core Hours Policy	

## **1. Introduction**

### **1.1 Purpose**

1.1.1 This Statement of Licensing Policy explains how the licensing authority will carry out its role under the Licensing Act 2003, during the next five years. During this period the licensing authority will keep the policy under review and may make revisions to the document following consultation with the bodies outlined below.

1.1.2 It will also:

- be used as a guide by members of the Licensing Authority in their decision making;
- inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
- inform residents and businesses about how applications will be viewed and how their needs will be addressed;
- Be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

1.1.3 This Policy is normally in place for five years but will be kept under review during that five year period.

### **1.2 Consultation**

1.2.1 In developing this Statement, the Licensing Authority has consulted in accordance with section 5 of the Licensing Act 2003. This has included direct consultation with the following:

- South Yorkshire Police,
- South Yorkshire Fire and Rescue Service,
- The authority's Director of Public Health,
- Local responsible authorities identified under the Licensing Act 2003
- Persons/ bodies representative of local premises licence holders,
- Persons/ bodies representative of local club premise certificate holders,
- Persons/ bodies representative of local personal licence holders,
- Persons/ bodies representative of local business and residents,
- Local Town and Parish Councils,
- Local Ward Councillors,
- Local Members of Parliament,
- Members of the general public.

The views and any comments made by the above individuals / organisation have been considered and taken into account in the development of this policy.

### 1.3 Licensable Activities

#### 1.3.1 The licensable activities are:

- the sale of alcohol by retail;
- the supply of alcohol by or on behalf of a club, or to the order of, a member of the club;
- the provision of late night refreshment, limited to hot food or hot drink, between 23:00 – 05:00;
- the provision of regulated entertainment.

#### 1.3.2 Regulated entertainment requires a licence when it is performed in front of an audience and includes the following:

- a performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a boxing or wrestling entertainment (indoors and outdoors);
- a performance of live music (not incidental music, i.e. a piano in a restaurant);
- any playing of recorded music;
- A performance of dance and similar types of musical or dance related entertainment.

#### 1.3.3 There are a number of exemptions listed in Schedule 2 to the Act namely:

- Film exhibitions solely for the purpose of demonstrating any product, advertising goods or services or providing information, education or instruction or forming part of an exhibit for any museum or art gallery.
- Live or recorded music which is incidental to some other activity which is not a licensable activity.
- Receipt and playing of live television programmes.
- Entertainment or entertainment facilities for the purpose of or incidental to religious meetings or services, or at a place of public religious worship.
- Entertainment or entertainment facilities at a garden fete or similar which is not promoted with a view to private gain.
- Morris dancing or similar or live unamplified music which is an integral part of such a performance.
- Entertainment or entertainment facilities on board a vehicle which is moving.
- Hot food or drinks which contain alcohol, or are supplied free of charge, or are supplied by a registered charity or person authorised by a registered charity or supplied on a moving vehicle.
- Hot drinks supplied by a vending machine.

1.3.4 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Live music: no licence permission is required for:
  - A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - A performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that does not have a licence, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non- residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - Any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - Any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - Any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - Any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

1.3.5 Where de-regulated activities take place on licensed premises, any licence conditions relating to 'live' music or entertainment will be suspended but it is possible to impose new, or reinstate existing, conditions following a review of a premises licence or club premises certificate.

1.3.6 When considering whether an activity constitutes 'the provision of Regulated Entertainment', each case will be treated on its own merits.

- 1.3.7 There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers of events are encouraged to contact the Licensing Authority to discuss whether a licence will be required.
- 1.3.8 It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities listed above other than in accordance with a licence or other authorisation under the 2003 Act. If an unauthorised activity takes place then the Police and local authorities have powers to take action.

DRAFT

## **2. Fundamental Principles**

### **2.1. Background**

- This Statement of Licensing Policy is the key document relied upon when delivering the requirements of the Licensing Act 2003. However, all decisions relating to licences will be made on the merits of the individual case, having regard to this policy, including any Cumulative Impact Assessment in place, as part of the decision making process.
- All applications for new premises licences or variations need to be supported by an operating schedule. The schedule must specify (amongst other things) the steps which the applicant proposes to promote each of the licensing objectives. Each of the licensing objectives is of equal importance; therefore it is important that the applicant gives each of the four objectives the upmost consideration.
- Where appropriate, copies of the application paperwork must be provided to the agencies identified as responsible authorities under the Licensing Act 2003. Details of these agencies can be found in Appendix E to this policy.
- Any Responsible Authority, or other person, is entitled to make a representation to the Licensing Authority in relation to applications for licences. Any representation made by these persons must be 'relevant', meaning that the representation must relate to at least one of the licensing objectives and must not be considered frivolous, vexatious or repetitive.
- It is for the Licensing Authority to determine whether a representation, other than those made by a Responsible Authority, is relevant. The Authority's discretion will be engaged in making this decision as to whether the representation is intending to cause annoyance without reasonable cause or displays a lack of sincerity. Representations can be made in support of, or opposition to, an application and may be made by an individual, body or business that has grounds to do so.
- Where there are relevant representations against a licence being issued, then a hearing before a licensing sub-committee will follow. After the hearing, the sub-committee must, having regard to the representations, take such steps as it considers necessary to promote the licensing objectives. These may include refusing the application or adding to or modifying conditions proposed in the operating schedule.
- In exercising its discretion, the licensing sub-committee will have regard to (amongst other things) this licensing policy. Therefore, in drawing up their operating schedule, applicants would be well advised to read this policy carefully. Where an operating schedule complies with this policy, it is generally less likely that an interested party or responsible authority will make representations about it. Therefore, compliance with this policy is likely

to assist the applicant to avoid delay and expense of a contested hearing, and the risk of a refusal or the addition of unwanted licence conditions.

- This is not to say that an application which complies with the policy will necessarily be granted or that an application which does not comply with it will necessarily be refused. Where there have been relevant representations, the licensing authority will always consider the merits of the case, and interfere with the operating schedule only when, and to the extent, necessary to promote the licensing objectives. Nor will blanket or standard conditions be applied without regard to the merits of the individual case. For example, the licensing authority can only interfere with an operating schedule which does not comply with this policy, and where the steps proposed are not sufficient to meet the licensing objectives in the individual circumstances of the case.
- In addition to this general policy, the Licensing Authority has developed a series of specific Licensing Objective Policies. These policies will apply to all applications and applicants must be able to demonstrate that they will promote the four licensing objectives.
- The relevant considerations and criteria that the Licensing Authority will take into account are listed within these policies. Each application will be considered on its own merits having regard to this policy and the Secretary of State's Guidance (which may be issued from time to time).
- The Licensing Objective Policies are attached as Appendix F. Operational considerations are attached as Appendix G.
- If a relevant representation is received, the Licensing Authority will apply the principles outlined in Appendix F and Appendix G. These appendices will also be applied to any other appropriate application made under the Act (such as an application to vary or review a licence).

## 2.2. The Licensing Objectives and Responsible Authorities

- Where the licensing authority has discretion to deal with an application for a new licence, variation, transfer or review it will do so on the individual merits of the case and by reference to the four licensing objectives which are:
  - the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance and
  - the protection of children from harm.
- Where relevant representations have been made the licensing authority may have no alternative but to refuse an application or to attach further conditions unless adequate proposals for addressing these issues are included in the

operating schedule. The licensing authority will, as far as possible, assist applicants on how best to adequately address these matters (if this is possible) or advise where further advice and information can be obtained. The licensing authority wishes to encourage applicants to submit fully completed applications in order to reduce unnecessary delays and costs associated with returning application forms or the attendance at hearings.

- Various factors need to be considered when addressing licensing objectives and the weight attached to each objective will vary depending on the circumstances. Relevant factors will include the size, facilities, design or state of repair (where this may impact in public safety) of the proposed premises; the type and frequency of entertainment to be provided; the location of the premises and its proximity to such places as offices, schools, religious establishments and residential property; and access to public transport or off street parking (where this may be an issue), although this is not an exhaustive list. Applicants will only be expected to address issues that are in their direct control but encouraged to co-operate with official agencies in establishing precautions for minimising any disturbance etc. caused by patrons away from licensed premises.
- In most cases, where the responsible authorities and interested parties do not raise any representations about the application made to the licensing authority, the licensing authority will grant the licence or certificate subject only to conditions that are consistent with the operating schedule or club operating schedule and any mandatory conditions prescribed by the Act.
- The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. However, the licensing authority is able to act in its capacity as a responsible authority when it considers it appropriate to make a representation. Such circumstances may include occasions where other responsible authorities have failed to take action and the licensing authority is aware of relevant grounds to make a representation.
- Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.
- Although not specifically identified as responsible authorities under the Licensing Act 2003, the licensing authority will circulate certain applications to local Town and Parish Councils and invite their comments where appropriate. Such applications will include applications for the grant or variation of licences for premises situated within the in the Town / Parish Council area. Furthermore, a weekly update will be sent to all Town and Parish Councils within the borough listing all active applications.

- The licensing authority has produced a series of guidance notes that are designed to assist applicants in relation to the licensing objectives. The guidance notes are attached to this policy as Appendix D.

### 2.3. **Balance**

- The licensing authority will also seek to achieve a balance between leisure / entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.
- This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence or where provision has been made for them to do so in the Licensing Act 2003.

### 2.4. **Relevancy**

- Licensing is about the control of premises and places being used for licensable activities and the vicinity of those premises and places. The terms and conditions attached to various permissions are focused on relevant matters that are within the control of the holders of those permissions. This means those matters occurring at, and in the immediate vicinity of, the premises, and the direct impact they have on nearby residents and businesses.
- Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

### 3. Cumulative Impact

- 3.1. In support of the Statement of Licensing Policy, the Council is able to identify areas within the Borough where the further granting of licences or variations to licences could impact on the Council's obligations in respect of the Licensing Objectives. This would be through a 'Cumulative Impact Policy'.
- 3.2. This policy can outline Cumulative Impact Zones, where a Cumulative Impact Assessment has taken place, and where the evidence from that assessment shows that the cumulative impact of the licensed premises is having a negative impact one or more of the licensing objectives. A Cumulative Impact Assessment can:

*"... limit the number or type of licence applications granted in areas where the number of licensed premises is causing problems. Such problems typically include crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area."*

- 3.3. The concept of Cumulative Impact has been described in the guidance to Licensing Authorities since the commencement of the Licensing Act 2003. However, the Policing and Crime Act 2017 gave Cumulative Impact Assessments a statutory position within Section 5A of the Licensing Act 2003.
- 3.4. In some areas where the number, type or density of licensed premises is high, serious problems of nuisance and disorder may occur directly outside, or within the vicinity of those premises. These problems generally occur as a result of alcohol, with a large number of people under the influence of alcohol being concentrated in a small area.
- 3.5. A large concentration of vulnerable people may also attract criminal activities such as drug-dealing, pick pocketing and robbery. Local services cannot always meet the demand posed by the concentration of users, such as street cleaning and public transport. This can lead to issues such as littering, public nuisance, street fouling, traffic congestion and parking issues.
- 3.6. Although these problems are more likely to occur in town centres, they may also occur in other urban centres or suburbs, for example smaller high streets with a high concentration of licensed premises.
- 3.7. There are a number of mechanisms for addressing concerns about the behaviour of those individuals within and around licensed premises which are able to work alongside the licensing policy:
  - Planning control and enforcement
  - Licence or pub watch
  - Business Improvement Districts
  - Community Protection Orders
  - The use of CCTV

- Public Space Protection Orders
- Police tasking concerning disorder and anti-social behaviour in specific areas
- Prosecution for the offence of selling alcohol to a person who is drunk
- Late Night Levy
- Early Morning Restriction Orders
- Other licensing conditions

### **Cumulative Impact Assessments**

- 3.8. A Cumulative Impact Assessment may be published by a licensing authority to limit the number or type of licensed premises granted in a specific area where there is evidence to show that the density of licensed premises is having a cumulative impact and undermining the licensing objectives.
- 3.9. Legislation states that a formal consultation process must take place with the following groups:
- The Chief Officer of Police for the area
  - The Fire and Rescue Authority for the area
  - The local authority's Director of Public Health
  - Representatives of local premises licence holders
  - Representatives of local club premises licence holders
  - Representatives of businesses and residents in its area.
- 3.10. When consulting on a cumulative impact assessment, the persons listed above must be provided with the following information:
- The reasons why the licensing authority is publishing a Cumulative Impact Assessment;
  - a general indication of the part or parts of its area which it is considering describing in the assessment;
  - whether it considers that the assessment will relate to all premises licence and club premises certificate applications and variation applications, or only to those of a particular kind described.
- 3.11. The Council must review any Cumulative Impact Assessment every three years, as required by legislation. The Council is able to review areas more frequently if it considers this necessary.

### **Cumulative Impact Zones**

- 3.12. A Cumulative Impact Assessment has shown that the density of licensed premises granted in the following areas are having a cumulative impact and causing problems in the area which are undermining the licence objectives.

## **Wickersley**

- 3.13. The Council have assessed statistics from the police, ambulance service, environmental health and public health for an area designated in Wickersley, which has determined that the zone is suffering from the cumulative impact of on-licensed, and on and off licensed premises.
- 3.14. The evidence contained within the Cumulative Impact Assessment can be found within the Council's Cumulative Impact Policy, alongside a map showing the exact location of the Cumulative Impact Zone.
- 3.15. In this area, there are problems surrounding anti-social behaviour, low-level crime, public nuisance including noise and ambulance related alcohol call outs in a mainly residential area. These problems are being suffered by the people living within this area.
- 3.16. It would be inconsistent with the Council's duty to promote the licensing objectives to grant new applications, or variations to existing licences, for any premises which seeks to apply for or vary an on-premises licence, or on and off premises licence.

### **Applications within a Cumulative Impact Zone**

- 3.17. Publishing a cumulative impact assessment sets a strong statement of intent about the approach that will be taken when considering applications for the grant and variation of premises licences or club premises certificates in the area described. The Council will have regard to the assessment when determining or revising the Statement of Licensing Policy, as well as when making determinations alongside the Section 182 guidance.
- 3.18. Any cumulative impact assessment does not change the fundamental principles by which licensing decisions are determined and the Council reserves the right to grant an application where it is appropriate and demonstrates through the operating schedule that the applicant would not add to the cumulative impact of the area in which they are applying.
- 3.19. However, the Council would expect an applicant to consider the potential cumulative impact of their licence on local issues when setting out the steps that will be taken to promote the licensing objectives. An applicant must be able to demonstrate to the Council and other responsible authorities that granting a new or varied licence will not add to the cumulative impact already being experienced within the area.
- 3.20. This policy does not create a ban on the grant of licences within the assessed zone and the Council can only consider cumulative impact to refuse an application if one or more relevant representations are made. Where no relevant representation is received, the Council must grant the licence, as stated in the Licensing Act 2003.

- 3.21. Therefore, a cumulative impact assessment does not reduce the onus placed on responsible authorities, local residents or residents' groups in making representations where they consider this necessary in order to uphold and promote the licensing objectives. This policy gives a basis of information which can be used when making a representation; a representation can be made just on the fact that an assessment has been published. Any person making a representation must be able to demonstrate that the representation withstands the scrutiny which it will be subjected to at a Licensing Committee, or sub-committee meeting.
- 3.22. The obligation to demonstrate that the application is suitable for the area is placed onto the applicant. An applicant must suitably evidence that their proposal will not add to the cumulative impact within the area. To assist this process, the Council recommends early consultation with responsible authorities. This can be achieved separately with each responsible authority, or through the Council's Licensing service.

#### **4. Licensing Hours**

- 4.1. In making decisions that relate to the hours for which a premise is licensed, consideration will be given to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.
- 4.2. It is recognised that longer licensing hours are important to help to ensure that concentrations of customers leaving licensed premises simultaneously are avoided. In turn this will reduce the potential for disorder at fast food outlets, taxi ranks and other sources of transport.
- 4.3. In making decisions in respect of licensing hours, consideration will be given to representations made by residents and businesses in the vicinity of the premises, their representatives, and the police as well as the applicant. This may lead to the imposition of stricter conditions on noise controls in areas having more sensitive residential accommodation such as residential care homes or sheltered housing schemes.
- 4.4. The Licensing Authority has set core hours which it believes are appropriate for certain premises uses. The Core Hours Policy provides the core hours for each premises use and can be found attached to this policy as Appendix H.

