

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

- Date and Time:-** Wednesday 12 March 2025 at 10.00 a.m.
- Venue:-** Rotherham Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH
- Membership:-** Councillors Steele (Chair), Bacon (Vice-Chair), Baggaley, Blackham, A. Carter, Keenan, Knight, Marshall, McKiernan, Pitchley, Tinsley and Yasseen.

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.

AGENDA

1. Apologies for Absence

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

2. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

3. Questions from Members of the Public and the Press

To receive questions relating to items of business on the agenda from members of the public or press who are present at the meeting.

4. Exclusion of the Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

Items for Pre-Decision Scrutiny

In accordance with the outcome of the Governance Review in 2016, the following items are submitted for pre-scrutiny ahead of the Cabinet meeting on Monday 17 March 2025. Members of the Overview and Scrutiny Management Board are invited to comment and make recommendations on the proposals contained within the report.

5. Modern Slavery Transparency Statement - Annual Refresh (Pages 5 - 38)

Report from the Strategic Director of Regeneration and Environment.

Recommendations:

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.

6. Transport Capital Programme 2025/2026 (Pages 39 - 60)

Report from the Strategic Director of Regeneration and Environment.

Recommendations:

That Cabinet:

1. Approves the schemes and allocations of funding outlined in Section 2 of this report.
2. Delegates 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. Approves 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. Delegates 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.

7. Licensing Act 2003 - Statement of Licensing Policy (Pages 61 - 128)

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.

For Discussion/Decision:-

8. Waste Policy Pilot and Consultation Update (Pages 129 - 136)

To receive the presentation detailing the update on the Waste Policy Pilot and Consultation.

9. Call-in Strategic Community Infrastructure Levy (CIL) (Listed as Item 12 on the 10 February 2025, Cabinet agenda) (Pages 137 - 163)

To consider the reasons for the call-in request relating to the Strategic community Infrastructure Levy Cabinet decision.

Report from the Strategic Director of Regeneration and Environment.

Recommendations:

1. That Cabinet approves the allocation of Strategic CIL funds to the following project(s):
 - Medical Centres Improvements
 - Trans Pennine Trail Community Access
2. That Cabinet approves delegation to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to establish the process to release funding to the approved project(s) as set out in Section 5 of the report.

For Information/Monitoring:-

10. Forward Plan of Key Decisions - 1 March 2025 to 31 May 2025 (Pages 165 - 172)

To review and identify items for pre-decision scrutiny from the Forward Plan of Key Decisions covering the period from 1 March 2025 to 31 May 2025.

11. Urgent Business

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

**The next meeting of the Overview and Scrutiny Management Board
will be held on Tuesday 8 April 2025
commencing at 10.00 a.m.
in Rotherham Town Hall.**

Sharon Kemp.

**SHARON KEMP OBE,
Chief Executive.**

Committee Name and Date of Committee Meeting

Cabinet – 17 March 2025

Report Title

Modern Slavery Transparency Statement - Annual Refresh

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

Andrew Bramidge, Strategic Director of Regeneration and Environment

Report Author(s)

Steve Parry, Community Safety Officer.
01709 334565 or steve.parry@rotherham.gov.uk

Ward(s) Affected.

Borough-Wide

Report Summary

This report provides the annual update in relation to the activities of the Council and its partners in seeking to both address and prevent modern slavery and a refreshed draft Modern Slavery Transparency Statement 2025/26 for consideration and approval prior to publication. (Appendix 1).

On the 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 (Appendix 2).

Recommendations

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.

List of Appendices Included

Appendix 1 – Draft Modern Slavery Transparency Statement 2025/26.

Appendix 2 – Modern Slavery Action Plan.

Appendix 3 – Initial Equality Screening Assessment (Part A).

Appendix 4 – Carbon Impact Assessment.

Background Papers

[Modern Slavery Act 2015](#)

[Co-operative Party Modern Slavery Charter](#)

[Rotherham Metropolitan Borough Councils Transparency Statement](#)

[Cabinet Report 18th March 2024](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Modern Slavery Transparency Statement - Annual Refresh

1. Background

1.1 At the meeting of the Council on 25 July 2018, Council resolved:

- That the Co-operative Party's Charter against Modern Slavery be adopted to ensure that the Council's practices do not support slavery.
- That the Corporate Procurement Team be trained to understand modern slavery issues through the Chartered Institute of Procurement and Supplies (CIPS) online course on Ethical Procurement and Supply.
- That contractors be required to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- That any abnormally low-cost tenders should be challenged, to ensure that they do not rely upon the potential contractor practicing modern slavery.
- That suppliers be advised that contracted workers are free to join a Trade Union and should not be treated unfairly for belonging to one.
- That the whistleblowing system to enable staff to blow the whistle on any suspected examples of modern slavery be publicised.
- That tendered contractors be required to adopt a whistleblowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- That contractual spending be reviewed regularly to identify any potential issues with modern slavery.
- That suppliers be advised of any risk identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- That any contractor who is identified as a cause for concern regarding modern slavery be referred for investigation via the National Crime Agency's national referral mechanism.
- That a report on the implementation of this Policy be published annually.

1.2 Following this commitment, detailed reports have been presented to Cabinet annually. These reports provide updates about the activity of the Council and its partners, in seeking to both address and prevent modern slavery. The reports include a refreshed Modern Slavery Transparency

Statement which is considered by Cabinet and, if approved, published on the Council's website.

- 1.3 Changes to the 2025/26 Modern Slavery Transparency Statement compared to the 2024/25 statement are:

What is Modern Slavery

- The latest national picture in respect of referrals to the National Referral Mechanism compared to previous Transparency Statements.