## **5. Promotion of the Licensing Objectives**

- 5.1. The Licensing Authority is required to carry out its functions so as to promote the licensing objectives. This includes its role in:
  - Granting or refusing applications for licences;
  - Reviewing licences;
  - Imposing conditions;
  - Deciding how to integrate with other strategies of the council.
- 5.2. Licence applications should be accompanied by an operating schedule that includes the steps that the licensee proposes to take to promote the licensing objectives. The Licensing Authority expects that the process of developing the operating schedule will include a thorough risk assessment with regard to the licensing objectives, which will assist in identifying those steps.
- 5.3. Applicants for licences are urged to discuss their proposals with the responsible authorities prior to submitting an application. This will enable them to seek advice on the production of their operating schedule and may avoid the need for a hearing in response to representations made by the authorities. The relevant authorities are:
  - Prevention of Crime and Disorder – South Yorkshire Police, RMBC Trading Standards, Home Office Immigration Enforcement (on behalf of the Secretary of State).
  - Public Safety – South Yorkshire Police, South Yorkshire Fire and Rescue, the Council's Environmental Health Officers with responsibility for Health & Safety
  - Public Nuisance – the Council's Environmental Health Officers with responsibility for Pollution Control
  - Protection of Children from Harm – Children's Safeguarding Board, South Yorkshire Police, Trading Standards, and Public Health.
- 5.4. Further information is provided in the following sections of this policy on a variety of steps to promote the licensing objectives that the Licensing Authority will support. However, the Licensing Authority will not impose them indiscriminately. It is for the applicant to decide which of these are appropriate for inclusion in the operating schedule for the premises, based on the exact circumstances involved. The Licensing Authority will however take this policy into account when undertaking its functions under the 2003 Act.
- 5.5. **The Council's Licensing Objective Policies can be found at Appendix F to this policy.**

## **6. The Prevention of Crime and Disorder**

- 6.1. The licensing authority will have regard to the likely effect of the exercise of its licensing function, and do all it can to prevent crime and disorder throughout the borough. In so doing the licensing authority will have regard to the likely impact of licensing and related crime and disorder in the borough when considering the location, operation and management of all proposed licence applications, reviews and variations, when its discretion has been engaged.
- 6.2. An applicant will be expected to demonstrate in their Operating Schedule how they intend to promote the prevention of crime and disorder. The licensing authority will only expect applicants to take such action or precautions that are in their control, but would normally expect applicants to have taken appropriate advice from the Police before making their application. All applicants are therefore advised to seek advice and guidance from South Yorkshire Police and look to the Police as the main source of advice in relation to Crime and Disorder when addressing these issues. Applicants are also advised to take account of local planning and transport policies, tourism, neighbourhood working, cultural implications and crime prevention strategies. Details of where these policies can be viewed can be found in the Guidance to Applicants.
- 6.3. Crime prevention measures will where appropriate include suitable training of all bar staff and security personnel to prevent the use and supply of drugs and other illegal substances within the licensed premises and to ensure that incidents of crime and disorder in the premises are reduced to a minimum.
- 6.4. Applicants for personal licences will be expected to have both knowledge of the relevant licensing law and also the practical implications of how this relates to their responsibilities.
- 6.5. Applicants for premises licences will be expected to be fully aware of their legal responsibilities for ensuring adequate supervision and management of licensed activities at all times. They will also be expected to consider issues relating to 'designing out' potential problems. These may, where appropriate, include provision of appropriate lighting outside the premises, installation of CCTV cameras, non-shatter glass on windows etc.
- 6.6. All door staff working whether under contract for a security company or employed 'in-house' will be required to be registered under the Private Security Industry Act 2001 and regulated by the Security Industry Authority. Door staff are defined as those responsible for security, protection, screening the suitability of persons entering the premises or conflict management in places such as pubs, clubs and other licensed premises open to the public. Further information can be found at <http://www.the-sia.org.uk>.

- 6.7. Applicants are also expected to address the issue of how to anticipate and minimise any potential disorder that might be caused in the vicinity of their premises. Issues concerning liaison with local bus, taxi and private hire companies should be considered both as a means of preventing public nuisance and crime and disorder on departure and also as a way of promoting the safety of their own staff. The licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned when addressing the prevention of crime and disorder in their application. The licensing authority acknowledges that licensing law is not the primary mechanism for general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned, although it is a key aspect of such control.
- 6.8. The licensing authority expects that under normal circumstances the person responsible for any premises where alcohol is available for sale or supply and consumption on those premises will be a member of an appropriate licence watch or similar scheme which is approved by the licensing authority and South Yorkshire Police (where such a scheme exists). A full list of current schemes can be obtained from the Licensing or Police Authority on request. Such schemes are designed to discourage troublemakers from pubs and clubs throughout the borough by information sharing and are a useful body to represent licensees.
- 6.9. The licensing authority expects applicants to state within their Operating Schedule the occasions on which they determine the need to use toughened glass or polycarbonate glasses in their premises to limit sale and supply of bottled drinks to diners at tables. Examples of where the Licensing authority may encourage these measures can be found in Appendix A - Model Conditions.
- 6.10. The licensing authority expects applicants to provide secure storage for used/discarded drinks bottles to prevent their use as offensive weapons.
- 6.11. The licensing authority expects a risk assessment to be carried out in relation to dance floors to ensure a safe environment. The risk assessment should normally consider adequate supervision of dancers, a safe location for the DJ or band and use of special effects and lighting.
- 6.12. To further assist in the promotion of the crime prevention objective, further conditions may be attached to a premises licence. Such conditions will normally arise out of the applicant's operating schedule and/or be drawn from the licensing authority's model pool of conditions as may be appropriate for the particular premises.
- 6.13. A significant part of Rotherham town centre is the subject of a Public Spaces Protection Order (PSPO). This is an area where there is a power for the

Police to request someone to refrain from drinking to address nuisance or annoyance. Failure to comply with this request is a criminal offence. To support this, the Licensing Authority considers it appropriate for Rotherham town centre premises to adopt a policy of prohibiting open containers of alcohol being taken from the premises. This approach will also prevent the use of these containers as offensive weapons.

- 6.14. The Licensing Authority will support an approach to the marketing of alcohol and the management of licensed premises that promotes the responsible consumption of alcohol. Irresponsible promotions are against the law and the Policy imposes a mandatory condition that staff must not carry out, arrange or participate in any irresponsible promotions.
- 6.15. Determining whether a drinks promotion is irresponsible or not will require a subjective judgement. The sale of alcohol to persons who are already drunk is an offence under the Act. The incidence of drunken people present at premises may provide an indication that the marketing and sale of alcohol at the premises is not being approached in a responsible way.
- 6.16. There are a wide range of other steps which may be appropriate in particular circumstances including:
- Prohibiting the sale of alcohol in bottles for consumption on the premises, to prevent their use as weapons
  - Requiring drinking vessels to be plastic or toughened glass
  - Requiring the provision of retail radios to connect premises supervisors in town centres to the police
  - Appropriate measures to prevent overcrowding in parts of the premises
  - The provision of staff to control admission and to control customers inside the premises.
  - The adoption of an age determination policy such as Challenge 25 to prevent underage sales
- 6.17. The Council also recommend licence holders put in place measures to reduce gender-based violence, intimidation and harassment for all staff and customers. This may include 'Ask for Angela' and/or specific training for staff.

## 7. Public Safety

- 7.1. The licensing authority recognises that different types of premises will present differing issues of public safety. For example, the safety considerations of public houses, nightclubs, restaurants, hotels (with entertainment), theatres and cinemas will raise issues peculiar to them. However, there are also many common themes. The licensing authority will work with South Yorkshire Fire and Rescue and other agencies to secure consistency and a standardised method of carrying out risk assessments which may be used where appropriate.
- 7.2. However, the prime responsibility for securing the safety and wellbeing of their customers and staff is placed on those providing entertainment, refreshment or events. Operating schedules are therefore expected to identify both the risks and precautions that will need to be taken to minimise or eliminate these. Guidance notes to assist applicants can be found in the appendices to this Policy.
- 7.3. Any conditions the licensing authority may need to attach to licences to address safety issues will seek to secure the most cost effective solution without prejudicing public safety, taking account of the nature of the premises and the scale or type of entertainment to be provided.
- 7.4. The licensing authority recognises that there are five key areas to address in ensuring the environment for a dance event is safe:
- Prevention of overcrowding
  - Air conditioning and ventilation
  - Availability of drinking water
  - Further measures to combat overheating
  - Overall safety
- 7.5. Applicants who intend to promote dance events are expected to give details of how they intend to address each of the following areas:
- Prevention of overcrowding
  - Air conditioning and ventilation
  - Availability of drinking water
  - Further measures to combat overheating
  - Overall safety
- 7.6. Further information and advice on dance events can be obtained from the publication "Safer Nightlife". This guide can be viewed at:  
[http://newip.safernightlife.org/pdfs/digital\\_library/uk\\_safer\\_nightlife\\_guideline.pdf](http://newip.safernightlife.org/pdfs/digital_library/uk_safer_nightlife_guideline.pdf)

- 7.7. Applicants are also expected to address positively the need to secure reasonable access and safety for people with disabilities who wish to visit their premises. In this regard licensees are reminded of their obligations under equalities legislation.
- 7.8. Specific types of adjustments licensees should consider in order to comply with their obligations under equalities legislation, depending on the type of premises concerned include:
- Making adjustments to the premises such as improving access routes and ensuring that they are free of clutter or redecorating part of their premises to provide better to contrast to someone with a visual impairment;
  - Providing appropriate or additional training for staff who may come into contact with customers to help them provide services for people with different types of disabilities;
  - Acquiring or using modified equipment, for example a telephone with text display for use by deaf customers; and
  - Making service literature and instructions more accessible for example providing a Braille version for blind customers and ensuring service, reception and payment points are designed to facilitate ease of use by all;
  - Accessible sanitary provisions
- 7.9. Where relevant representations have been received, the licensing authority may require evidence that items in respect of the building structure included have been considered by a suitably qualified person. In order to avoid relevant representations, applicants may consider the provision of relevant safety certificates such as Electrical Safety Certificates, Gas Certificates, Fire Safety Certification, appropriate Risk Assessments and/or policy documentation including safe capacities appropriate for the type of premise and its usage.
- 7.10. The licensing authority encourages adequate numbers of appropriately trained first aid staff to be on the premises. Where first aiders are employed they must be qualified to a standard recognised by a voluntary service organisation such as St John Ambulance, if they are to treat members of the public. Arrangements must be in place for ongoing first aid training and adequate medical supplies to be available.
- 7.11. Where its discretion is engaged the licensing authority may attach conditions to licences to promote the Public Safety Objective. These conditions will be based on the applicant's operating schedule and/or drawn from the model pool of conditions relating to this objective.

## **8. The Prevention of Public Nuisance**

- 8.1. The licensing authority will have regard to the likely effect of the exercise of its licensing function, and all it can do to prevent public nuisance.
- 8.2. The licensing authority accepts that different people may have differing levels of tolerance to the unavoidable ordinary activity involved in the provision of entertainment or refreshment. The licensing authority also acknowledges the role that a vibrant and varied entertainment scene can have in promoting tourism, leisure opportunities, and on the local economy.
- 8.3. The licensing authority will however, look carefully at the impact of licensed premises and events with regards to potential noise and disturbance to nearby local residents or businesses. It is also recognised that the later the entertainment takes place, the greater will be the need to take steps to ensure that activities do not cause unreasonable disturbance.
- 8.4. Applicants are therefore expected to consider such factors as noise insulation, noise attenuation measures, the positioning of amplification equipment etc. Advice on such issues can be obtained from the licensing authority's Community Protection Officers. The licensing authority considers that prevention is better than the cure and it may be possible to design measures for minimising disturbance and therefore reduce complaints about noise pollution.
- 8.5. Applicants will also be expected to address the issue of encouraging orderly conduct of customers leaving their premises. Properly trained door and other staff can assist in this and may be required by a condition of a licence. Appropriate announcements or reminder notices may also be of assistance. The establishment of good working relationships with transport operators can also often assist in encouraging clientele to leave their premises in an orderly manner.
- 8.6. The licensing authority strongly recommends that operators establish good communication links with the Police to ensure that where difficult situations develop inside premises and are likely to cause disturbances outside, that preventative action can be taken before the problem arises.
- 8.7. Where its discretion is engaged the licensing authority will seek to balance the rights of local residents and others with those wishing to provide entertainment or other activities. Conditions will be attached and, where necessary, tailored to address public nuisance issues that may arise in particular premises.
- 8.8. In determining licence applications where relevant representations have been received, the licensing authority will consider the adequacy of measures proposed to deal with the potential for undue disturbance, public nuisance and / or anti-social behaviour having regard to all the circumstances of the application (including the combinations of licensable

activities). The licensing authority will particularly consider the steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping both from the premises and from external sources under the control of the licensee. Such noise sources may include:

- Amplified and non-amplified levels;
- Singing and speech;
- Disposal to waste and bottle bins;
- Plant and machinery;
- Food preparation, the cleaning of premises and equipment;

8.9. Measures to combat such noise / vibration sources may include the installation / adoption of soundproofing, air conditioning, to allow windows to be kept closed, sound limitation devices, cooling down periods with reduced music levels at the end of the night and adopting hours of operation appropriate to the activities in question and the location.

8.10. The licensing authority will expect applicants and licence holders to have due regard to the following:

- The use of gardens, play areas, car parks, access roads, other open-air areas and temporary structures.
- The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving or leaving the premises, including the consideration of the cumulative effect of this might have in areas with other licensed premises nearby. This will be of greater importance between 11 pm and 7 am than at other times of the day.
- The steps taken or proposed by the applicant to prevent queuing (either by pedestrian or vehicles). If some queuing is inevitable then they should be formed away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction, for example, making provision for queuing inside the premises;
- The steps taken or proposed by the applicant to ensure staff leave the premises quietly;
- The arrangements made or proposed for parking by patrons and the effect of parking by patrons on local residents including the slamming of vehicle doors, vehicle horns, vehicle stereos, noise from engines idling, and vehicle exhaust fumes;
- The arrangements for liaising with providers of public transport during the proposed hours of opening (including taxis and private hire vehicle operators);
- Whether the licensed taxi or private hire vehicles serving patrons are likely to disturb local residents and the measures proposed by the applicant to prevent disturbance from this source;
- The installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices or places of worship;

- The suitability of delivery and collection areas and the times, frequency and method of operation, to the extent that these facilities are in the control of the licensee;
  - The location of external lighting (including security lighting that is installed inappropriately) and the siting and operation of internal or external illuminated displays or illuminated advertising;
  - Whether the premises would lead to increased refuse storage or disposal problems, including additional litter (e.g. fly posters, illegal placards, food waste and food packaging, cans, bottles, advertising 'flyers') in the vicinity of the premises and the measures proposed by the applicant to control this;
  - The steps taken to prevent the release of odours passing to neighbouring premises.
- 8.11. Where the considerations apply to late-night refreshment premises, they shall only be taken to apply to their operation between the hours of 11 pm and 5 am when a premises licence would be required.
- 8.12. Applicants are advised to seek guidance from a suitably competent noise consultant.
- 8.13. Where its discretion is engaged the licensing authority may attach conditions to licences to prevent public nuisance. These conditions will be based on the applicant's operating schedule and drawn from the model pool of conditions relating to this objective.

## **9. The Protection of Children from Harm**

### **9.1. General**

- The Licensing Authority will carry out its responsibilities so as to promote the licensing objective of protection of children from harm. In doing so it will take into account representations made by the Children's Safeguarding Board on each application.
- The Authority is committed to preventing and tackling all forms of Child Exploitation, including Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE). Rotherham's Children Safeguarding Board can give support, advice and training for premise operators and staff. Operators are encouraged to engage with the Safeguarding Board to include appropriate conditions and provide the necessary training to staff, covering how to deal with child protection, or perceived problems relating to children in or around the premises.
- It is recommended that licence holders are always aware of potential Child Exploitation and report this if they see something that does not look correct. This can be done through making contact with the police, or the Authority's Multi-Agency Safeguarding Hub (MASH). Further information on Child Exploitation awareness is available from both the Police and Licensing Authority's Licensing Services.
- Licences will be sought from a wide variety of premises including theatres, cinemas, restaurants, concert halls, cafes, late night takeaways, pubs, bars and nightclubs. It is not possible for a licensing policy to anticipate every situation where children are at risk. The Licensing Authority will not therefore impose general conditions that apply to all premises, but will consider how the licensing objectives can be best promoted in each particular case.
- The Authority have regard to the ambition for Rotherham to be a child-friendly borough, creating a great place to grow up in; where children, young people and their families have fun and enjoy living, learning and working. The licensing policy is just one tool which can be used to influence this and can ensure that all licensed activities within the borough sufficiently take the needs of young people into account.
- The Licensing Authority will not seek to limit the access of children to licensed premises unless it is necessary to protect children from harm.
- The following areas would give rise to particular concern in respect of children:
  - Where entertainment or services of an adult or sexual nature are commonly provided;

- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
  - Where there has been an association with drug taking or dealing.
  - Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines or of bingo).
- Conditions will not be imposed that require the admission of children. This will remain a matter for the discretion of the licensee.
  - The range of options available to limit the access of children to licensed premises that may be imposed by the Licensing Authority include:
    - Limitations on the hours where children may be present;
    - Age limitations (below 18);
    - Limitations or exclusions when certain activities are taking place;
    - Limitations on the parts of premises to which children might be given access;
    - Requirements for an accompanying adult;
    - In exceptional cases, exclusion of people under the age of 18 from the premises when any licensable activities are taking place.

## 9.2. **Children and Cinemas**

- Licensees will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view un-certificated films.

## 9.3. **Children and Public Entertainment**

- The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licensee will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises. The licensee should take into account the number of children to be present, the type of entertainment, the age of the children, the characteristics of the premises and any other relevant factor.

## 9.4. **Proof of Age Cards**

- The Licensing Authority supports the adoption of proof of age cards as a means of preventing underage drinking. It recommends that any premises licensed to sell alcohol adopts a policy of requiring proof of age from any person where there is any doubt as to whether they are over 18. The

authority would suggest as best practice, that proof of age could be in the form of a passport or photographic driving licence.

- The Licensing Authority supports the 'Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.' It will seek to ensure that premises licensed for the sale of alcohol comply with the code.

#### 9.5. **Staffing Levels**

- Where any regulated entertainment is taking place, when that entertainment is provided wholly or mainly for children, the number of attendants to assist persons entering or leaving the premises (excluding the licensee and/or the premises supervisor) must be stated in the operating schedule and must be of a level to ensure the safety of those attending the premises. Numbers of attendants required is stated in the Guidance as 1 per area occupied by the children + 1 per exit. In addition the licensing authority would normally expect a minimum ratio of 1 attendant to 30 children or part thereof.
- The licensing authority may attach conditions to licences to protect children from harm, where its discretion has been engaged. These conditions will be based on the applicant's operating scheme and / or drawn from the model pool of conditions relating to this objective.

#### 9.6. **Staff Training**

- The licensing authority is particularly mindful of the prevalence of Child Sexual Exploitation and the grooming of children. There are apparent links between these activities and licensed premises.
- As a result, the licensing authority would expect all staff working or present in licensed premises to be aware of the basic principles of child protection and to be able to identify and appropriately respond to any risks to children on or around licensed premises. There is an expectation that licence holders / applicants will make their staff available for appropriate training where this is required, and co-operate with any voluntary schemes promoted by the local authority to safeguard children and vulnerable adults.

## **10. Public Health Considerations**

### **10.1. National Context**

- The Licensing Authority recognises harms associated with public health, particularly relating to public safety and protection of children from harm.
- Harms associated with excessive alcohol consumption, obesity and poor diet can impact on individuals, families and wider society, and it is imperative to an effective Statement of Licensing Policy that public health considerations are at the core of the approach taken.
- It is essential that relevant Public Health advice, data and agendas, are considered as part of licensing applications to ensure that these are informed and relevant to the local and national picture.
- The Licensing Authority will have regard to the impacts of licensing decisions on Public Health and will actively use Public Health data when making licensing decisions, such as the Public Health Alcohol Toolkit.
- Reducing harmful drinking is one of seven priority areas for Public Health England where improvement is being sought. Alcohol misuse is the biggest risk factor for death, ill-health and disability among 15-49 year olds in the UK, and the fifth biggest risk factor across all ages. Alcohol is considered a causal factor in more than 60 medical conditions.
- Alcohol-related harm is determined by the volume of alcohol consumed and the frequency of drinking occasions. In January 2016, the Chief Medical Officer issued revised guidance on alcohol consumption which states that in order to keep a low level of risk of alcohol related harm, adults should not regularly drink in excess of 14 units of alcohol a week.

### **10.2. Local Context**

*[Section under review]*

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## **11. Special Events in the Open Air or in Temporary Structures**

- 11.1. The success of open air events, or those in temporary structures, depends on the quality, levels of safety, and consideration for the rights of people who live or work in the vicinity as well as the standard of facilities for those coming to enjoy the event.
- 11.2. It is essential that a comprehensive event management plan is developed well in advance of any planned event. General guidance on planning such events is available to organisers from the various agencies, and it may be appropriate for the event to be considered by the Rotherham Event Safety Advisory Group (RESAG). The licensing authority would expect the applicant / licence holder to fully engage with RESAG and take into account advice / guidance that is provided by the group.
- 11.3. In particular, the following issues should normally be addressed:
  - A detailed risk assessment identifying all inherent risks concerned with the event and the precautions that will be put in place to address these.
  - A contingency plan to deal with any emergency situations that may arise during the event.
  - A central location for all safety and insurance certificates and other documents relevant to the promotion of the event and equipment used, so that they can be readily produced if required by an authorised officer.
  - Ticketing arrangements and estimation of maximum number of visitors to the event. Appropriate levels of trained stewards and security staff will also to be considered.
  - Detailed planning of sanitary conveniences, first aid provision, temporary structures, temporary road closures, parking arrangements and any banners or signs to be used.
  - At an early stage there should be liaison and discussion with local residents on how to minimise disturbance and disruption to them.
  - Positive proposals for ensuring the access, safety and comfort of people with disabilities who may wish to enjoy the event.
  - Arrangements for reuniting children who may have become separated from their guardians.
  - Properly trained security staff should be used who have been trained and registered in accordance with the Securities Industries Act.
  - Ensure first aid and or medical provision meet minimum requirements laid down in the HSE Guide to Health and Safety and welfare at music and similar events.
- 11.4. Applicants for premises licences are expected to state in their Operating Schedule the precise nature of all entertainment proposed to take place, and to have carried out risk assessments for each entertainment type.

## **12. Integrating strategies**

The Licensing Authority will seek to achieve integration with the strategies set out below and will consult with the appropriate organisations to achieve this.

### **12.1. Public Health**

- The Licensing Authority recognises the key role that Public Health delivers in respect of Licensing Objectives and in particular those relating to public safety and protection of children from harm in relation to issues relating to alcohol.
- Public Health has a critical role in providing advice and data in respect of Licensing Objectives, providing essential information upon which to ensure that considerations of harms are enshrined within the approach the Council takes to licensable activities.
- In considering decisions and the delivery of the Statement of Licensing Policy, the Licensing Authority will consider Public Health objectives, advice and data.

### **12.2. Safer Rotherham Partnership**

- The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make Rotherham a safe and attractive borough.
- In making decisions, the Licensing Authority will consider the objectives of the Safer Rotherham Partnership, especially relating to:
  - Reducing the opportunities for crime to occur
  - Tackling disorder and anti-social behaviour
  - Reducing the fear of crime
  - Combating the use of drugs

### **12.3. Planning**

- Applications under the Licensing Act 2003 will be considered separately from other regimes such as planning and building control. This is in order to avoid duplication and inefficiency. Applications for premises licences for permanent commercial premises should normally be from businesses with the appropriate planning consent for the property concerned. However, applications for licences may be made to the Licensing Authority before relevant planning permission has been sought or granted by the planning authority.

- The planning and licensing regimes involve consideration of different matters. For example, licensing takes into account the four licensing objectives:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- Whereas planning considers a range of issues such as:
  - Public nuisance
  - Loss of privacy
  - Highway safety
  - Design
  - Nature conservation
  - Adequacy of parking
  - Amenity
  - Layout and Density
  - Sustainability
- Where a planning condition restricts usage of a premise to certain hours, and if these hours differ from those permitted on a premises licence, then the premise owner must comply with the more restrictive of the two sets of hours.

#### 12.4. **Culture and Tourism**

- The Council is working to develop and promote Rotherham as a good place to live and work, which means more jobs, a vibrant cultural sector and good quality green spaces.
- It is supporting the economic growth and the regeneration of the borough through work with partners to deliver a joined-up culture, sport and tourism offer alongside adopting both the Town Centre Masterplan and the Local Plan.
- The International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified by the UK in 1976 recognises the right of everyone to take part in cultural life and requires that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community.
- The strategy in relation to culture and tourism encompasses arts, heritage, museums, parks and green spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, play, faith and worship, tourism, restaurants and bars and creative industries.

- This licensing policy will operate in the spirit of the Council's approach to improving the borough's culture and tourism offer and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In doing so, it will seek to maintain a balance between regulation and supporting cultural activity. It will strive to maintain a balance between the need to 'manage' any detrimental impacts of an activity in a community with the many benefits cultural activity brings to communities, in developing personal aspiration and potential, building cohesive communities, providing opportunities for young people, contributing to economic growth and regeneration and the development of sustainable communities.
- In order to maintain this balance the Licensing Authority will:
  - monitor the impact of licensing on the provision of regulated cultural activities and entertainment, such as live music, theatre, dance and festivals
  - create a dialogue with the cultural sector about the impact of the licensing policy and work with our partners to balance different interests
  - seek to ensure that conditions attached to licences do not deter live music, festivals, theatre, sporting events etc. by imposing unnecessary restrictions
  - seek to ensure that conditions attached to licences do not deter new or small scale groups/ activities in communities by imposing conditions which will lead to a cost disproportionate to the size of the event
  - Seek to create an environment which minimises nuisance and anti-social behaviour connected to cultural activity and events but without undermining our commitment to increase access to cultural participation as a fundamental human right.

#### 12.5. **Building Control**

- The Building Regulation process is a separate system to the licensing regime but complementary in terms of some shared objectives.
- Where a licence is applied for, or exists, and any Building Regulated work is carried out, either as a material alteration, change of use or new build to a licensed premises, the owner / licensee should ensure that before opening to the public, Building Regulations consent has been granted in full and that completion certificates have been issued.
- Two separate and distinct certificates are issued on a commercial or work place premises. The first confirms compliance with Building Regulations in general and the second confirms compliance in terms of fire precautions, including means of escape in case of fire. A copy of this second certificate is sent to the Fire Service, which triggers their responsibilities under the Work Place Regulations and enforcement of risk assessments.

## 12.6. Promotion of Equality

- In developing this strategy, the Licensing Authority has recognised its responsibility under the Equality Act 2010, to consider the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity between different groups and foster good relations between different groups.
- There is no one size fits all approach to making a venue inclusive, and each operator will need to make an assessment of its own practices and policies. However, the following are common and best practice examples that could be adopted:
  - Inclusive and transparent policies (for example admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however they must not prevent admittance based on perceived attractiveness, size, or against any of the protected characteristics).
  - Robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed.
  - Accessible venue layouts that make venues welcoming.
  - Comprehensive training on equality and inclusion for all staff. It is important that any training is regularly refreshed.
- The Licensing Authority also recognises that this policy should promote equality in a wider sense and has therefore assessed the potential impact on disadvantaged groups in general.
- The following actions, which have been identified as being necessary to promote equality, and within the scope of the Act and supporting guidance, will be implemented by the Licensing Authority:
  - The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
  - The licensing objective of protecting children from harm will be promoted.
  - Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded.
  - Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
  - Action will be taken to endeavour to ensure the safety of vulnerable people in licensed premises.
  - Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

- The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. Where this proximity has an impact on the promotion of one of the licensing objectives this is a matter for the Licensing Authority. Where the impact does not affect the promotion of the licensing objectives, there may be other control mechanisms, such as the planning system, that could be applicable.

#### 12.7. **Disabled Access**

- The guidance supporting the Act advises that conditions relating to disabled access should not be attached to licences, as this would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind operators of premises of their duties under the Equality Act 2010.

#### 12.8. **Transport**

- Rotherham's Transport Strategy is set out in the South Yorkshire Local Transport Plan (SYLTP).
- The SYLTP policies seek to ensure that alternatives to the use of the private car are available; these alternatives include walking, cycling and public transport (bus, rail and taxi). They are operated in conjunction with land use policies to seek to ensure that development takes place in locations where these alternatives can be best provided; the Town Centre is naturally one of these locations, particularly with regard to public transport.
- A high level of bus services is provided commercially between the hours of 7am and 7pm Monday to Saturday. Lower levels of services are provided up to 11pm and on Sundays, and the transport plan will continue to seek ways of improving the provision of bus services at these times and later at night to assist in getting people away from the Town Centre quickly, safely and efficiently.
- Licensed vehicles provide a useful role in transporting people, particularly at times when bus services are not well provided. Taxi ranks are provided where demand is identified, and include both 24 hour ranks and ones which operate only at night. The Council's Transport Strategy will continue to seek to ensure that the demand for rank provision is satisfied and that their locations are amended as demand alters, subject to competing demands for use of kerbside space.

#### 12.9. **Environmental Best Practice**

- It is important for premises licence holders to consider the current and future impact on our environment and the ways in which the environmental impact can be minimised.

- Licensed premises can make up a significant part of the local economy, and they can make just as much of a contribution to creating a cleaner and greener Borough as any other part, by not only meeting their regulatory duties, but by following best practice including:

- Minimising waste and following the waste hierarchy of reduce, reuse, recycle.

Minimising waste, especially of single use, non-recyclable materials, is an important step to reducing the environmental impact of licensed premises. It can also help a business to become more efficient as well as demonstrating its commitment to its customers that it is a sustainable business. In October 2020 it became illegal, with some exceptions, to sell or supply single use plastics such as straws or drink stirrers. You can still supply and sell single-use straws and drink stirrers made from other materials or reusable alternatives.

There are other ways that licensed premises can minimise waste, such as:

- Using online menus instead of printed versions, or where menus and promotional materials are printed, ensuring they are on recycled materials and are not single use
- Allowing members of the public to refill water bottles to reduce plastic bottle waste.
- Improving recycling rates across all aspects of your business, forward facing and back office.
- Training staff on sustainability best practice.
- Reviewing options for reused and upcycled furnishings and fittings.
- Improving energy efficiency in heating, cooling and use of power.

Increasing energy efficiency across the sector will be key to achieving carbon neutrality. Many venues will also benefit financially from improving energy efficiency (e.g. 15–20% of a pub's operating costs lies in heating, and converting to LED lighting can save £2,000 per year). There are a number of ways that licensed venues can improve energy efficiency and tackle the climate emergency, including:

- Procuring energy efficient equipment including in kitchens or bar areas. Ensuring lighting is turned off when not in use and is as efficient as possible where used.
- Minimising the use of outdoor heaters and using energy efficient ones where necessary; this also helps to avoid fume emissions which cause a nuisance and contribute to air pollution.
- Closing doors during the colder months to keep heat in.

- Reducing the traffic on our roads as a result of business use e.g. freight and servicing.

We know that road transport contributes to NOx pollution in the Borough and tackling poor air quality caused by road traffic is a priority for the Council. Licensed venues increase traffic on the Borough's roads through deliveries from suppliers and providing takeaways. Both of these can also cause considerable noise nuisance for residents and are often reasons that new licences are objected to. Licensed venues can help address the environmental impact of road traffic by:

- Developing and implementing bespoke delivery and servicing plans that minimise traffic.
- Consolidating suppliers and procuring locally.
- Minimising waste and waste collections.
- Avoiding personal deliveries to venues.
- Shifting to low emission vehicles and using courier services that encourage drivers to use vehicles that are less likely to cause noise or air quality nuisances.
- Making provision to encourage sustainable transport options.

#### 12.10. **Women's Safety**

The Council and its partners are committed to tackling violence against women and girls. We need to take practical steps together to make the Borough safer at night for women. Everyone should feel empowered to play their part in creating positive change.

Business are encouraged to promote Women's Safety and make simple commitments such as:

- Nominate a champion in your organisation who actively promotes women's safety.
- Demonstrate to staff and customers that your organisation takes women's safety at night seriously, for example through a communications campaign.
- Do what you can to ensure that customers and staff know what to do if they experience harassment when working, going out or travelling.
- Encourage reporting by victims and bystanders as part of your communications campaign.
- Train staff to ensure that all women who report are believed.
- Train staff to ensure that all reports are recorded and responded to.
- Design your public spaces and workplaces to make them safer for women at night.

Please contact the Council for further information on Women's Safety.

### **13. Duplication**

- 13.1. The authority will avoid duplication with other regulatory regimes (e.g. the Health and Safety at Work etc. Act 1974) insofar as attaching conditions to premises licences and club premises certificates.
- 13.2. Conditions will only be attached where they are necessary for the promotion of the licensing objectives. If matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.
- 13.3. As has been referred to elsewhere in this policy, licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 13.4. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Rotherham.