Our Commitment

- The latest local data in respect of referrals to the National Referral Mechanism compared to previous Transparency Statements.

Our Policies

- Modern Slavery and Human Trafficking now embedded within the Council's Child Exploitation Strategy.

What we have done.

- The delivery of Modern Slavery and Human Trafficking training to professionals from across the partnership during Safeguarding Awareness Weeks, over 450 General Practitioners and Health Professionals at an open learning event held at Magna Science Adventure Centre.
- Worked with Social Landlords, including the Selective Licensing Areas, with the provision of awareness raising, spot the signs of modern slavery information and reporting pathways.
- Worked with South Yorkshire Police Modern Slavery and Organised Immigration Crime Unit on the enhancement of reporting pathways and intelligence/information sharing processes.
- Included a full section '*Children from abroad, including victims of Modern Slavery, Trafficking and Exploitation*' in the Rotherham Safeguarding Children Partnership Manual that identifies Modern Slavery and Human Trafficking and presents a pathway response when risk is identified within Children's Services.

2. Key Issues

- 2.1 Following the commitment made by the Council, a range of activities have been, and continue to be delivered within an established action plan, focussing on the Modern Slavery Charter requirements and OSMB recommendations.
- 2.2 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. The team have been undergoing a refresh of this training with all relevant staff having completed this. This training has now been programmed for renewal every three-year period

as part of the overall modern slavery training provision.

- 2.3 Improvements to processes around Modern Slavery continue to be delivered through the raising of awareness and the provision of training, and through further developing the Councils role within the multi-agency South Yorkshire Modern Slavery and Organised Immigration Crime Group and the local Fortify Bronze Group, which tackles serious and organised crime. Between January and March 2024, Rotherham Safeguarding Adults Board commissioned four 'Trafficking and Modern Slavery' training courses that were delivered to 48 professionals from across the partnership.
- 2.4 As part of Safeguarding Awareness Week, 18th – 22nd November 2024, bespoke modern slavery training was delivered to 54 professionals from a cross section of agencies. This training focused on raising awareness of modern slavery and human trafficking, how to spot the signs and how to report suspected cases.
- 2.5 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 14th November 2024 at the Magna Science Adventure Centre. Again, this training focused on raising awareness of modern slavery and human trafficking, how to spot the signs and how to report suspected cases.
- 2.6 During October 2024, Modern Slavery and Human Trafficking awareness raising information has been distributed to social landlords within the Councils Selective Licensing Scheme. This includes, how to spot the signs and how to report suspected cases.
- 2.7 Officers have continued to develop links with local and regional partners to ensure that intelligence and information is received in the right way and appropriately acted upon, either through responsive or proactive operational activity. As a result of work with the South Yorkshire Police Modern Slavery and Organised Immigration Crime Team, reporting pathways have been further improved with the introduction of an electronic reporting template available to partners.
- 2.8 The section '*Children from Abroad, including Victims of Modern Slavery, Trafficking and Exploitation*' within the Rotherham Safeguarding Children Partnership Manual was updated in December 2024 and now explicitly identifies modern slavery and human trafficking and presents a pathway response when the risk is identified within children's services.
- 2.9 Tackling Modern Slavery and Serious Organised Crime continue to be key priorities for the Safer Rotherham Partnership (SRP) and activity is managed through the Protecting Vulnerable Adults and Serious Organised Crime theme groups with oversight by the SRP Board which is chaired by the Cabinet Member for Corporate Services, Community Safety and Finance.
- 2.10 The Council has 8 employees from across directorates who have received the necessary training to be successful in becoming modern slavery Single

Point of Contact Officers (SPOCs). This has improved knowledge and expertise across the Council in respect of the identification and response to modern slavery cases and in the provision of support to the victims of modern slavery. The development of these officers will continue, and it is planned that extra officers will receive training during 2025/26 as part of a Modern Slavery and Human Trafficking Training Plan.

- 2.11 The Council continues to work closely with the South Yorkshire Police Modern Slavery and Organised Immigration Crime Unit and the Gangmasters and Labour Abuse Authority (GLAA) in respect of raising awareness with partners, stakeholders, and the public.
- 2.12 The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive appropriate support. Only designated first responders can refer cases to the NRM. Local Authorities are designated 'first responder organisations' and are therefore able to refer cases to the NRM.
- 2.13 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 NRM. All referrals are reported to the Safer Rotherham Partnership Board via the Performance Management framework.
- 2.14 Support from the National Referral Mechanism (NRM) continues to be provided to potential victims of modern slavery through safe house accommodation on an outreach basis. Whilst outreach is provided to people across South Yorkshire, outreach clients will live either in council accommodation, National Asylum Support Service (NASS) accommodation, with friends, family or in their own private accommodation. In addition, support outside of the NRM structure is also provided by the Snowdrop Project who provide post NRM support in Barnsley, Rotherham and Sheffield.
- 2.15 Good progress has been made in respect of the actions within the existing action plan, with the majority of actions now fully completed. Work will 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.

3. Options considered and recommended proposal

- 3.1 The Council is required to produce an annual update in relation to activities associated with modern slavery. The Council is further required to update its published 'Transparency Statement' each year. The report and attached action plan discharge the requirement for an annual update on activity.

- 3.2 Attached at Appendix 1 is the refreshed Modern Slavery Transparency Statement 2025/26 and at Appendix 2 is the current Action Plan based on recommendations by the OSMB 'Spotlight Review' from November 2022 and managed through the Councils Modern Slavery Steering Group.

3.3 No alternative options have been considered because of the clear and ongoing commitment made by the Council since 2018.

4. Consultation on proposal

4.1 Council Officers continue to work with a range of partners through the Safer Rotherham Partnership, which prioritises activity to address Modern Slavery. Direct consultation in respect of the Transparency Statement with external partners has not taken place as this is a Council specific statement.

5. Timetable and Accountability for Implementing this Decision

5.1 Following Cabinet approval, the refreshed Modern Slavery Transparency Statement will be published on the Council's website.

5.2 The Head of Community Safety and Regulatory Services continues to act as the Council's lead for Modern Slavery and is accountable for the implementation of the action plan.

6. Financial and Procurement Advice and Implications

6.1 All costs associated with the delivery of the action plan have been contained within existing approved budgets.

6.2 The Council's procurement team will continue to support service areas in their procurement activity and identify through the pre-procurement phase, potential market industries where modern slavery may be prevalent and ensure the tender and resulting contract are robust to address this issue.

7. Legal Advice and Implications

7.1 As set out in the body of this report and previous reports about this issue, the Council is required to comply with duties as set out in the Modern Slavery Act 2015, including the duty to co-operate with the Independent Anti-Slavery Commissioner (section 43), the duty as to presumption of age of victims of human trafficking where there are reasonable grounds to believe they may be under 18 (section 51), the duty to notify the Secretary of State of suspected victims of slavery or human trafficking (section 52) and the requirement to publish a transparency statement, including on the Council's website (section 54). This report and Appendices set out how the Council complies with these duties and the other requirements of the Modern Slavery Act 2015.

7.2 The Council also has a duty to consider crime and disorder implications under Section 17 of the Crime and Disorder Act 1998. As Modern Slavery has been adopted as part of the protecting vulnerable adults key priority by the Safer Rotherham Partnership, the Council, as a 'responsible authority' of the partnership, has a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on crime and disorder and a duty to do all that it reasonably can to prevent crime and disorder in its area, specifically in this case, Modern Slavery.

7.3 In approving the Modern Slavery Transparency Statement 2025/26 and publishing on the Council's website ensures that the Council is complying with its statutory duty under section 54 of the Modern Slavery Act. It is a requirement under the Act for a commercial organisation to prepare a slavery and human trafficking statement for each financial year. If the organisation has a website, it must publish the statement on the website and include a link to the statement in a prominent place on the homepage.

7.4 If an organisation fails to comply with the Section 54 duties the Secretary of State can obtain an injunction to enforce it, a failure will also leave the Council open to legal challenge such as judicial review.

8. Human Resources Advice and Implications

8.1 Human Resources can support the tackling of the threat of modern slavery through an understanding the key people risk, advising on recruitment, communicating employee rights and procedures for raising issues and available training.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The recommendations links to the following Council Plan themes:

- People are safe, healthy, and live well.
- Every child able to fulfil their potential.

In addition, addressing the recommendations links explicitly to the SRP priorities of:

Protecting Vulnerable Children

- Work together with partners and the public to reduce the risk of child sexual exploitation (CSE) and child criminal exploitation (CCE) ensure accurate recording of investigations and quality outcomes.
- Increase understanding of CSE and CCE, reporting, and responses, with professionals and the public through training and awareness raising.
- Increase understanding of CSE and CCE, how it affects our communities and how our actions as a partnership improve the lives of children.

Protecting Vulnerable Adults

- Protecting and supporting vulnerable adults from harm, crime and becoming victims of exploitation as well as preventing them from becoming victims of modern slavery.

10. Equalities and Human Rights Advice and Implications

- 10.1 The publication of the statement itself, which is the decision within the report, does not represent any change in policy or delivery of function but reflects work done across a range of Council services, which are subject to their own decision-making processes and therefore equality impact assessment as appropriate. Therefore, an equality analysis is not required to accompany this report as there are no direct equality implications for the refresh of the published transparency statement.
- 10.2 Tackling modern slavery and human trafficking is a key priority for the Council and the Safer Rotherham Partnership. The potential for the exploitation of different groups is acknowledged and is monitored and managed by the multi-agency Protecting Vulnerable Adults and Children theme groups and reported to the Safer Rotherham Partnership Board.

11. Implications for CO2 Emissions and Climate Change

- 11.1 Climate change and modern slavery are linked in a vicious circle. Even as climate change increases the likelihood of natural disasters, so people who are displaced or forced to migrate are more likely to be exploited, in the same industries which are most to blame for global CO₂ emissions.
- 11.2 Through robust safeguarding and supply chain assurance, the Council can mitigate the carbon as well as the human cost of modern slavery. This has special relevance to the renewable energy sector, where solar PV and battery electric vehicle supply chains may risk sourcing materials or components which have been produced by forced labour.
- 11.3 A carbon impact assessment with more details and a short bibliography is included as Appendix 4.

12. Implications for Partners

- 12.1 Modern slavery duties stretch across both the public and private sector. Statutory and other partners are actively engaged locally, regionally, and nationally. The Council has worked over the previous year on an intelligence led basis to increase links with private industry and contractors and suppliers in relation to modern slavery.
- 12.2 Tackling modern slavery and human trafficking is a key priority for the Council and the Safer Rotherham Partnership.

13. Risks and Mitigation

- 13.1 There are no risks directly rising from this report.

14. Accountable Officers

- 14.1 Emma Ellis, Head of Service, Community Safety and Regulatory Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	03/03/25
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

Report Author: Steve Parry, Community Safety Officer
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This report is published on the Council's [website](#).

Rotherham Metropolitan Borough Council

Modern Slavery Act 2015 Transparency Statement 2025/26

Introduction

This statement sets out the Council's actions to understand and respond to risks relating to modern slavery. The statement has been drafted in broad acknowledgment of the wide-ranging role of the Council, from front line staff regulating business or visiting homes, through to our commissioning and procurement of works, goods or services and management of contracts.