## **14. Standardised Conditions**

14.1. The Licensing Authority will only attach to premises licences, and club premises certificates, those conditions that are tailored to the individual style and characteristics of the premises and the events concerned, and where they are necessary for the achievement of one or more of the four licensing objectives.

### **14.2. Model Conditions**

- To aid administration a pool of model conditions is attached to this statement (but does not form part of it). The authority may draw appropriate and proportionate conditions from this pool to cover particular circumstances. This is not intended to be an exhaustive list and other specific conditions may be appropriate.
- The model conditions will be informed through consultation. There are elements of the model conditions, which are indicated, that will be entirely dependent upon the findings of the consultation.
- The pool of model conditions is attached as Appendix A to this policy.

### **14.3. Mandatory Conditions**

- A number of conditions are mandatory and are required to be applied to licences.
- Mandatory conditions are provided by the 2003 Act, amended by the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 and should be included in every Licence and/or Club Premises Certificate.
- The Mandatory Conditions are attached to this Policy at Appendix B. These need to be adhered to and complied with by the Premises Licence Holder.
- For premises with ON sales the Mandatory Conditions will include the following requirements:
  - The need for a Designated Premises Supervisor to be registered on the Licence.
  - Alcohol needs to be sold or authorised by a Personal Licence Holder.
- Mandatory Conditions also refer to:
  - Permitted price of alcohol
  - Age verification Policy
  - Irresponsible promotions

- No drinking games (encouraging people to drink too much or within specific time limits).
  - Free access to drinking water
  - Measures of alcoholic drink
  - Exhibition of films
  - Door Supervision
- For premises with OFF sales the Mandatory Conditions will include the following requirements:
- The need for a Designated Premises Supervisor to be registered on the Licence.
  - Alcohol needs to be sold or authorised by a Personal Licence Holder.
- Mandatory Conditions also refer to:
- Permitted price of alcohol
  - Age verification Policy

## **15. Entitlement to work in the UK**

- 15.1. Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act and introduced immigration safeguards in respect of licensing applications made in England or Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.
- 15.2. The statutory prevention of crime objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in licensed premises. Licensing authorities should work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.
- 15.3. The Home Secretary (in practice Home Office Immigration Enforcement) is added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences), and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence.
- 15.4. Individuals applying for a personal licence and / or a premises licence for the sale of alcohol or late night refreshment must be entitled to work in the UK. This includes applications made by more than one individual applicant. An application made by an individual without the entitlement to work in the UK must be rejected. This applies to applications which include the sale of alcohol and the provisions of late night refreshment, but does not include applications which apply to regulated entertainment only.
- 15.5. Applicants must provide copies of Identification documents to verify their entitlement to work within the UK. The documents, which may be relied on in support of an application demonstrating an entitlement to work in the UK, are the same for the personal licence (see section 13) shown in Appendix C.
- 15.6. Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003, with effect from April 6 2017. Applications made on or after this date by someone who is not entitled to work in the UK must be rejected.
- 15.7. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.
- 15.8. In order to carry out this duty licensing authorities must be satisfied that an applicant has the right to work in the UK. They require applicants to submit an identification document, to show that they have permission to be in the UK and to undertake work in a licensable activity. Acceptable documents are listed in Appendix C to this policy.

## **16. Personal Licences**

- 16.1. The Licensing Authority recognises the important role that personal licence holders have to play in the promotion of the licensing objectives at premises selling alcohol. For this reason personal licence holders are required to have prescribed training and not have relevant convictions that would indicate their unsuitability.
- 16.2. The Policing and Crime Act 2017 gives licensing authorities the power to revoke or suspend personal licences, with effect from 6 April 2017.
- 16.3. When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017.
- 16.4. Every sale of alcohol at licensed premises is required to be authorised by a personal licence holder. Because of the importance of their role, the Licensing Authority considers it to be good practice for personal licence holders to have significant operational involvement in the sale of alcohol rather than to undertake a remote, periodic authorisation of other staff. In practical terms this would mean authorisation on at least a daily basis, and to be available on the premises throughout most of the day to deal with circumstances requiring their expertise and authority.
- 16.5. When applying for a personal licence, the Licensing Authority would expect applicants to produce an up to date Disclosure Barring Service certificate. All applicants would also be expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or an equivalent foreign offence.
- 16.6. In accordance with the Secretary of State's advice the Licensing Authority will normally refuse applications where the police have issued an objection notice unless there are, in the opinion of the Licensing Authority, exceptional and compelling reasons which justify granting the application.

**17. Temporary Event Notices (TENs)**

- 17.1. Part 5 of the Licensing Act allows licensing activities to be carried out in specified circumstances on a temporary basis, subject to a temporary event notice being served on the Licensing Authority, with a copy to the chief officer of police and Environmental Health services for the area no less than ten working days before the event. The chief officer of police or Environmental Health services may object to the event if satisfied that any of the four licensing objectives would be undermined.
- 17.2. "Late" TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice.
- 17.3. Late TENs can be given at any time as long as the limits specified, within guidance issued under section 182 of the Licensing Act 2003, are not exceeded. Late TENs can be given up to five working days but no earlier than nine working days before the event is due to take place and, unless electronically given to the licensing authority, must also be sent by the premises user to the police and Environmental Health Services. A late TEN given less than five days before the date of the event to which it relates will be returned as void and the activities to which it relates will not be authorised.
- 17.4. The Licensing Authority considers that it is important that the police and Environmental Health services have sufficient time to properly evaluate the likely impact of a temporary event. Where insufficient notice of the event is given this may lead to objections being made that may have been unnecessary if a fuller evaluation had been possible. Equally, if notice of an event is given too far in advance it may be difficult to evaluate because of future uncertainty.
- 17.5. The Licensing Authority would therefore suggest as best practice that a temporary event notice is served between one and two months ahead of the event taking place.

## **18. Enforcement**

- 18.1. The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives.
- 18.2. The Licensing Authority will develop and review enforcement protocols in agreement with the police.
- 18.3. Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition account will be taken of the general enforcement policy of the licensing authority, which aims to ensure that enforcement is open, fair, reasonable and proportionate.
- 18.4. Enforcement activities will include operations designed to:
  - Ensure compliance with conditions attached to licences, operating schedules, requirements specified in the this Statement of Policy, and the requirements of the Licensing Act itself;
  - Protect public safety;
  - Prevent nuisance;
  - Prevent crime and disorder;
  - Protect children from harm;
  - Identify unlicensed activities;
  - Respond to complaints and representations from relevant individuals and responsible authorities;
  - Prevent the sale of alcohol to minors
  - Prevent the sale of alcohol to people who are drunk
  - Identify the keeping of smuggled goods
  - Prevent drug misuse

**19. Live Music, Dancing, Theatre, Circuses and Street Arts**

- 19.1. The Licensing Authority will ensure that when it considers applications for licences for entertainment involving live music, dancing, theatre, circuses and street arts it will act so as to promote the licensing objective of preventing public nuisance.
- 19.2. The Licensing Authority recognises that there is a need to encourage and promote a broad range of entertainment, particularly those activities identified above, because of the wider cultural benefits to communities. The potential for limited disturbance will therefore be balanced against these wider benefits.

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## **20. Wholesale of alcohol**

- 20.1. Since 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses.
- 20.2. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesalerregistration-scheme-awrs>

## **21. Delegation of Functions**

- 21.1. The following matters will be determined by either the Licensing Committee or one of its sub-committees:
- Application for a personal licence where there are relevant unspent convictions;
  - The review of a premises licence or club premises certificate;
  - Decision to object when the local authority is the consultee and not the relevant authority considering the application;
  - Determination of a police objection to a temporary event notice.
- 21.2. The following matters will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:
- Application for a personal licence;
  - Application for a premises licence or club premises certificate;
  - Application for a provisional statement;
  - Application for variation to a premises licence or club premises certificate;
  - Application to vary a designated premises supervisor
  - Application for transfer of a premises licence
  - Application for interim authority
  - Determination of a temporary event notice.
- 21.3. The Licensing Manager will determine all other matters.
- 21.4. Variations to premises licences or club premises certificates that could not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. There is clear guidance as to what constitutes a "minor variation" contained on the Government's website.
- 21.5. Councillors are now considered as "interested parties" and can make representations on any application as such, even if they do not live in the vicinity, or may represent persons living or working in the vicinity of the premises in question.

**22. Period of Validity & Review**

- 22.1. This statement of licensing policy will come into force on XXXX 2025 and be valid until XXXX 2030. The policy will then be reviewed and reissued for a period of 5 years.
- 22.2. The policy will be kept under review during the period of validity and if necessary amendments made.
- 22.3. Before a new policy is adopted or amendments made to the existing one the Licensing Authority will undertake consultation in accordance with Section 5 of the Licensing Act 2003.

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## **Pool of Model Conditions**

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## **Introduction:**

When deciding to grant or vary a premises licence under the Licensing Act 2003, the Licensing Authority may do so subject to conditions which it considers are appropriate in promoting the licensing objectives.

Conditions should be individual to a premise and tailored to meet the individual circumstances of the premise, area and other contextual factors. Standardised conditions often do not reflect the individual aspects of applications and should be avoided.

Conditions which are appropriate to promote the licensing objectives should emerge from the application process and form part of the operating schedule of the premise. The Pool of Model Conditions has been produced to assist applicants to consider and promote the licensing objectives, within the context of their application.

Rotherham consists of a variety of neighbourhoods and communities and the Council encourage applicants to use model conditions, or alternative measures, to ensure that the Licensing Objectives are being promoted, whilst minimising any impact that could be caused by a licensed premise. Applicants should have an understanding of the area where their application is based and should tailor their application to consider any issues that are apparent in that area; model conditions are just one way to do this.

The Pool of Model Conditions is also available to assist any Responsible Authority, and other person, who may consider making a representation to the applicant. These conditions should form a consistent approach in proposing conditions on a premises licence.

The Pool of Model Conditions is not an exhaustive list and it does not restrict applicants, responsible authorities or other persons from proposing alternative conditions. It also does not restrict any reasonable condition on a licence being imposed where it considers it appropriate for the promotion of the licensing objectives.

Whilst it is not a Licensing Objective, Public Health is also considered to be a key issue within Rotherham when determining licensing matters and the Council consider it good practice for Public Health to be taken into account when applications are being made. Applicants are encouraged to take into account any relevant data regarding Public Health and amend their application accordingly.

### **CONDITIONS RELATING TO PREVENTION OF CRIME AND DISORDER**

It should be noted that certain matters are offences under the Licensing Act 2003. For example it is an offence to be party to the following:-

- Selling or supplying alcohol to a person who is drunk
- Knowingly allow disorderly conduct on licensed premises
- Being the holder of a premises licence or a designated premises supervisor to knowingly keep or to allow to be kept on licensed premises any good that have been imported without payment of duty or which have otherwise been unlawfully imported
- Sale of alcohol to under 18's
- Allowing the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

**Conditions dealing with these matters are therefore not necessary and will not be attached to licences. Applicants should note that the absence of such conditions on any licence does not authorise the commission of such acts as a defence to such offences.**

#### General

##### Communication between premises

Communication devices, connecting premises licence holders, designated premises supervisor's, managers of premises and clubs to local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Such devices could provide two-way communication, enabling licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and enabling the police to warn those operating a large number of other premises of potential trouble makers or individuals suspected of criminal behaviour that are about in a particular area. Licence holders, door supervisors, managers, designated premises supervisors and clubs can warn each other of the presence in an area of such people where these systems are used.

Where a condition requiring the text/radio pager which links the police is attached to a licence it will include the following:-

- The text/pager equipment is kept in working order at all times;
- The pager link is activated, made available to and monitored by a designated premises supervisor or by a responsible member of staff at all times that the premises are open to the public;
- Any police instructions/directions are complied with whenever given; and

- All instances of crime and disorder are reported via the text/radio [ager link by the DPS or responsible member of staff agreed to an agreed police contact point.

In relevant circumstances conditions may be imposed requiring the use and maintenance of such systems.

### Door Supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- Preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- Keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- Searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- Maintaining orderly queuing outside of venues prone to such queuing.

Where door supervisors conducting security activities are required as a condition of licence, they are required to be registered with the Security Industry Authority, and conditions will also be imposed dealing with the number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times door staff should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches).

Door supervisors also have a role to play in ensuring public safety.

### Training of licence holders, door supervisors, and other workers

The Council requires that all persons employed on licensed premises are trained and made aware of their responsibilities in relation to the Act, especially the offences under the Act, and the conditions of the licence.

The Council consider it good practice for license holders, door supervisors and other staff to take part in a variety of training sessions, which could include but is not limited to:

- Safeguarding Children
- Safeguarding Vulnerable Adults
- Crowd Safety
- Counter-terrorism

Licensed premises will be required to document any training undertaken by staff. Such records will be kept for a minimum of one year and will be made available for inspection on request by an authorised officer or the police.

### Sexual Violence and Vulnerability

All premises are highly recommended to engage with South Yorkshire Police and the Council to implement the 'Ask for Angela' scheme. Appropriate training should be given to staff on the way in which this will be delivered at a premise level.

It is also recommended that licensed premises are able to provide information and signposting to local domestic abuse support services in a discrete and supportive way to those who may need this.

### Single Can Sales

Single Can Sales can contribute to the harms relating to alcohol misuse, and particularly contribute to the harm caused to children and young people. Conditions may therefore be necessary to prevent sales of single cans of alcoholic drinks in areas where risk of harm is identified to be high.

### Bottle bans

Bottle may be used as weapons inflicting more serious harm during incidents of disorder. Conditions may therefore be necessary to prevent sales of drinks in their bottles for consumption on the premises. However, the Council notes evidence that many women consider that drinking from bottles to be safer as it is easier for them to prevent the possible spiking of drinks with drugs in bottles the openings of which may be readily covered. These issues will therefore need to be carefully balanced when specifying such conditions.

### Plastic containers and Toughened Glass

Glasses containing drinks may be used as weapons during incidents of disorder and can cause serious injuries. Consideration should therefore be given to conditions requiring either the use of plastic containers or toughened glass, that inflict less severe injuries. The location and style of the venue and the activities carried on there will be particularly considered in assessing whether such a condition is necessary. For example, the use of glass containers on the terraces of outdoor sports grounds may obviously be of concern, but similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of such plastic containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise, may be a necessary condition. The use of plastic or paper drinks containers may also be relevant as measures to promote public safety.

### CCTV

The presence of closed circuit television cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Where such conditions are necessary there will also be a requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The approval of the police will be required as to the type and positioning of the equipment to be used.

### Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. Where premises are licensed for the sale of alcohol for consumption off the premises that would be entirely lawful. However, consideration may be given to a condition preventing the taking of alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles). This may be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

Restrictions on taking open containers from the premises may also be a relevant necessary measure to prevent public nuisance.

### Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in the premises after they have been purchased from the bar. An example would be a sports ground where it may be necessary to prevent the consumption of alcohol on the terracing of sports grounds during particular sports events. Such conditions will not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be complied with.

Restrictions on drinking areas may also be relevant necessary measures to prevent public nuisance.

### Capacity limits

Although most commonly considered as a condition of a licence on public safety grounds, consideration may also be given to conditions that set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered necessary, consideration may also be given to appropriate door supervisors needed to ensure that the numbers are appropriately controlled.

### Proof of Age Cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent such crimes, it may be necessary to require a policy to be applied at certain licensed premises requiring the production of "proof of age" before such sales are made. Such a condition may also make provision for the production of other proof, such as photo-driving licences, student cards and passports to be acceptable.

The wording of any condition requires careful thought. For example many premises have adopted the "Challenge 21" or "Challenge 25" or other similar initiatives. Under Challenge 21/Challenge 25 those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21/25 and who is attempting to buy alcohol.

Proof of age may also be relevant and necessary to protect children from harm.

### Crime prevention notices

It may be necessary at some premises for notices to be displayed that warn customers of the prevalence of crime that may target them. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the displaying of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be necessary for notices to be displayed, which advise customers not to leave bags unattended because of concerns about terrorism. Consideration may also be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

### Drinks promotions

Standard conditions will not be attached to premises licence or club premises certificates which promote fixed prices for alcoholic drinks. Conditions tailored to the individual circumstances of particular premises, which address irresponsible drinks promotions, may be considered where it is considered this is necessary for the promotion of the licensing objectives.

Irresponsible promotions are addressed through mandatory licensing conditions. The licensing authority however will be objective when considering whether a promotion is responsible or irresponsible within the context of the licensing objectives.

### Signage

It may be necessary for the normal hours under the terms of the premises licence or club premises certificate at which licensable activities are permitted to take place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises so that the consequences of breaches of these conditions would also be clear and to deter those who might seek admission in breach of those conditions.