Modern slavery can take many forms and present in many ways. Our approach to this issue is embedded within our safeguarding policy and practice and we will focus throughout the year on continuing to raise awareness through regular briefings and an increase in the number of appropriately trained staff. We will also continue to work with partners to increase the levels of intelligence and information sharing relating to modern slavery and the operational activity that results from such intelligence.

Finally, we will continue to strengthen our understanding of the risks relating to modern slavery within supply chains and continue to promote the issues with our contractors and suppliers.

This is the Council's sixth transparency statement in relation to modern slavery and is relevant for 2025/26. An annual progress report will be published on our website, alongside a revised statement for the following year.

What is modern slavery?

Modern slavery is a term that includes any form of human trafficking, slavery, servitude or forced labour, as set out in the Modern Slavery Act 2015, and captures a whole range of types of exploitation, many of which occur together. These include, but are not limited to:

- Sexual exploitation: this includes sexual abuse, forced prostitution and the abuse of children to produce child abuse images/videos.

- Domestic servitude: this involves victims being forced to work in usually private households, performing domestic chores and childcare duties.
- Forced labour: this can happen in various industries, including construction, manufacturing, hospitality, food packaging, agriculture, maritime and beauty sector (nail bars).
- Criminal exploitation: This can be understood as the exploitation of both adults and children to commit a crime, such as theft, burglary, cannabis cultivation, drug trafficking and other similar criminal activities that are subject to penalties and imply financial gain for the trafficker.
- Human trafficking: this requires that a person arranges or facilitates the travel of another person with a view to that person being exploited. The offence can be committed even where the victim consents to the travel. This reflects the fact that a victim may be deceived by the promise of a better life or job or may be a child who is influenced to travel by an adult.
- Other forms of exploitation: human organ removal; forced begging; forced benefit fraud; forced marriage and illegal adoption.

In 2023, 17,004 potential victims of modern slavery in the UK were referred to the Home Office, which is a small increase to the 16,938 potential victims who were referred into the National Referral Mechanism in 2022. The number of potential victims of modern slavery in the UK shows a pattern of yearly increases apart from a slight decrease in 2020, commonly noted to be a result of the national lockdowns in response to the Covid-19 pandemic.

The number of referrals received in 2023 has been the highest since the National Referral Mechanism began in 2009. However, the increase in referrals does not necessarily correlate with there being more victims but could indicate that First Responders are improving at identifying potential victims.

There is no typical victim, and some do not understand they have been exploited and that they are entitled to help and support. Victims are often trafficked to a foreign country where they are unable to speak the language, have their travel and identity documents removed and are told if they try to escape, they or their families will be harmed.

Locally and across the United Kingdom, Criminal Exploitation generally and 'County Lines' drug trafficking, has become a prominent way in which people, particularly children, are increasingly exploited. 'County lines' is the practice of trafficking drugs into rural areas and smaller towns and cities, away from the major conurbations. Many factors contribute to the way in which vulnerable children and other individuals are exploited by traffickers and it is an important factor that a child can never consent to their own exploitation. The Council is fully aware of its designation as a 'First Responder' organisation under the National Referral Mechanism and its responsibility to identify potential victims and refer cases to the UK Human Trafficking Centre Competent Authority of the National Referral Mechanism.

The Council also works with other agencies to identify and tackle Modern Slavery, particularly through the Safer Rotherham Partnership (SRP), which is the statutory multi-agency Community Safety Partnership (CSP) for Rotherham, introduced by Section 6 of the Crime and Disorder Act 1998.

Our commitment

The Council recognises that it has a responsibility to take a robust approach to modern slavery and human trafficking. In addition to the Council's responsibility as an employer, it also acknowledges its duty as a Council and 'First Responder' to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015. To support this requirement, the Council will ensure staff are suitably trained to spot the signs and pass on relevant information for referral.

The Council currently has processes and procedures as a part of its Safeguarding Policy in relation to modern slavery, and work will continue to further raise awareness of these processes.

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. Data relating to all referrals are reported to the Safer Rotherham Partnership Board via the Performance Management framework. The Council will continue to monitor the number of referrals and the action that it and other agencies have taken in respect of them.

The Council is committed to preventing slavery and human trafficking and to ensuring that its supply chains are free from slavery and human trafficking. This is managed by officers being made aware of the potential for modern slavery risks through awareness raising and appropriate briefings, alongside establishing robust assurance. They will consider the potential and likelihood of modern slavery and, where these are deemed to be high, they will seek to develop a clear understanding of the supplier's supply chain arrangements:

The Council's clear commitment is as follows:

- That the Co-operative Party's Charter against Modern Slavery be adopted to ensure that our practices don't support slavery.
- That the Corporate Procurement Team be trained to understand modern slavery through the Chartered Institute of Procurement and Supplies (CIPS) online course on Ethical Procurement and Supply.
- That contractors be required to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- That any abnormally low-cost tender be challenged to ensure that they do not rely upon the potential contractor practicing modern slavery.

- That suppliers be advised that contracted workers are free to join a trade union and should not be treated unfairly for belonging to one.
- That the whistleblowing system for staff to blow the whistle on any suspected examples of modern slavery be publicised.
- That tendered contractors be required to adopt a whistleblowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- That contractual spending be reviewed regularly to identify any potential issues with modern slavery.
- That suppliers be advised of any risk identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- That any contractor who is identified as a cause for concern regarding modern slavery be referred for investigation via the National Crime Agency's National Referral Mechanism.
- That a report on the implementation of this policy be published annually

The Council is committed to the Co-operative party Charter Against Modern Slavery, details of which can be found on the following link: [Modern Slavery Charter](#)

Our business and supply chain

Rotherham Council procures a diverse range of goods, works and services to enable the Council to deliver its public service. Procurement activity is categorised into 4 portfolio areas and the types of services include (but not limited to):

- **People:** commissioned social care provision for vulnerable children and adults, public health, homelessness
- **Places:** waste and recycling, green spaces, maintenance of the borough's highways infrastructure, facilities management, vehicles and transport, security, housing repairs and maintenance
- **Corporate:** ICT, professional services, financial services, consultancy, training, catering, leisure
- **Capital Works:** build and civil scheme development and delivery.

In undertaking procurement activity and the assessments of suppliers, the Council utilises the mandated Selection Questionnaire from Cabinet Office. This provides criteria for assessment to reduce the risk of modern slavery and human trafficking in our supply chain.

In addition, the Councils contracts include clauses around suppliers' compliance towards legislation and best practice linked to modern slavery, including termination as a sanction for failure to comply. Contracts also include statements of expectation

from the Council in that all employees are to be treated fairly, have the right to join a trade union and that the supplier must adopt a whistleblowing policy for staff to blow the whistle on any suspected cases of modern slavery.

Our policies

Modern slavery is clearly embedded within Safeguarding practice at the Council. Copies of the relevant policy relating to adults can be found on the following link: <https://www.rotherham.gov.uk/downloads/file/1456/south-yorkshire-safeguarding-adults-procedures>

The equivalent Policy in relation to Safeguarding children can be found on the following link: [Children from Abroad, including Victims of Modern Slavery, Trafficking and Exploitation \(proceduresonline.com\)](#)

The Council's whistleblowing policy is available on the following link: <https://www.rotherham.gov.uk/downloads/download/117/whistleblowing-and-serious-misconduct-policy>

The Rotherham Safeguarding Children's Partnership have agreed the Child Exploitation Strategy 2024-29: A vision for managing risk outside the home. [Leading organisations show ongoing commitment towards tackling child exploitation as new strategy is agreed — Partnership release – Rotherham Metropolitan Borough Council](#)

The Council's Procurement Ethics Policy is available on the following link: [Ethical Procurement Policy](#)

Our governance and due diligence approach

As a public body the Council works with various statutory and non-statutory agencies around issues of local and national concern such as modern slavery. We will ensure that we engage with our partners locally and regionally to strengthen our collective understanding of, and efforts to combat, Modern Slavery in all its forms.

Internally, the Council's cross-directorate Modern Slavery Steering Group, chaired by the Head of Service, Community Safety and Regulatory Services, ensures operational delivery in line with the commitments made within this statement and further scrutiny is provided by the Safer Rotherham Partnership Board. This issue may be subject to detailed scrutiny by the Council's political leadership at the direction of the Chair of the relevant Select Commission.

Awareness raising, and the strengthening of policies and procedures, alongside detailed training where required, will strengthen the Council's diligence in respect of modern slavery linked to the procurement of goods and services, alongside wider contract management.

What we have we done

Following the public commitment made by the Council, to achieve the standards laid out within the Co-operative party Charter against Modern Slavery, a significant amount of work has been delivered. This has included specialist training for procurement officers and the production of guidance for commissioners and contract managers.

The Council has updated and reviews relevant policies to ensure explicit reference to modern slavery. Likewise, it's previously updated Invitation to Tender documentation in respect of requirements under the Modern Slavery Act 2015 and its Safeguarding Policy, that all suppliers and their staff delivering a contract must adhere to, which also sets out that they must have an up-to-date Modern Slavery Transparency Statement (where required by law) and that these statements are registered at <https://TISCreport.org> are subject of regular review.

To improve awareness and strengthen its ability to identify and respond to cases of modern slavery, the Council has maintained its commitment to having officers from across council directorates who have received specialist training to become single points of contact for modern slavery. This increased expertise has resulted in improved working practices and co-ordination between the Council, the Police and the wider partnership. The development of these officers will continue, and it is planned that extra officers will receive training during 2025/26 as part of a Modern Slavery and Human Trafficking Training Plan.

As part of Safeguarding Awareness Week, 18th – 22nd November 2024, bespoke modern slavery training was delivered to 54 professionals from a cross section of agencies. This training focused on raising awareness of modern slavery and human trafficking, how to spot the signs and how to report suspected cases.

Between January and March 2024, Rotherham Safeguarding Adults Board commissioned four 'Trafficking and Modern Slavery' training courses that were delivered to 48 professionals from across the partnership.

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 in November 2024. Again, this training focused on raising awareness of modern slavery and human trafficking, how to spot the signs and how to report suspected cases.

Modern Slavery and Human Trafficking awareness raising information has been distributed to social landlords within the Councils Selective Licensing Scheme. This includes how to spot the signs and how to report suspected cases.

Officers have continued to develop links with local and regional partners to ensure that intelligence and information is received in the right way and appropriately acted upon, either through responsive or proactive operational activity. As a result of work with the South Yorkshire Police Modern Slavery and Organised Immigration Crime Team, reporting pathways have been further improved with the introduction of an electronic reporting template available to partners.

Training and awareness raising material is available, with posters displayed around Council premises, an e-learning module available to all staff and specialist training for relevant front-line officers.

The section '*Children from Abroad, including Victims of Modern Slavery, Trafficking and Exploitation*' within the Rotherham Safeguarding Children Partnership Manual was updated in December 2024 and now explicitly identifies modern slavery and human trafficking and presents a pathway response when the risk is identified within children's services.