Furthermore, signage promoting the responsible consumption of alcohol is encouraged to be added across the venue. For example, Drink Aware publicity material would be encouraged across a venue to promote responsible drinking habits.

### Large Capacity Venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)

Large capacity “vertical drinking” premises, sometimes called High Volume Drinking Establishments (HVVDs) are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol and little or no seating for patrons.

Where necessary and appropriate conditions can be attached to licences for these premises which require adherence to:

- A prescribed capacity

- An appropriate ratio of tables and chairs to customers based on the capacity; and
- The presence of security staff holding the appropriate SIA licence or exemption to control entry for the purpose of compliance with the capacity limit.

## **CONDITIONS RELATING TO PUBLIC SAFETY**

### **General**

The following options will be considered as measures that, if necessary, would promote public safety. It should be recognised however that special issues might arise in connection with outdoor and large-scale events.

Whether or not any risk assessment shows any of the measures to be necessary in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved.

Necessary conditions of the licence or certificate will also depend on local knowledge of the character and vicinity of the premises.

In addition, to considering the points made in this Annex, those preparing operating schedules or club operating schedules, and responsible authorities should consider:

- Model National and Standard Conditions for Place of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) (“The Purple Book”) ISBN 0717624536
- Managing Crowds Safely (HSE 2000) ISBN 9780717618347
- Guide to Safety at Sports Grounds (The Stationery Office, 2008) (“The Green Guide 5<sup>th</sup> Edition”) ISBN 978 0 11 702074 0
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through <http://www.streetartsnetwork.org.uk/>
- Fire Safety Risk Assessment – Small and Medium Places of Assembly ISBN 978185112820-4
- Fire Safety Risk Assessment – Large Places of Assembly ISBN 978185112821-1
- The Fire Safety (Regulatory Reform) Order 2005
- The following British Standards should also be considered:
  - BS 9999 : 2008
  - BS 5839 : Part 1 : 2002 (Fire Detection/Fire Alarms)
  - BS 5266 : Part 1 : 2005 (Emergency Lighting)

### Harms associated to alcohol

It is well evidenced that the excessive consumption of alcohol can have significant harms on individuals and that licensees have an important role in promoting responsible drinking. Consideration will be given to conditions which ensure that:

- Premises promote a good range of low-alcohol or alcohol-free drinks to enable customers to choose drinks with a lower alcohol volume. These should be readily available and of a similar price to alcoholic equivalents.
- The premise does not promote any reduced drink price through a promotion, to promote responsible drinking.
- A premise has a process to provide details of local alcohol support services to customers in a discrete and supportive way.

### Disabled People

Consideration will also be given to conditions that ensure that:

- When disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency: and
- Disabled people and all employed staff on the premises are made aware of those arrangements.

### Escape routes

It may be necessary to include conditions relating to the maintenance of all escape routes and exits including external exists. These might be expressed in terms of the need to ensure that such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. In restaurants and other premises where chairs and tables are provided this might also include ensuring that internal gangways are kept unobstructed.

In certain premises where existing legislation does not provide adequately for the safety of the public, consideration might also be given to conditions that ensure that:

- All exits doors are easily opened without the use of a key, card, code or similar means;
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept;
- Any security fastenings are removed prior to the premises being open to the public;
- All fire doors are maintained effectively self-closing and shall not be held open;

- Fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut; and
- The edges of the treads of steps and stairways are maintained so as to be conspicuous.

#### Safety checks

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Safety checks are carried out before the admission of the public; and
- Details of such checks are kept in a Log Book.

#### Curtains, hangings, decorations and upholstery

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Hangings, curtains and temporary decorations are maintained in a flame-retardant condition;
- Any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990;
- Curtains, hangings and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment; and
- Temporary decorations are not used without the prior written consent of the licensing authority.

#### Accommodation limits

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate are not exceeded; and
- The licence holder, a club official, manager or designated premises supervisor are aware of the number of people on the premises and required to inform any authorised person on request.

### Fire action notices

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.

### Outbreaks of fire

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- The fire brigade service must be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.

### Loss of water

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- The local Fire Control Centre are notified as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

### Access for emergency vehicles

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- Access for emergency vehicles is kept clear and free from obstruction.

### First Aid

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- Adequate and appropriate supply of first aid equipment and materials is available on the premises.
- If necessary, at least one suitably trained first aider shall be on duty when the public are present; and if more than one suitably trained first aider that their respective duties are clearly defined.

### Lighting

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- Fire safety signs are adequately illuminated.
- Emergency lighting is not to be altered without the written consent of the licensing authority
- Emergency lighting batteries are fully charged before the admission of the public, members or guests.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

### Temporary electrical installations

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten working days before the commencement of the work.
- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- Temporary electrical wiring and distribution systems are inspected and certified by a competent qualified person before they are put to use.

### Ventilation

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- The premises are effectively ventilated and verified as such by the licensing authority.

- Where the ventilation system is designed to maintain positive air pressure within part of the premises, that pressure is maintained whenever the public, member or guests are present in that part of the premises.
- Ventilation ducting is kept clean.
- Air filters are periodically cleaned and replaced to maintain air supply.

### Indoor Sports Entertainments

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that:

- If necessary, an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Where a ring is involved, it is constructed and supported to the satisfaction of the licensing authority and any material used to form the skirt around the ring is flame-retardant.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 meters of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also *Managing Health and Safety in Swimming Pools* issued jointly by the Health and Safety Commission and Sport England)

### Conditions Relating to Theatres and Cinemas

In addition to the points made above, there are particular matters in the context of public safety and fire safety, which should be considered in connection with theatres and cinemas. The points, which follow, are examples of the types of specialised conditions that may be necessary for these premises.

### **Premises used for Closely Seated Audiences**

#### Attendants

- a) The number of attendants on each floor in a closely seated auditorium be required in accordance with the following formula:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1 – 100	One
101 – 250	Two
251 – 500	Three

201 – 750	Four
751 – 1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- b) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- c) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- e) No article shall be attached to the back of any seat, which would reduce the clear width of gangways or cause a tripping hazard or obstruction.
- f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

#### Standing and Sitting in Gangways etc

- a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- c) In no circumstances shall anyone be permitted to
  - i) sit in any gangway
  - ii) stand or sit in front of any exit; or
  - iii) stand or sit on any staircase including any landings

#### Drinks

Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.

#### Balcony Fronts

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

### Special effects

Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Special effects include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics, including fireworks
- Real flame
- Firearms
- Motor vehicles
- Strobe lighting
- Lasers (see HSE Guide Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products)
- Explosives and highly flammable substances

In certain circumstances, it may be necessary to require that certain special effects may only be used with the prior consent of the licensing authority.

### Scenery

Any scenery should be maintained flame-retardant.

### Safety Curtain

Where a safety curtain is necessary, it should be arranged so as to protect the audience from the effects of fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium should be heavyweight and be made of non combustible material or inherently or durably treated flame-retarded fabric.

### Ceilings

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person every five years and a certificate concerning the condition of the ceilings forwarded to the licensing authority.

### Seating

Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

**Premises used for Film Exhibitions****Attendants – premises without a staff alerting system**

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

<b>Number of members of the audience present on the premises</b>	<b>Minimum number of attendants required to be on duty</b>
1 – 250	Two
<b>And one additional attendant for each additional 250 members of the audience present (or part thereof)</b>	
Where there are more than 150 members of an audience in any auditorium or any floor	At least one attendant shall be present in any auditorium or on any floor

**Attendants – with a staff alerting system**

- a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of staff on the premises who are available to assist in the event of an emergency
1 – 500	Two	One
501 – 1000	Three	Two
1001 – 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

- b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
- i) the holder of the premises licence or the manager on duty at the premises; or
  - ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation; or
  - iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
- c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- d) The staff alerting system shall be maintained in working order.

### Minimum Lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007: Maintained Lighting for Cinemas.

### Flammable films

No flammable films should be allowed on the premises without the consent of the licensing authority.

## **CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE**

It should be noted that provisions of the Environmental Protection Act 1990 and the Noises Act 1996 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on permitted temporary activities that are causing noise nuisance resulting from noise emanating from the premises. These matters will be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

### **General**

When applicants for premises licences or club premises certificates are preparing their operating schedules or club operating schedules and responsible authorities are considering such applications the Council, as licensing authority is considering following the receipt of relevant representations from a responsible authority or interested party, the following options may be considered as necessary, would promote the prevention of public nuisance.

Whether or not any risk assessment shows them to be necessary in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved.

Necessary conditions for licences and certificates will also depend on local knowledge of the character and the vicinity of the premises.

### **Hours**

The hours during which the premises are permitted to be open to the public or to members and their guests may be restricted (other than where they are protected by the transitional provisions of the Licensing Act 2003) to less than those applied for by the imposing of conditions of a premises licence or a club premises certificate for the prevention of public nuisance. But this will be balanced by the potential impact on disorder that could result from artificially early fixed closing times.

Restrictions may be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue.

Restrictions may be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

### Noise and vibration

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration may be given to conditions that ensure that:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.
- Prominent clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas being restricted or prohibited.
- The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

### Noxious smells

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration may be given to conditions that ensure that:

- Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

### Light pollution

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration may be given to conditions that ensure that:

- Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. The need for any such condition will be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

### Litter

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration may be given to conditions that ensure that:

- Litter is properly controlled through a waste management strategy agreed with the licensing authority, and that conditions to prevent unlawful advertising in relation to those premises are imposed.

## **CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM**

It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for the supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or a temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there.

In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice. Conditions duplicating these provisions are therefore unnecessary.

### **Requirements for safeguarding measures relevant to licence holders and workers**

It is strongly recommended that persons employed on licensed premises, in particular those providing facilities and or entertainment for children and youths, receive appropriate training covering the safeguarding of children and other vulnerable groups and, if appropriate, have the necessary DBS checks.

### **Access for children to licensed premises – in general**

Restrictions on the access of children under 18 to premises where licensable activities are being carried on will be considered where it is necessary to protect children from harm.

For any premises with known associations (having been presented with evidence at a hearing) with underage drinking, drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there will be a strong presumption against permitting any access at all for children less than 18 years.

Applicants wishing to allow access for children to premises where these associations may be relevant, when preparing operating schedules or club operating schedules or variations of those schedules for the purposes of obtaining or varying a premises licence or club premises certificate should:

- Explain their reasons; and
- Outline in detail the steps that they intend to take to protect children from harm on such premises.

For any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 10pm in the evening, there will be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access when preparing operating schedules or variations of those schedules or club operating schedules for the purposes of obtaining or varying a premises licence or club premises certificate should:

- Explain their reasons; and
- Outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case, subject to the premises licence holder or club's discretion, the expectation would be for unrestricted access for children of any age to premises. Where an applicant intends to exclude children totally from the premises then this should be made clear on the operating schedule.

#### The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Portman Group operates on behalf of the alcohol industry a Code of Practice on the naming, packaging and promotion of alcoholic drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. Complaints about products under the code are considered by the Independent Complaints Panel and the Panels decisions are published on the Portman Groups website, in the trade press and in annual report. If products packaging or point of sale advertising is found to be in breach of the Code the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcoholic products sold in licensed premises in a manner which may appeal to or attract minors.

Consideration may be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Groups Retailer Alert Bulletins.

#### Age Restrictions – specific

Under the 2003 Act a wide variety of licensable activities could take place at various types of premises and at different times of the day and night. It may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place. However, following representations made by responsible authorities and interested parties it may be necessary to consider a range of conditions that are tailored to the particular premises and their activities where these are necessary. The following will be expected to be considered:

- The times of during when age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day. Any conditions imposed would clarify the position.
- Types of event or activity in respect of which no age restrictions may be needed, for example;
  - Family entertainment; or
  - Non-alcohol events for young age groups such as under 18s dances

- Similarly, types of event or activity which give rise to a more acute need for age restrictions than normal, for example;
  - During “Happy Hours” or on drinks promotion nights
  - During activities outlined above.

### Age Restrictions – cinemas

The Secretary of State considers that, in addition to the mandatory condition imposed by virtue of section 20, (requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 or by the licensing authority itself), conditions restricting the admission of children to film exhibitions should include:

- A condition that where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed.
- A condition that when films are classified, by either the film classification body as specified in the licence or the licensing authority, they should be classified in the following way;
  - U Universal – suitable for audiences aged four years and over
  - PG – Parental Guidance – some scenes may be unsuitable for young children
  - 12A – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult
  - 15 – Passed only for viewing by persons aged 15 years and over
  - 18 – Passed only for viewing by persons aged 18 years and over.
- That conditions specify that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.
- A condition that when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:

“Where a programme includes a film recommended by the licensing authority as falling into the 12, 12A, 15 or 18 category no person appearing to be under the age of 12, under 12 and unaccompanied, 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in

a conspicuous position at each entrance to the premises a notice in the following terms –

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE]  
CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age provided that the prior written consent of the person's parents or legal guardian has first been obtained".

### Theatres

The admission of children to theatres, as with other licensed premises, is not expected to normally be restricted unless it is necessary to promote the licensing objective of the protection of children from harm. However, theatres may be the venue for a wide range of activities.

The admission of children to the performance of a play is normally expected to be at the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

In this circumstance consideration will be given to whether a condition should be attached to premises licences, which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of children present on the premises during any emergency.

### Entertainment especially for children

Where performances are presented especially for children in theatres, cinemas or other places of entertainment (e.g. children's disco) conditions are anticipated to be needed which require:

- An attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

The licensing authority will, having regard to any representations made by the responsible authorities on the issue, also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

### Children in performances

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18.

The Children (Performances) regulations 1968 as amended set out requirements for children performing in a show. Conditions will not duplicate those regulations. However, if it is necessary to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the matters outlined below will be considered:

- Venue – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- Fire safety – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- Special effects – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- Care of children – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

## **Mandatory Conditions**

## **Mandatory Conditions applicable to all Premises Licences & Club Premises Certificates under the Licensing Act 2003**

### **Supply of Alcohol**

1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Exhibition of Films**

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
4. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
5. Where-
  - (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
6. In this section “Children” - means persons aged under 18; and “Film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### **Door Supervision**

7. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, that licence must include a condition that each such individual must:
  - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
  - (b) Be entitled to carry out activity by virtue of section 4 of the Act.

8. But nothing in subsection (1) requires such a condition to be imposed:

(a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the

Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films); or

(b) In respect of premises in relation to:

(i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

9. For the purposes of this section:

(a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act.

(b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

### **Age Verification**

10. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

11. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

12. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

(a) a holographic mark, or

(b) an ultraviolet feature.

**Permitted Price**

13. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

14. For the purpose of this condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

Where:

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

15. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

16. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Irresponsible Drink Promotions (applicable to 'on' & 'off' sales)**

17. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

18. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
  - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - (ii) drink as much alcohol as possible (whether within a time limit or otherwise).
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

19. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

## **Alcoholic Drink Measures**

20. The responsible person must ensure that:

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider:  $\frac{1}{2}$  pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

# **Immigration Act 2016: Entitlement to Work Identification Documentation**

### **Immigration Act 2016- Entitlement to Work Identification Documentation**

Applicants may be asked to demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They can do this by providing with their application, copies or scanned copies of the documents listed below (which do not need to be certified). The documents that demonstrate an entitlement to work in the licensing regime are based on existing prescribed document lists for checks undertaken by employers. They are set out in the following regulations: The Immigration (Restrictions on Employment) Order 2007 and the Immigration (Restrictions on Employment) (Codes of Practice and Amendment) Order 2014.

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK. See note below about which sections of the passport must be provided.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of an European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office, such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - a) working e.g. employment contract, wage slips, letter from the employer,
    - b) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - c) studying e.g. letter from the school, college or university and evidence of sufficient funds, or
    - d) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.**

If the document copied is a passport, a copy of the following pages should be provided:-

- any page containing the holder's personal details including nationality;
- any page containing the holder's photograph;
- any page containing the holder's signature;
- any page containing the date of expiry; and
- any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

## **GUIDANCE FOR APPLICANTS**

Guidance notes on when a licence is needed and how to make an application are available from the Licensing Office on request.

### **PUBLIC SAFETY GUIDANCE NOTE**

Applicants are required to satisfy the Council that appropriate measures have been taken to ensure the safety of the public whilst on the premises. Details of the steps taken to achieve this objective must be contained within the operating schedule submitted with the application for a premises licence.