A previously established Modern Slavery Steering Group continues to oversee the Councils response to modern slavery and human trafficking and comply with the legislative requirements of the Modern Slavery Act 2015. An Action Plan has been produced to provide a clear structure for work to be carried out and this to record and monitor progress.

Modern Slavery continued to be a key priority for the SRP throughout 2023/24 and the Councils work, along with its partners towards eradicating it is reported to and monitored by the Safer Rotherham Partnership.

What we will do

The Council will continue to seek to increase the number of Modern Slavery referrals through the National Referral Mechanism. This is also a priority for the Safer Rotherham Partnership (statutory multi-agency Community Safety Partnership for Rotherham under the Crime & Disorder Act 1998)

The Council will continue to offer both generic and specialist training and will continue to support this with regular efforts to raise awareness both online, through social media and within its teams. The Council and its partners will also seek to raise awareness within communities, both about how to spot the signs and how and where to report.

The Council will continue to combat modern slavery by working in partnership and providing mutual support between departments and agencies.

The Council will continue to ensure that sound processes and procedures are in place to help identify and support potential victims of modern slavery, including staff having sufficient knowledge to be able to effectively deal with reports, incidents and issues raised.

The Council will work to further improve the gathering and sharing of modern slavery intelligence and information with its partners that may help to disrupt perpetrators and assist with bringing them to justice. This will be monitored through the Councils Modern Slavery Steering Group and the wider SRP, Community Safety Partnership.

The Council will continue to work with its partner agencies to map the evolving local modern slavery landscape to identify high risk industries and 'hot spots'.

The Council will work with its partner agencies to review and improve how young adults at risk of experiencing modern slavery are safeguarded during the transition from children to adult services and are age assessed appropriately.

The Council will continue to support its contract managers, procurement officers and commissioning staff to develop their awareness and understanding in relation to modern slavery and human trafficking and ensure active scrutiny of tenders.

The Council will continue to monitor contractual spend through the Transparency in Supply Chains organization, (<https://tiscreport.org/>) and continue to work with suppliers who have not yet demonstrated compliance to encourage greater engagement with Modern Slavery issues and responses.

This statement should be read in conjunction with the Modern Slavery Act 2015 and the National Referral Mechanism.

Signed

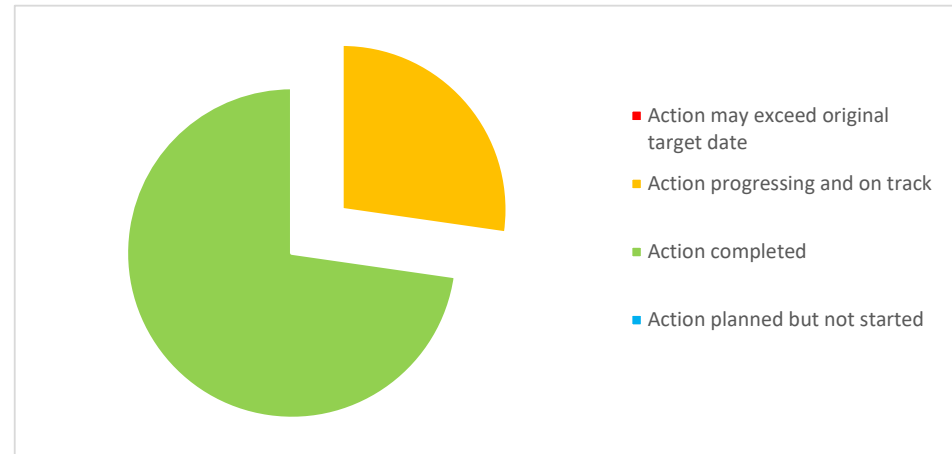
Chief Executive

Leader of the Council

Modern Slavery Action Plan

CURRENT RAG STATUS	No. of actions:
Action may exceed original target date	0
Action progressing and on track	3
Action completed	8
Action planned but not started	0

Version: October 2022



Action may exceed original target date
Action progressing and on track
Action completed
Action planned but not started

Modern Slavery Steering Group Action Plan - Post Overview and Scrutiny Management Board 'Spotlight Review' which took place in November 2022.

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
1	That the Safer Rotherham Partnership (SRP) consider rolling out a targeted learning and development offer/campaign to raise awareness of modern slavery, how to spot the signs and risks and how to raise concerns and make referrals:				
1a	To front line staff across agencies.	Steve Parry	Apr-25	<p>A refreshed programme of 'Introduction to Human Trafficking' training courses for front line staff completed during 2022-23, delivered by the Snowdrop Project.</p> <p>As part of Safeguarding Adults Week 2023 the Gangmasters & Labour Abuse Authority (GLAA) delivered a 'labour exploitation in the care sector' presentation to colleagues working in the care sector. Further training is planned. - Also see 1c below.</p> <p>Four Trafficking and Modern Slavery training courses were delivered in 2023-24, commissioned by the Rotherham Safeguarding Adults Board as part of their training offer. Four courses have been commissioned for delivery in 2024-2025.</p> <p>A session on Modern Slavery was delivered to GP's at an event at Magna on 14/11/24 A session on Modern Slavery and a session on 'Cuckooing' were delivered to professionals on 20th November and 22nd November respectfully as part of Safeguarding Awareness Week commencing 18th November 2024. Safer Rotherham Partnership social media content regularly posted to raise awareness of modern slavery.</p> <p>A number of new learning resources have been located in the MS Teams 'Training' folder for reference. These were obtained by members of RMBC Procurment Team. Work will progress on the development of a further training programme through 2025/26, with emphasis on further training for RMBC Modern Slavery SPOC's and also the recruitment and training of new SPOC's. The training of the SPOC's has been raised at the South Yorkshire Modern Slavery and Immigration Crime meeting with regards to the potential for joint training with the other three local authorities.</p>	Action progressing and on track
1b	To elected members.	Steve Parry	Apr-24	Member Seminar took place on 21st November 2023, jointly delivered by RMBC, SY Police and Gangmasters & Labour Abuse Authority (GLAA) - Further Member Seminars will be delivered as and when required.	Action completed

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
1c	To the public and targeted businesses such as letting agencies	Steve Parry	Apr-25	<p>Safer Rotherham Partnership social media content is regularly posted to raise awareness of modern slavery.</p> <p>Further work is still needed to target communications at businesses and is being considered as part of the 2025 training programme. Contact being made with RIDO and Chamber of Commerce regarding best approach to be adopted which could also include the use of Police and GLAA media resources i.e leaflets. Modern Slavery and 'Cuckooing' awareness raising information has now been circulated to Registered Landlords and 'Selective Licensing' Landlords across the borough via RMBC Startegic Housing. Meetings with the South Yorkshire Police Modern Slavery and Organised Immigration Crime Unit has resulted in improved working practices and information sharing around private social landlords.</p> <p>Training for Taxi drivers is being considered for delivery early 2025.</p>	Action progressing and on track
2	That the SRP considers mapping the local modern slavery landscape to identify high risk industries and 'hot spots'	Steve Parry	Jan-25	<p>Full data and information sharing now takes place at the county-wide meeting of the multi-agency Modern Slavery and Organised Immigration Crime meeting. This group meets bi-monthly at which analytical data and information is provided by South Yorkshire Police analysts and GLAA. and data is also provided by the analyst on request. This forum and supporting data and shared information covers high risk industries and the changing modern slavery landscape - for example, hand car washes, nail bars construction sector, care sector. The group also provides current risk and threat updates. Certain sectors and products are at high risk for modern slavery, regardless of region. Typically, these sectors are:</p> <ul style="list-style-type: none"> •informal and unregulated, with poor visibility over lower tier suppliers. •reliant on a workforce to carry out jobs that are considered undesirable, hazardous or low-skilled. •Car washes, beauty sector – nail bars. <p>Seasonal and low-paying Examples of high-risk sectors include:</p> <ul style="list-style-type: none"> •industrial cleaning, meat works, hospitality, construction, manufacturing, agriculture and fishing. •The Care Sector, including the recruitment of workers from overseas. <p>Information to inform 2025/26 training plan.</p>	Action completed
3	That consideration be given to establishing an RMBC internal governance group, including representation from services who may encounter modern slavery	Emma Ellis	Jun-23	<p>The first meeting of the Council's Modern Slavery Steering Group chaired by Head of Service, Community Safety and Regulatory Services was held on Thursday 29th June 2023. The meeting focussed on agreeing Term of Reference, including membership and frequency of meetings. The group now meets on a regular basis and reports to the Safer Rotherham Partnership Board through the Protecting Vulnerable Adults Theme Group.</p>	Action completed
4	That consideration is given to how young adults at risk of experiencing modern slavery are safeguarded during the transition from children to adult services and are age assessed appropriately	Kevin Buck/Tony Morrissey	Apr-24	<p>Discussed at CEDG and with the Evolve service who have connected with the HOS in adults. Work continues to formulate a more structured transition pathway. An Exploitation Strategy update specifically names modern slavery as a risk that requires a statutory assessment and response (in some circumstances).</p> <p>Lee Durrant is overseeing the training schedule. He highlighted that this is accessible via our virtual college for all children's professionals under the banner of PREVENT.</p> <p>The section 'Children from Abroad, including Victims of Modern Slavery, Trafficking and Exploitation' within the Rotherham Safeguarding Children Partnership Manual has been updated and now explicitly identifies modern slavery and human trafficking and presents a pathway response when the risk is identified within children's services.</p>	Action completed

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
5	That consideration is given to developing referral pathways to ensure that modern slavery victims (both adult and child) have access to appropriate support (housing, advocacy, mental health) on a timely basis	Steve Parry	Jun-23	October 2023 - Local, established homelessness pathways and National Referral Mechanism (NRM) pathway already apply. These existing pathways have been communicated to all partners and included in future training development for clarity. Quality assurance mechanisms will be reviewed to ensure the pathways are effective and there are no barriers to accessing support.	Action completed
6	That consideration is given to re-launching the Strategic Partnership Information Sharing Group at the earliest opportunity to improve the way that agencies can share data and intelligence, including examining how IT systems can work better together	Emma Ellis/Steve Parry	Jan-24	The county-wide South Yorkshire Modern Slavery and Organised Immigration Crime meeting chaired by South Yorkshire Police has continued to meet on a regular basis. Data sharing takes place through the South Yorkshire Modern Slavery and Organised Immigration Crime, the RMBC Modern Slavery Steering Group and Safer Rotherham Partnership Protecting Vulnerable Adults and Protecting Vulnerable Children's partner groups. The steering group will continue to explore opportunities to share information and intelligence to improve outcomes. The South Yorkshire intelligence portal, through which partners and agencies can submit items of intelligence for screening and appropriate action is now live at: https://www.southyorkshire.police.uk/partners/partner-services/community-partner-intelligence/community-partnership-intelligence/community-partnership-intelligence-form/	Action completed
7	That consideration is given to widening the levels of investigation and auditing of contracts procured by the council to focus on the 'layers' of sub-contractors, including binding specifications to audit or 'dip-sample' contracts along the supply chain	Karen Middlebrook/Steve Parry	Apr-25	As part of the overall training programme, the GLAA have agreed to deliver training to appropriate council Contract and Procurement Managers in respect of labour exploitation. Delivery style and required content has been discussed through the Modern Slavery Steering Group. Anticipated that training will be delivered as part of the 2025/26 training programme. Next steps in relation to auditing contracts will be monitored through the Modern Slavery Steering Group. RMBC commissioning requires contractors to have a Modern Slavery Statement that is validated by the contract manager. Safe recruitment practice (e.g. background checks) is embedded in processes.	Action progressing and on track
8	That consideration is given to how the Procurement Team can engage with the South Yorkshire Mayoral Combined Authority (SYMCA) supply chain advisor to improve processes, joint working, and awareness	Karen Middlebrook	Jun-23	Well established links already exist between the Councils Procurement Service manager and the SYMCA Supply Chain Advisor with regular meetings taking place between the two. The Councils Procurement Service Manager is a core member of the Councils Modern Slavery Steering Group.	Action completed
9	That consideration be given to allow victim advocates to make recommendations to Housing	Sandra Tolley	Jun-23	The process already in place in respect of the Council's Housing Assessment Panels does allow for third party representation and this would include the presentation of advice and recommendations by victim advocates for the panels to consider in respect of victims of modern slavery.	Action completed