Public safety issues to be considered in drawing up operating schedules will vary according to the types of activities to be held on the premises but will generally include the following matters:

- Fire safety issues including:
- Means of escape in case of fire
- Travel distances
- Alarms
- Detection capabilities
- Emergency lighting
- Fire suppressing systems
- First aid/fire fighting equipment
- Enclosure of escape routes
- Fire doors
- Exit signage
- Facilities for disabled evacuation
- Layouts for temporary seating
- Access and facilities for fire fighting
- Fire resisting enclosures to high risk rooms
- Operation of fire safety systems within the premises
- Surface spread of flames ratings to walls and ceilings
- Fire retardant treatments for drapes, furnishings and decorations etc
- General fire precautions

Management arrangements including:

- Personal emergency and evacuation plans and disabled evacuation
- Evacuation procedures
- Entry/egress control
- Staff training
- Equipment testing and records
- General housekeeping
- Incident logs
- Checking availability of exit routes and final exit doors prior to occupation of the building

General structural safety including:

- Stability of external and internal walls
- Condition of floors, roof members, beams, mezzanine floors, stairs, lintels, ceilings and any other structural elements.

Fire resistance of the same

Safety of fixed appliances:

- Guarding to fires in public places

- Boiler flues and combustion air

Safety of stairs, ramps etc:

- Guarding to stairs, landings, ramps and changes in level
- Robustness of guarding to areas subject to crowd loading
- Condition of stairs and ramps
- Headroom to stairs, ramps and escape routes
- Steepness of stairs – rise and going of treads
- Clear indication of floor surfaces
- General condition of floor surfaces (e.g. trip hazards, non slip surfaces)
- Provision of safety glazing in critical locations

Access and facilities for disabled people, elderly/infirm, parents with children:

- Provision of reasonable access
- Provision of reasonable facilities
- Adequate signage, lighting contrasts
- Provision of communication

Certification by a suitably qualified person may be required in respect of any of the above items.

## **HEALTH AND SAFETY GUIDANCE**

### **Licensing Applications**

*Applicants are required by law to protect the health and safety of their employees and anyone on their premises. The following information has been produced to help you to fulfil your duties. Leaflets providing further detailed guidance are enclosed. A list of useful further reference guides is provided overleaf.*

- As an employer or self-employed person you are responsible for carrying out a risk assessment. This involves identifying any hazards in your workplace that may affect anyone (e.g. members of the public, visitors and employees) and taking suitable precautions to prevent them causing harm. The enclosed leaflet gives guidance on the five steps to carrying out a suitable risk assessment.

Where you have five or more employees, you are required to record the findings of your risk assessment.

You must consider all hazards in your risk assessment, including those affecting public safety. The following are examples of issues that should be considered as part of your risk assessment if they are applicable to your premises/work activities:

- Adequate guarding to stairs, landings, ramps and changes in level
- The provision of handrails to staircases
- Non-slip coverings to floors, stairs and ramps
- Floor coverings, stairs, external grounds and ramps in good condition
- Adequate headroom to stairs, ramps and escape routes
- Steepness of stairs
- Clear indication in changes in floor level and changes in floor coverings
- Provision of safety glazing where appropriate
- Safety and maintenance of electrical installations and appliances
- Guarding to fires in public places
- First aid and accidents

FACT: Slips and trips are one of the most common causes of injuries in work places and you must do all you can to prevent them (see enclosed leaflet).

- If you will be holding events at your premises, a risk assessment must be carried out for each event. The Health and Safety Executive produces a guidance document on Event Safety (see references).
- If you have five employees or more you are required by law to produce a written health and safety policy statement. The organisation and arrangements for carrying out the policy should be included in the statement and it must be brought to the attention of all employees. A guidance leaflet is enclosed.

**Useful Free Information leaflets**

An introduction to Health and Safety (INDG259)

Take a fresh look at Health and Safety (INDG385)

1 Steps to Risk Assessment (INDG163)

Managing Health and Safety – 5 Steps to Success (INDG275)

Starting your business – Guidance on preparing Health and Safety Policy Document for small firms (INDG324)

Electrical Safety and You (INDG231)

Electrical Safety for Entertainers (INDG247)

Gas Appliances – Get them checked – Keep them safe (INDG238)

Preventing Slips and Trips at Work (INDG225(rev1))

Getting to grips with manual handling (INDG143(rev2))

Other Useful Guidance: The following publications can be obtained from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 2WA (Tel: 01787 881165).

The Event Safety Guide (HSG95) ISBN: 0 7176 2453 60

Working Together on Firework Displays (HSG123) ISBN: 0 7176 2478 1

Giving your own Firework Display (HSG124) ISBN: 0 7176 0836 0

Managing Crowds Safely (HSG154) ISBN: 0 7176 1834 X

Electrical Safety at Places of Entertainment (GS50) ISBN: 0 7176 1387 9

The Radiation Safety of Lasers used for Display Purposes (HSG95) ISBN: 0 7176 0691 0

Essentials of Health and Safety at Work ISBN: 0 7176 0716 X

Guidance on writing a Health and Safety Policy for the Licensed Trade is available from Federation of Licensed Victuallers Associations, Brighthouse, 01484 710534

**GUIDANCE NOTE FOR APPLICANTS IN RELATION TO NOISE FROM LICENSED PREMISES**

These notes should be read in conjunction with Rotherham Council's Licensing Policy.

What is noise? Noise is, quite simply, unwanted sound. What is music to one person may be noise to another. Music and sound being played and generated in your premises may be enjoyed by your customers but is unlikely to be enjoyed by your neighbours.

Why do I need to be concerned about noise? Because the prevention of public nuisance is one of the objectives of the Licensing Policy and the minimisation of noise transmission from any licensed premises is fundamental to this objective.

Do I need the services of a Noise Consultant? Under normal circumstances no, however where noise control has been a problem in the past or is likely to be, and the solution to the problem is not easily resolved, you may require expert help and advice. Officers for the Community Protection Team will be able to undertake a comprehensive assessment of the problem. In situations where substantial changes or new build is being undertaken, it is recommended that a consultant be employed at the design stage.

The following issues should be considered when making an application for a licence.

The type of structure in which the entertainment is performed. If, for example, amplified music from either a live band or recorded music played by a DJ or karaoke is proposed, then it will be more intrusive to neighbours if residential properties or other noise sensitive properties, are attached or in close proximity. Sound is transmitted both through the air and via the structure of buildings, so if buildings are attached to your premise then noise may be transmitted by both these paths. If you occupy a public house in a row of terraced properties and wish to play amplified music it is highly likely your neighbours will be affected by the noise and consideration will have to be given to reducing the noise level, location of the speakers, and restriction of the hours of entertainment. Whereas if you occupy a public house which is detached and has no properties in the immediate vicinity you may not have to impose as many restrictions.

Doors and windows. Open doors and windows can be a particular problem in warmer weather when they are opened for ventilation. Windows may have to be kept closed when entertainment is taking place and an alternative form of ventilation such as air conditioning may have to be considered. Alarms may be fitted to windows to warn of customers opening windows. Secondary glazing may have to be installed, particularly if windows face noise sensitive property. Premises which have conservatories can be problematic where amplified music is played and consideration may have to be given to the provision of patio doors to the access to reduce noise emission. External doors may have to be provided with a lobby and a second set of doors to minimise noise emissions.

Extractor fan outlets and air bricks. Any holes in the fabric of the building can transmit noise and consideration needs to be given to the location of ventilation ducts and air grates in relation to noise sensitive properties. Silencers may have to be fitted to the outlets of ventilation ducts and acoustic louvers may have to be fitted to air grates.

Location and orientation of speakers. Speakers should be located away from party walls and orientated away from neighbouring properties. Where noise is transmitted to the structure, the speakers could be placed on a foam mat, or if they are suspended, hanging the speakers on spring hangers.

Level of the music. Music being played too loud is the most common reason for complaint with regard to entertainment. If the music is reduced to a level, which cannot be heard in

adjacent premises, then it will not be a problem. Sound limiting devices can be installed in premises to prevent the sound level within premises to prevent the sound level within premises exceeding a pre-determined level.

Restricting the hours of entertainment. There may be some events, which give rise to noise levels which can be heard in adjacent properties. These are likely to be the one off events, held infrequently and in outdoor locations, such as pop concerts. In these circumstances, as well as reducing the noise level to an acceptable level, restricting the hours of entertainment will be necessary.

Outdoor sources of noise. The hours of use of outdoor children's play areas, garden areas, balcony areas which are adjacent noise sensitive properties, may have to be restricted in the evening, to prevent undue disturbance. Use of such areas after 21.00 is not recommended.

Useful documents

Good Practice Guide on Control of Noise from Pubs and Clubs – Institute of Acoustics 2003.

Code of Practice on Environmental Noise at Concerts – Noise Council 1995.

**PROTECTION OF CHILDREN FROM HARM**

Example Risk Factors and Potential Control Measures Table

Risk Factors		Potential Control Measures
1.	Any entertainment or services (regulated or otherwise) that are/include that of an adult or sexual nature.	<ul style="list-style-type: none"> <li>• People under 18 not admitted or taking part in the entertainment/services (including staff if under 18).</li> <li>• Action to be taken if a person under 18 is discovered on the premises, which help ensure their protection from harm.</li> <li>• Measures for ensuring non-admission such as door supervision, age checks (including staff).</li> <li>• Sufficient screening of the relevant entertainment/services from view of those under 18 (including staff) e.g. smoked windows, doors closed.</li> <li>• Clear signage that entertainment/services are occurring which are not suitable for under 18s.</li> <li>• Specify type of entertainment that will be provided (e.g. Lap Dancing Clubs)</li> </ul>
2.	Entertainment or services include strong and offensive language.	<ul style="list-style-type: none"> <li>• People under 18 not admitted (including staff).</li> <li>• People under 18 not within hearing distance. Soundproofing may be required.</li> <li>• Measure for ensuring non-admission such as door supervision, age checks (including staff).</li> <li>• Clear signage that entertainment/services are occurring which are not suitable for under 18s.</li> </ul>
3.	Convictions for underage sales of alcohol	<ul style="list-style-type: none"> <li>• People under 18 not admitted (including staff).</li> <li>• Evidence of suitable staff training and age identification scheme in place and followed.</li> <li>• Signs provided informing customers that sales will not be made to under 18s and that age identification may be required.</li> </ul>
4.	Known reputation for underage drinking.	<ul style="list-style-type: none"> <li>• People under 18 not admitted (including staff).</li> <li>• Evidence of suitable staff training and age identification scheme in place and followed.</li> <li>• Signs provided informing customers that sales will not be made to under 18s and that age identification may be</li> </ul>

		required.
5.	Known association with drug taking or dealing.	<ul style="list-style-type: none"> <li>• People under 18 not admitted (including staff).</li> <li>• Evidence of measures taken to prevent drug taking and dealing.</li> </ul>
6.	Strong element of gambling on the premises.	<ul style="list-style-type: none"> <li>• People under 18 not admitted (including staff).</li> <li>• Measures to screen the gambling activity off from children.</li> </ul>
7.	Children and performances	<ul style="list-style-type: none"> <li>• Suitability and number of supervisors including care of children as they move from stage to dressing room etc. and to ensure that all children can be accounted for in case of an evacuation or emergency.</li> <li>• Suitability of the venue, for example, to ensure it can accommodate safely the numbers of children intended.</li> <li>• Fire safety, for example, that all chaperones and crew receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.</li> <li>• Special effects, as some may be inappropriate and may trigger adverse reactions in children, particularly e.g. flashing lights, dry ice, smoke, etc.</li> <li>• Note: See The Children (Performances) Regulations 1968 as amended, but do not duplicate provisions.</li> </ul>
8.	Entertainment aimed at children	<ul style="list-style-type: none"> <li>• Suitability and number of supervisors (see Statutory Guidance Annex F and also Appendix D of this document).</li> <li>• Measures to ensure that seating/standing arrangements for children are suitable.</li> </ul>
9.	Concerns regarding admitting children to films that have been classified as beyond suitability for children's age.	<ul style="list-style-type: none"> <li>• Staff training and age identification procedures.</li> <li>• Signage to explain that children will not be admitted to film showings which are not suitable for their age group, and that adults should not purchase tickets on children's behalf in this respect (see Appendix D of this document).</li> </ul>
10.	Previous known concerns about danger to children at the premises.	<ul style="list-style-type: none"> <li>• Measures to counter these specific dangers.</li> <li>• State whether there have been any previous concerns about danger to</li> </ul>

		<p>children on your premises and specify these concerns.</p> <ul style="list-style-type: none"> <li>• What action have you taken to counteract them.</li> </ul>
11.	Child-orientated premises located close to adult-orientated premises.	<ul style="list-style-type: none"> <li>• Identification of any risks and control measures in place.</li> </ul>
12.	History of lack of suitability of age-identification procedures used on the premises.	<ul style="list-style-type: none"> <li>• People under 18 not admitted.</li> <li>• Evidence of suitable staff training and age identification scheme in place and followed.</li> <li>• Signs provided informing customers that sales will not be made to under 18s and that age identification may be required.</li> </ul>
13.	Potential concerns regarding proposed staff customer and/or staff: children ratios.	<ul style="list-style-type: none"> <li>• Measure to address these concerns</li> </ul>
14.	Potential concerns regarding qualifications of staff employed to look after children.	<ul style="list-style-type: none"> <li>• Requirement for Criminal Records Bureau (CRB) checks for staff employed to look after children.</li> <li>• Evidence of suitable training/experience.</li> </ul>
15.	Risk of children visiting the premises unaccompanied.	<ul style="list-style-type: none"> <li>• Evidence of training and procedures to deal with such situations where they are deemed to be of potential harm to children.</li> </ul>
16.	Living accommodation for children on the premises.	<ul style="list-style-type: none"> <li>• Assessment of potential risks and control measures in place.</li> </ul>
17.	Likelihood of premises attracting extremes of age groups.	<ul style="list-style-type: none"> <li>• Assessment of potential risks and control measures in place.</li> </ul>
18.	Close proximity of premises to 'child sensitive' properties.	<ul style="list-style-type: none"> <li>• Assessment of potential risks and control measures in place.</li> </ul>
19.	Lack of appropriate welfare facilities for children on premises (e.g. First Aid, toilets)	<ul style="list-style-type: none"> <li>• Welfare facilities provided.</li> </ul>
Risk Factors		Potential Control Measures
20.	There is a risk of physical, moral or psychological harm to children.	<ul style="list-style-type: none"> <li>• Assessment of potential risks and control measures in place.</li> </ul>
21.	Children under 18 employed on premises where there is evidence of binge/underage drinking, drug dealing/taking, significant gambling or entertainment/services of an adult/sexual nature provided.	<ul style="list-style-type: none"> <li>• Restriction of that employment</li> <li>• Persons under 18 not admitted.</li> </ul>
22.	Concerns regarding child abuse on premises.	<ul style="list-style-type: none"> <li>• Staff are familiar with reporting concerns to line manager who in turn should (if appropriate) contact The Children's Social Care Access Team on 01709 823987.</li> </ul>

**APPENDIX E – Useful Contacts**

**Licensing Act 2003 Statement of Licensing Policy 2025-2030**

**USEFUL CONTACTS**

**General Contact for Licensing matters and address for all applications:**

Rotherham MBC – Licensing Service  
Community Safety and Street Scene  
Riverside House  
Main Street  
Rotherham  
S60 1AE

Email: [licensing@rotherham.gov.uk](mailto:licensing@rotherham.gov.uk)

Website: [www.rotherham.gov.uk](http://www.rotherham.gov.uk)

**Responsible Authorities**

Please ensure you send a full & complete copy of all your forms and documents, including any premises licence already held, to all the Responsible Authorities when you make any type of application.

If you fail to submit a correct application to the Responsible Authority they may consider the application to be incorrectly served and the application may not be accepted. In this case the process including the payment of all fees may need to be re-started.

**South Yorkshire Police**

Police Licensing Department  
Force Headquarters  
Carbrook House  
5, Carbrook Hall Road  
Sheffield  
S9 2EH

Telephone : 0114 252 3948 or 0114 252 3617

Fax: 0114 252 3688

Email: [rotherham\\_licensing@southyorks.pnn.police.uk](mailto:rotherham_licensing@southyorks.pnn.police.uk)

**South Yorkshire Fire and Rescue**

Business Fire Safety  
Barnsley Fire Station  
Broadway  
Barnsley  
S70 6RA

Email: [Tfs.cs@syfire.gov.uk](mailto:Tfs.cs@syfire.gov.uk)

**Health and Safety**

The Principal Officer for Food Health and Safety  
Rotherham MBC Neighbourhood Standards  
Floor 3 Wing A  
Riverside House  
Main Street  
Rotherham  
S61 1AE  
Email: [food.health&safety@rotherham.gov.uk](mailto:food.health&safety@rotherham.gov.uk)

**Planning**

The Principal Planning Officer  
Rotherham MBC Planning  
Riverside House  
Main Street  
Rotherham  
S60 1AE

Email: [DevelopmentControl@rotherham.gov.uk](mailto:DevelopmentControl@rotherham.gov.uk)

**Environmental Health**

Community Protection  
Rotherham MBC  
Riverside House  
Floor 2 Wing B  
Main Street  
Rotherham  
S60 1AE

Email: [Env.Health@rotherham.gov.uk](mailto:Env.Health@rotherham.gov.uk)

**Child Protection**

The Operations Manager  
Rotherham Safeguarding Children Board  
Rotherham MBC Child Protection Unit  
2<sup>nd</sup> Floor Wing A  
Riverside House  
Main Street  
Rotherham  
S61 1AE

Email: [childprotection@rotherham.gov.uk](mailto:childprotection@rotherham.gov.uk)

**Weights and Measures**

Trading Standards Team  
Rotherham MBC Neighbourhood Standards  
Floor 2 Wing A  
Riverside House  
Main Street  
Rotherham  
S60 1AE  
Email: [trading.standards@rotherham.gov.uk](mailto:trading.standards@rotherham.gov.uk)

**Rotherham Public Health**

Director of Public Health  
Rotherham Metropolitan Borough Council  
Riverside House  
Main Street  
Rotherham  
South Yorkshire  
S60 1AE  
Telephone: 01709 255840  
Fax: 01709 255795  
Email: [publichealthadmin@rotherham.gov.uk](mailto:publichealthadmin@rotherham.gov.uk)

**Home Office**

Alcohol Licensing Team  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY  
Email: [alcohol@homeoffice.gsi.gov.uk](mailto:alcohol@homeoffice.gsi.gov.uk)

## **Licensing Objective Policies**

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## **Policy with regard to the Prevention of Crime and Disorder**

The Licensing Authority will not grant applications that do not promote the prevention of crime and disorder licensing objective. When considering the extent to which applicants have demonstrated that they will promote the crime and disorder objective, the Licensing Authority will take into account the factors set out below:

1. Whether the premises make or will make a contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.
2. The levels of crime and disorder in and around the venue; the proposals contained in the operating schedule; the level of compliance to conditions on existing licences. This provides an illustrative but not exhaustive list of considerations, not all of which will be applicable to all premises.
3. Whether the layout, lighting and fittings of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.
4. Whether the Operating Schedule includes appropriate management measures to prevent crime and disorder.
5. Whether the Operating Schedules for pubs and bars or for the provision of facilities for music and dancing have taken into account the possibility of crowding the areas set aside for drinking while standing..
6. Whether the premises has a sufficient CCTV system in place that will adequately support the recording of incidents and assist in the identification and prosecution of offenders.
7. Whether the Applicant has undertaken a terrorism threat risk assessment that ensures that any security-related vulnerabilities have been identified, and reasonable, and proportionate steps (in keeping with the size and nature of the operation), have been taken to reduce the risk from a terrorist attack.
8. Whether the applicant has provided an ACT security plan, including an outline of the proactive steps taken.

## Policy with regard to Public Safety

The Licensing Authority will not grant applications that do not promote the public safety licensing objective. When considering the extent to which applicants have demonstrated that they will promote the public safety licensing objective, the Licensing Authority will take into account the factors set out below:

1. Whether appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant responsible authority and to the Licensing Authority that show the relevant considerations have been fully considered to demonstrate that the public will be safe within and in the vicinity of the premises.
2. Whether the premises already has a specified maximum capacity of people that can attend or be present and, if not, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises so that it can be operated safely, and they can be evacuated safely in the event of an emergency.
3. Whether there are procedures proposed to record and limit the number of people on the premises with opportunities for “pass outs” and readmission.
4. Whether patrons can arrive at and depart from the premises safely.
5. Whether there may be overcrowding in particular parts of the premises.
6. Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines).
7. Whether due account has been given to:
  - Prevention of overcrowding.
  - Air conditioning and ventilation.
  - Availability of drinking water.
  - Affordable cloakrooms.
  - Further measures to combat dancers and others overheating.
  - Overall safety.
8. Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services, e.g. terrorist threat or incident, fire, serious medical (e.g. heart attack) or trauma.
9. The levels of compliance with conditions on existing licences relating to public safety.

### Policy with regard to the Public Nuisance Licensing Objective

The Licensing Authority will not grant applications that do not promote the public nuisance licensing objective. When considering the extent to which applicants have demonstrated that they will promote the public nuisance licensing objective, the Licensing Authority will take into account the factors set out below:

1. The potential for nuisance associated with the style, characteristics and activities of the business to be carried out at the premises and the potential steps which would be taken to reduce the risk of nuisance occurring.
2. This will particularly apply in areas of residential accommodation and where there is residential accommodation in proximity of the premises.
3. Whether Operating Schedules contain adequate measures to prevent noise and vibration, whether airborne or structure borne, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity. Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them. See Appendix 11.
4. Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to limit noise and vibration, eating, drinking and smoking outside their premises and other environmental impacts by:
  - Restricting the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open-air site.
  - Limiting the escape of noise from the premises or open-air site.
  - Restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping.
  - Minimising and controlling noise from customers arriving at the premises, or open-air site outside it and departing from it including noise and other nuisance caused by customers' transportation and how dispersal is managed.
  - Minimising and controlling noise from staff, contractors and suppliers and their activities.
  - Minimising and controlling noise from vehicles associated with and providing services to the premises or open-air site and their customers (including delivery companies).
  - Identifying whether people standing or sitting outside premises are likely to cause obstruction or other nuisance.
  - Identifying whether the premises are under or near to residential accommodation.

- Limiting the hours of the sale of alcohol in open containers or food for consumption outside the premises.
- Introducing measures to make sure that customers move away from outside premises when such sales cease.
- Implementing measures to collect drinking vessels and crockery, cutlery and litter.
- Limiting the extent and location of areas proposed to be set aside for the consumption of food, alcoholic drink and for smoking.
- Identify the measures proposed for the management of people leaving the premises to smoke and for their readmission; including managing readmissions in relation to any queuing for admission and to measures to ensure that security procedures apply equally to admissions and readmissions.
- Identifying whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied from the premises or not), between certain hours or at all times. In addition, there may be particular issues of crime and disorder with regard to outside activities.
- Identify whether queuing is likely, and the steps proposed to prevent queuing or, if some queuing is inevitable, to divert queues away from residential properties and entrances of neighbouring premises, and to manage the queue to prevent disturbance or obstruction.
- Identify whether there are adequate measures to prevent:
  - Litter, smells, fumes, dust, tobacco or other smoke, or other emissions.
  - Street fouling.
  - Light pollution.
- Arising from the proposed licensable activity that may cause disturbance to people in the vicinity.
- Identify whether the proposed licensable activities will be likely to cause nuisance by congesting the pavement or the roadway, and so impeding reasonable access (including the access required to provide essential services such as refuse collection and street cleaning).
- Whether other measures to prevent nuisance such as the use of CCTV or the employment of registered door supervisors are appropriate.
- Whether the proposals would lead to the need for increased refuse storage or waste collection.
- Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse and recyclable materials.
- Whether the sale of take-away food is proposed, and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs.

- Whether late night premises are likely to generate litter. Premises may need to make provision for patrols to clear up litter, taking into consideration the hours of street sweeping.
5. The measures proposed in the Operating Schedule should have regard to the impact of noise on the local area, and provide mitigating measures to reduce this impact.

Note: Both planning permission and an appropriate licence / permit may be required for providing seating for the use of customers on the public highway.

## **Policy with regard to the Protection of Children from Harm Licensing Objective**

The Licensing Authority will not grant applications that do not promote the protection of children from harm licensing objective. When considering the extent to which applicants have demonstrated that they will promote the protection of children from harm licensing objective, the Licensing Authority will take into account the factors set out below:

1. Whether there are appropriate measures in place to protect children from harm.
2. Whether there are effective measures to check the age of young people who appear under 18 to ensure that:
  - Alcohol is not sold to a person under the age of 18.
  - Access is not permitted to a person under 18 years of age to a premises, a performance of entertainment or an exhibition of a film intended for adults only.
  - Those under 16, if permitted to enter the premises are accompanied by an adult.
3. Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
4. Whether accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises, are taking a table meal or are being entertained by a live performance.
5. The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises.
6. Whether due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks.
7. Whether there are adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult.
8. The likelihood of children being attracted to the premises; e.g. by the nature of activities or facilities provided whether or not these are licensed.
9. Whether there is evidence of heavy, binge or underage drinking, use of drugs or other intoxicating substances on the premises.

10. Whether the premises commonly provide entertainment or services of an adult or sexual nature.
11. Whether there is a strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines).
12. Whether films are to be shown and the measures to restrict children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the council itself.
13. If performances or activities are likely to attract children, the number of adults required for the supervision of children.
14. Where play facilities are provided, if an adequate risk assessment has been made and appropriate measures taken.
15. The measures to be taken to ensure that those supervising or having significant contact with children have been appropriately vetted to ensure that they pose no risk to children.
16. Proposals for the provision or arrangement for safe transport for children.

Safeguarding of children applies to all staff (paid or unpaid) involved in the operation and management of licensed premises and is a key part to protecting children from harm. The Licensing Authority will expect applicants to demonstrate that they will have systems and processes in place to adequately safeguard children as set out within the minimum criteria below.

The applicant should ensure that their staff have a basic awareness of child protection issues. This includes:

- Being alert to the possibility of child abuse and neglect, i.e. the definition, prevalence, identifying features in a child or adult, legal parameters and social consequences.
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances.
- Knowing who in the organisation to raise your concerns with.
- Being competent in taking the appropriate immediate or emergency action.
- Knowing how to make a referral to the Council's Children Services Department and/or the Police.
- The licensee can demonstrate that they understand their responsibilities for ensuring that they and their staff are familiar with, and competent with Safeguarding Children.

In operating and managing a licensed premises the applicant should designate either themselves or a senior staff member to have the following responsibilities in relation to safeguarding children for the licensed premises:

- Ensure safeguarding children training is provided for all staff.
- Monitor and record whether all staff have received the minimum (initial and refresher) safeguarding children training.
- Ensure all staff have read and know where to find this policy and the Government Guidance: "What To Do If You're Worried A Child is Being Abused".
- Provide advice and support to staff when they have a concern about safeguarding a child.
- Have a system in place to record all concerns raised by staff.
- Be the contact person for the council's Children's Services Department and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.
- Ensure all staff are made aware that if the person who they suspect may be harming children is senior to them in the licensed premises staff hierarchy they can contact the council's Children's Services Department and the Police directly.

## **Operational Considerations**

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## **General operational considerations**

Where relevant representations have been made, we will particularly consider the following:

### **Pre-opening**

Ensure customers are provided with key information and the venue is safe to open to the public e.g.:

- Use of tickets, website and social media, and customer contact information to promote key messages.
- How the venue is safe and secure to admit members of the public.

### **Arrival**

Ensure safe and orderly entry arrangements for the venue. Relevant steps may include:

- Days/times and functions of SIA- registered door supervisors (see provision of door supervisors)
- Queuing arrangements to prevent obstruction or disturbance, e.g. direction/ boundary, use of apps to minimise queuing, use of barriers, staffing arrangements
- Search requirements, including CCTV coverage of search area, detection devices (to detect weapons and drugs, e.g. knife arch, search wands), and how seized items will be managed
- Refusing admission (for underage/ drunk/disorderly/suspected or known drug dealer), including non-discriminatory practices
- Use of a radio system and joint security/street operation with neighbouring premises, including use of schemes for identifying known offenders
- Capacity control through use of manual clickers or other technology
- Restrictions on children's presence and/ or measures to prevent them from harm, considering the licensable activities carried out.

### **Physical security measures in place**

Deter and detect criminal activity and ensure the safety of patrons and staff:

- Martyn's Law measures
- CCTV: coverage, image quality, provision of recordings to enforcement agencies
- Required staffing, e.g. toilet attendants, proactive monitoring by staff/glass collectors

- Lighting
- Use of polycarbonate alternatives to glassware
- Measures to protect against thefts (eg. through use of Chelsea hooks, free cloakrooms, messaging, hotspot analysis of incidents, deployment of security in key locations, signage, CCTV coverage).

### **Door supervisors**

Security staff provision is assessed by reference to ratio and functions of door supervisors with consideration given to industry standards in terms of ratio of doorstaff.

- How they will be provide a visible presence, e.g. through wearing Hi-Viz jackets / vests / armbands
  - Provision of suitable PPE for door supervisors
- Periods they will be employed (days/ times) so as to ensure the start time is appropriate to capture the likely arrival of the majority of customers at peak times, and they remain on duty until the premises have closed and the customers have dispersed from the premises
- Any required ratio of male/female door supervisors. We recommend that at least one male and one female door supervisor is employed where the venue has a policy of searching customers;
- Where they will be located (any particular locations of the venue)
- Requirements for use of bodycams . We would generally expect door supervisors to be equipped with bodycams at venues where there is a higher risk of violent incidents and/or ejections or refusals of entry, particularly if operating during the late-night economy
- Requirement to ensure door supervisors are briefed on their responsibilities and aware of company policies and procedures (including capacity limits and emergency procedures) before starting duty
- Maintenance of a register to ensure all identities of door supervisors can be verified, their SIA (Security Industry Authority) registrations are active, and the correct licence type is used, i.e.. door supervisor
- Security briefings to exchange information and intelligence at the start and end of duty
- Specifying the use of SIA-approved Contractor Scheme companies.

### **Martyn's Law**

To promote the adoption of Martyn's Law in licensed premises to ensure licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.

The licensing authority will signpost applicants and licence holders to appropriate counter terrorism training that are intended for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions. We strongly encourage licensed premises to incorporate the freely accessible ACT e-learning as part of wider staff training packages.

The licensing authority also expects that:

- Steps taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:
  - the current terrorist threat level
  - what that level means in relation to the possibility of an attack.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack.
- All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack.
- All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate.
- Where hostile reconnaissance is suspected it needs to be properly recorded and reported back to the police. If unnecessary reports are made, the remedy should be to train staff better to recognise suspicious behaviour, rather than criticise them for making the report. Suspicious behaviour should only be ignored when an innocent explanation has been verified. Briefings to security staff need to include details of the suspected hostile reconnaissance – this is so staff know what has happened and know what to look out for.
- The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:
  - Evacuation/Invacuation/Lockdown
  - RUN/HIDE/TELL principles
  - How customers will be safeguarded.
- Applying the 4Cs protocol when dealing with suspicious items.
- Staff are knowledgeable of the HOT principle for identifying suspicious packages.
- Staff understand how to identify suspicious behaviour.
- Staff are knowledgeable of the ETHANE principle for reporting incidents, including suspicious activity.

- First aid kits and any medical equipment are appropriately provided, fully stocked, staff are aware of where they are kept, and staff are suitably trained.
- Measures to alert staff and visitors of any immediate threat or incident.
- Rehearsal requirements for emergency procedures (no less than six months).
- Provision of PAcT (Public Access Trauma) kits in strategic locations on the premises.

### **Customer behaviour management**

- The strategies in place for managing customer behaviour, such as managing intoxication, and their effectiveness in reducing the risk of violence and other security or safety incidents, as well as having a clear policy for dealing with unruly patrons.
- Steps to ensure effective management at the premises to monitor when it is open for licensable activities.
- The number of staff available to supervise customers both ordinarily and in emergencies

### **Crowd control**

Venues should have a clear policy for managing large crowds, such as during concerts or sporting events. This may include implementing a capacity limit, managing entry and exit points, and having staff members trained in crowd control techniques.

### **Spiking and vulnerability**

- Physical and other measures to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing
- WAVE (Welfare and Vulnerability Engagement) and active bystander training for staff
- How the venue will encourage an active bystander approach
- Having designated, trained welfare staff
- Mobile phone-charging facilities for customers
- Providing a safe space for welfare or first aid while getting further help
- Arrangements to ensure the safe transport home of vulnerable customers, or requesting medical assistance when needed
- Provision and use of treatment and recuperation rooms.

### **Drugs**

How drugs misuse will be deterred and responsibly managed at the venue, eg.

- How illegal drugs (including nitrous oxide) will be prevented from being brought into the premises, what action the venue will take should anyone be caught with drugs on the premises, and how the drugs will be disposed of
- The use of effective risk assessment based on audience and event profile
- The use of toilet attendants or regular documented toilet checks
- Drug swabbing in WCs
- Searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of both illegal drugs and new psychoactive substances
- Physical measures to deter drug use on the premises
- Medical provision and welfare arrangements for dealing with drug use
- Harm-reduction measures in place
- Signage and welfare information in the venue.

### **Promoting women's safety**

- Steps that premises licence holder may take to promote the safety of women include:
  - Appoint a Champion: appointing a named contact for this work, who will champion and drive forward any action taken
  - Communicate: positive, public/staff- facing communications campaign, both online and in your space(s)
  - Support your staff: create routes for reporting unacceptable behaviour while at work and supporting cultural change
  - Support the public: create routes for reporting unacceptable behaviour while using your service or space at night
  - Training and responding: staff training on the issue, including what to say and do, what not to say and do, and any relevant policies
  - Training: recording: staff training on information-sharing and appropriate recording of details
  - Designing for safety: audit your spaces and adapt them to promote a safer environment and reduce risk of crime
- Respect messaging (including in WCs)
- Radio schemes
- How the venue will encourage an active bystander approach
- Operate and test the Ask for Angela campaign
- WAVE and active bystander training for staff

- Specifying if communal toilets are provided. (Note: The starting point will be to refuse the provision of communal toilet areas in any NTE or late-night economy venue. Any application intending to provide communal facilities will be expected to demonstrate a clear plan for how such facilities will be safeguarded.)

## Supply of alcohol

The measures employed to comply with legal requirements and promote responsible alcohol consumption:

- Comprehensive Alcohol Management Plan
- Server training requirements consistent with policy expectations
- Promote free availability of water through clear signage at bars
- Provision of smaller measures, ie. 25ml spirit measures
- Designated driver scheme
- Displaying relevant information and posters throughout the premises that state staff have a duty to prevent the sale of alcohol to customers who are drunk
- Limits on the alcoholic strength by volume inside different beverage categories, e.g. beers, lagers, ciders, wines
- Restrictions on products that encourage rapid down-in-one drinking or large quantities for self-service
- Providing multiple personal licence holders on the premises
- Avoiding promotion or sale of alcoholic drinks that are more likely to appeal to underage drinkers or that encourage excessive consumption
- Use of polycarbonate or plastic glasses either as routine practice or during particular times of high risk
- How age restrictions are enforced on the premises, for example through:
  - Operation of Challenge 25 policy
  - Details of what forms of ID are acceptable
  - The use of electronic till prompts
  - The maintenance of refusal logs
  - Staff training
  - Use of mystery shopping.
- Steps to preventing proxy sales occurring, for example through:
  - Regular checks around and/or outside the premises for underage persons encouraging adults to purchase alcohol for them
  - Use of CCTV, particularly in external areas

- Displaying prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved.

Where there is an issue with street drinking:

- Banning high-strength beer, wine and cider; large bottles of white cider; single cans and bottles
- No end-of-aisle promotions, displays near the door or out of sight of the counter, or anywhere except behind the counter
- Prohibiting sales to known street drinkers or other persons, when notified to the premises by the police or local authority
- Avoidance of external promotions of alcohol, including window displays and A-boards
- Signage promoting any local Public Space Protection and staff reinforcing the 'No Street Drinking' warning at point of sales
- Keeping alcohol products in areas where staff can effectively monitor to guard against the risks of shoplifting, and to deter attempts by underage persons to purchase, e.g. use of spotter screens.

Where alcohol deliveries are carried out:

- Implement age-verification procedures at both the point-of-sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.
- Make clear to customers that receipt of orders that have alcohol must be by an adult.
- Ensure that delivery staff have been given proper training in procedures relating to requesting and identifying proof of age and implement these procedures as standard.
- Include the name of the business and website on any promotional material, e.g. flyers/business cards, and ensure messaging is consistent with the responsible sale of alcohol. Additionally, any website URL or telephone number to be used for orders is expected to be given to the licensing authority.
- Not supply any new psychoactive substances (NPS), such as nitrous oxide.
- Refuse deliveries in situations experiencing alcohol-related nuisance or disorder, and ensure that alcohol is not given to persons who appear drunk. The delivery of alcohol to problematic house parties causing local nuisance and disorder has been a problem in some areas of the Borough.

### **Incident planning and response**

Ensuring effective response plans and staff are equipped to respond to serious incidents and emergencies such as fire, medical incidents, or violent incidents:

- Staff (including door staff) knowledgeable of emergency procedures, location of emergency exits, evacuation procedures, incident-reporting
- First aid and medical provision for the public – training, staffing, equipment
- Crime-scene preservation training and procedures
- Water safety training and equipment. Where the premises are close to any waterways, we will expect appropriate water safety measures to be provided in the operating schedule relating to the provision of safety equipment, risk assessments, and training
- Provision of PAcT kits and their location(s) at the venue
- Public liability insurance
- Fire Safety Compliance: Where applicable, the premises must comply with The Regulatory Reform (Fire Safety) Order 2005. When a licence is in force in relation to that premises, there is also a duty to record the significant findings of the fire risk assessment that you must have in place and, where relevant, to record any persons, especially at risk. In particular, the fire risk assessment should consider the following, in the event of a fire:
  - Adequacy of the means of raising the alarm
  - Occupancy number to ensure safe escape
  - Adequacy of the means of escape.

(We encourage a copy of this being submitted to the fire authority when making any application for a new licence or variation affecting the premises layout.)

### **Entertainment-specific requirements**

Ensure that public entertainments are provided safely

- Boxing and wrestling: contest rules, medical arrangements, security and stewarding arrangements
- Special effects: requirement for risk assessments to be provided to Environmental Health at least 14 days in advance
- Restrictions on the use of bottle sparklers/ice fountains if they intend to hold promoted 'club' events aimed at, or likely to attract, persons under 18. The licensing authority expects robust safeguarding and security measures to be in place, supported by documented risk assessments to address potential risks associated with such an activity.
- Include arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself (exhibition of films).

- Address whether any performance may include sensitive or controversial themes, and how child performers will be safeguarded for any performances involving children.
- For any exhibition of wrestling or boxing: details of any sanctioning body, the rules that will apply, risk assessment to include the risk of conflict between rival groups of supporters, and the provisions in place to ensure fighter safety and medical welfare.
- Where entertainment or services of an adult or sexual nature are to be provided, the following need to be specified: the nature of
- the entertainment, the location of the premises in relation to their proximity to sensitive uses, how the exclusion
- of under-18s from the premises will be managed, and how the provision of 'relevant entertainment' (if any) is in line with the Council's Policy and Standard Conditions for sex establishments. Kink events and activities – promoters will be expected to work closely with Health Protection Teams in relation to licensed premises which may operate regular / pop up sex on premises events as well as licensed SEVs as well as adhere to industry code of practice to ensure appropriate safeguards are in place.

#### **Other safety arrangements**

- Prior notification to the emergency services of special events
- Temporary electrical installations;
- Required safety checks (before, during and after regulated entertainment);
- Facilities for disabled people, particularly in an emergency

#### **Limiting noise and other nuisances**

Ensure that sound systems and other noise- generating equipment are professionally installed and maintained, and how potential noise nuisances will be controlled:

- Steps taken or proposed to be taken to prevent noise and vibration from escaping from the premises, including music noise, and voices (Note: Any new venues must be soundproofed so established residences in the area are not disturbed by the noise)
- Controls or restrictions on amplified sound
- Monitoring and managing ambient noise from outside areas
- Noise assessments, particularly in relation to outdoor and rooftop terraces and the risk of noise travel, as well as the impact on any increase on the existing soundscape and the risk of nuisance arising.
- Preventing nuisance from the positioning and operating of plant machinery, such as kitchen extract systems, as well as preventing nuisance from odours

- Avoiding light pollution
- Steps to prevent nuisance associated with deliveries, such as the use of electric delivery vehicles.

### **Litter**

To ensure the venue and perimeter is kept tidy and free from litter:

- Providing adequate waste bins
- Staff to clean the surrounding area as required during operation and at the close of business
- Use of branded wrappers, so far as is reasonably practicable
- No use of avoidable single-use plastics
- Limited packaging, which should be the most environmentally-friendly option.
- Commercial refuse arrangements, which should not be put out no earlier than two hours before scheduled collection time
- Preventing the risk of additional litter (including flyposters, smoking materials or illegal placards) in the vicinity of the premises.

### **Control of smoking / vaping and external areas**

To ensure these areas will be effectively operated and managed to avoid causing nuisance and obstructions, such as:

- Customer numbers permitted in such areas
- Hours
- Location and how it will be delineated
- Supervision arrangements, including any CCTV coverage, preventing begging, clearing litter
- Restrictions of use of glassware
- Preventing illegal parking and obstruction of emergency and other vehicles
- Management of such areas in tandem with any (smoke-free) pavement licence
- Smoking area locations not under residential windows and balconies or in front of residential doorways.

### **Departure**

To ensure the orderly exit and dispersal of customers from the premises, minimise the potential for crime and disturbance as customers leave the premises, and ensure the safe transportation of staff:

- Willingness to stagger hours with nearby competing venues to avoid patrons competing for limited transport options late at night
- Whether there are safe transport home policies for all workers consistent with the Get Me Home Safely campaign
- Having a policy in place to prevent drunk driving, such as providing taxi services for patrons who are too intoxicated to drive
- Displaying details of local taxi services, mini-cabs and public transport
- Regular collection of empty glasses and bottles, particularly just after closing
- Displaying notices near the exit:
  - that leaving with glasses and bottles is not allowed
  - requesting customers to leave quietly
- The role of door supervisors (or other staff) in managing persons leaving through:
  - encouraging customers to finish their drinks and make their way to the exit
  - drawing the attention of departing customers to any notices in the foyer asking them to leave quietly, and to be considerate by ensuring that bottles and glasses are taken from customers as they leave
  - actively encouraging customers not to congregate outside the premises
  - directing customers to the nearest taxi ranks, or other transportation away from the area
  - preventing street urination in proximity of the venue.

### **Post-operation**

- Cleansing arrangements for the immediate perimeter of the venue (sweeping/wet washing)
- Times of emptying bottles into refuse containers to avoid disturbing local residents and businesses
- How commercial waste is properly presented for collection
- Engagement with local residents and businesses, such as providing dedicated phone lines for reporting issues, and holding periodic meetings to discuss any issues.

### **Engagement with local authorities and neighbours**

We recognise that it is unrealistic to expect that crimes and incidents will not happen in licensed premises, particularly where alcohol is a factor. However, we want to encourage reporting of incidents and raising any issues of local concern by operators, so that we can work in partnership with them to resolve matters. We want to encourage and support responsible businesses to operate better, not put them out of business.

We also encourage licensed premises to be good neighbours, which can be achieved by engaging effectively with neighbouring residents and businesses, providing dedicated phone lines, and committing to periodic meetings.

#### **Staff training and procedures**

- Specified training requirements for staff commensurate to their role and responsibilities.
- Specified frequency for reviewing and updating policies and procedures to ensure they remain effective and up to date.

## **Core Hours Policy**

DRAFT

Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy and/or where relevant representations have been made .

Applications which request hours which fall outside of the core hours set out in this Policy will be considered on their own merits, subject to other relevant policies, and with particular regard to the following:

1. The demonstration of compliance in the requirements of the Licensing Objectives Policy associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
2. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
3. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
4. The proposed hours when any music, including incidental music, will be played.
5. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
6. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
7. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
8. The capacity of the premises.
9. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
10. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
11. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

12. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

13. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

The Core Hours for applications for each premises use type as defined within this policy are:

### **Casinos**

Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

### **Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 9am to Midnight.

### **Delivery Centres**

Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

### **Hotels**

Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

### **Outdoor Spaces**

Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

### **Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

### **Qualifying Clubs**

Monday to Thursday 9am to 11.30pm Friday and Saturday 9am to Midnight Sunday: 9am to 10.30pm

Sunday immediately prior to a bank holiday: 9am to Midnight.

### **Restaurants**

Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

**Sexual Entertainment Venues and Sex Cinemas**

Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

**Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)**

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

**Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)**

Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.

## PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title	
<b>Title: Licensing Act 2003 – Statement of Licensing Policy</b>	
<b>Directorate: Regeneration and Environment</b>	<b>Service area: Community Safety and Street Scene</b>
<b>Lead person: Alan Pogorzelec</b>	<b>Contact: Alan Pogorzelec</b>
Is this a:	
<input checked="checked" type="checkbox"/> <b>Strategy / Policy</b>	<input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b>
<b>If other, please specify</b>	

2. Please provide a brief description of what you are screening
<p>Section 5 of the Licensing Act 2003 requires the Council to publish a Statement of Licensing Policy which sets out the principles it proposes to apply in exercising functions under the Act. The Statement of Licensing Policy must be reviewed and republished at five year intervals.</p> <p>The current Statement of Licensing Policy was published in 2020, and therefore is now due for the five year review.</p> <p>The Council's Licensing Service have carried out informal consultation with partners, local licence holders and members of the public to identify any areas within the current policy that would benefit from development. This feedback has</p>

## Appendix 2

been used to formulate an ambitious draft policy that is considered to strike an appropriate balance between the need to promote a thriving licensed trade within the Borough whilst ensuring that any negative impacts of licensable activity are kept to an absolute minimum.

The draft policy is presented to Cabinet for review and approval prior to the commencement of a period of statutory consultation. A further report will be presented to Cabinet after the consultation has concluded for approval of the final Statement of Licensing Policy 2025.

### 3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>		X
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		X
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		X
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		X

## Appendix 2

If you have answered no to all the questions above, please explain the reason

This assessment has been conducted solely in relation to the decision that Cabinet are being asked to make (i.e. to commence consultation on the revised Licensing Act 2003 Statement of Policy).

There has already been informal consultation with key stakeholders, and there will be a further period of statutory consultation that will Consultation with the those that are affected by the policy.

The policy provides guidance to those making an application, and aims to ensure consistency and transparency with regard to the application and decision making processes. The policy does not directly affect the provision of services by the Council, the licensing function is a statutory function that must be exercised in accordance with requirements set out in the Licensing Act 2003 and the Equality Act 2010.

However, the policy provides clear guidance to applicants and licence holders with regard to the expectations that the Council has with regard to the way in which licensed premises operate. Although not legally binding, the policy encourages the adoption of best practice with regard to equality and diversity – it is therefore expected that the impact of the policy on equality and diversity matters will be a positive one.

It is considered that the policy itself will have no impact on any person with a protected characteristic, human rights, the workforce or employment practices and therefore it not necessary undertake a Part B assessment.

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

#### 4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

N/A

- **Key findings**

N/A

- **Actions**

N/A

Date to scope and plan your Equality Analysis:

N/A

Date to complete your Equality Analysis:

N/A

Lead person for your Equality Analysis:

N/A

### 5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Alan Pogorzelec	Licensing Manager	30/01/25
Diane Kraus	Principal Licensing Officer	30/01/25

### 6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date screening completed</b>	30/1/25
<b>Report title and date</b>	Licensing Act 2003 – Statement of Licensing Policy
<b>If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication</b>	Cabinet – 17 <sup>th</sup> March 2025
<b>Date screening sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	3/2/25

# Appendix 3 – Carbon Impact Assessment

Will the decision/proposal impact...	Impact	If an impact or potential impacts are identified			
		Describe impacts or potential impacts on emissions from the Council and its contractors.	Describe impact or potential impacts on emissions across Rotherham as a whole.	Describe any measures to mitigate emission impacts	Outline any monitoring of emission impacts that will be carried out
Emissions from non-domestic buildings?	None				
Emissions from transport?	None				
Emissions from waste, or the quantity of waste itself?	None				
Emissions from housing and domestic buildings?	None				
Emissions from construction and/or development?	None				

<b>Carbon capture (e.g. through trees)?</b>	None				
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Identify any emission impacts associated with this decision that have not been covered by the above fields:

Consultation will be conducted in a manner which minimises impact on the environment (i.e. electronic / email communication and online completion of the consultation documents rather than the use of hard copy / paper).

Please provide a summary of all impacts and mitigation/monitoring measures:

The decision to which this assessment relates involves Cabinet giving approval for the commencement of consultation on the revised Licensing Act 2003 Policy. This assessment has been completed on the basis of this decision and therefore no impact is expected with regard to CO2 emissions and climate change. However, it is recognised that the policy itself may have an on this area as it makes reference to the adoption of environmental best practice, energy efficiency and waste management. All of these impacts are considered to be positive in nature and therefore the impact on emissions and climate change is expected to be a positive one. The completion of this assessment has ensured that climate / emissions impact has been considered as part of the development of the draft policy.

<b>Supporting information:</b>	
<b>Completed by: (Name, title, and service area/directorate).</b>	Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene (Regeneration and Environment)
<b>Please outline any research, data, or information used to complete this [form].</b>	
<b>If quantities of emissions are relevant to and have been used in this form please identify which conversion factors have been used to quantify impacts.</b>	N/A
<b>Tracking [to be completed by Policy Support / Climate Champions]</b>	