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
COMPLETED ACTIONS 2018-2022					
	Council Actions:	Action owner	Progress note:		
	Incorporate the recommendations of the Council's Overview and Scrutiny Management Board Modern Slavery and Human Trafficking Spotlight Review (November 2022) within this action plan and agree action owners to ensure timely implementation	Emma Ellis, Head of Service, Community Safety and Regulatory Services	Recommendations received and incorporated into Modern Slavery Action Plan, as above and overseen by the Councils Modern Slavery Steering Group.		
	Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.	Karen Middlebrook	All relevant officers have now completed the course and passed the exam. Will seek to renew the training on an 3-yearly cycle.		
	Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance. (Section 54 of the Modern Slavery Act is a transparency in supply chains measure that requires businesses who a) carry on a business, or part of a business in the UK; b) supply goods and services; and c) have an annual turnover of £36million or more to produce an annual statement on the steps they are taking to prevent modern slavery in their supply chains and own organisation.)	Karen Middlebrook / Legal	<p>For all tenders undertaken above the EU threshold, the Council is mandated to the use the Selection Questionnaire (SQ) set by Central Government. One of the sections within this SQ is compliance with the Modern Slavery Act. For these types of tender, anyone failing to comply with the Act will not be shortlisted.</p> <p>The Council has signed up to TISCreport.org to help track suppliers and their compliance with the Act. The use of this tool has identified some suppliers, where direct engagement is now taking place through the Contract Managers within service areas to put them in a compliant manner.</p> <p>Further work is required by Legal to strengthen the Council's Terms and Conditions in this regard.</p> <p>Processes also require development in relation to contracts that are below threshold or where they are a call off from a framework agreement.</p> <p>The Council is now addressing this as contracts expire. New terms and conditions are drafted by Legal Services and entered into by all parties.</p> <p>Now complete and in place.</p>		

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
	<p>Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.</p> <p>(Low cost tenders can be a sign of exploitation and should be challenged. Local Authorities can use Regulation 69 of the Public Contracts Regulations 2015 (Abnormally low tenders) which means they can require tenderers to explain the price or costs proposed in the tender.)</p>	Karen Middlebrook / Sam Barstow		<p>If the Council receives an abnormally low tender it would challenge this in accordance with Regulation 69 and this is detailed in the Council's tender template documentation for above threshold tenders.</p> <p>Working relationships within the Council have been strengthened with Procurement and Community Safety to try and tie this link. A list of high risk industries has been gathered and an understanding between the 2 teams that where an abnormally low tender is received in any of these industries, dialogue to take place to determine an agreed course of action.</p> <p>Further guidance has been developed.</p>	
	Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.	Karen Middlebrook / Sam Barstow		Transparency within supply chains is supported and positively endorsed by Trade Unions and both national and local levels. Work has been done to include a section in the Council's updated tendering document that's highlights to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.	
	Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery	Karen Middlebrook / Sam Barstow		The Whistleblowing policy has been updated to include explicit reference to modern slavery. The Council's whistleblowing and serious misconduct policy is publicised and available on the internet and clear reference is made within the policy to modern slavery.	
	Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery	Karen Middlebrook / Sam Barstow		Work complete to streamline standard wording around Safeguarding within the Councils template tender documentation. The safeguarding section (8) of the Council's 'Invitation to Tender' document has been updated in respect of the policies that tendering organisations have in place. This includes the requirement for a 'Whistleblowing policy that is accessible to staff and volunteers'. (Section 8.2(I))	
	Review its contractual spending regularly to identify any potential issues with modern slavery.	Karen Middlebrook / Sam Barstow		The Council has signed up to TISCreport.org to help track suppliers and their compliance with the Act. The Councils Modern Slavery Lead is a member of the Councils Commissioning Board and guidance has been developed for Commissioning Officers or those with relevant responsibilities.	

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
	<p>Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed</p> <p>(It's important that suppliers also have aware of what modern slavery is, what the signs are and how they can tackle)</p>	Karen Middlebrook / Sam Barstow		<p>The Council has made systematic contact with non-compliant companies as identified through TISC-report. In many cases companies are found to be compliant however publications are not linked or verified so work is ongoing to support suppliers</p> <p>Linked with the action above and follow-up with companies however this now needs further review.</p>	
	<p>Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.</p> <p>(This reiterates the duty for local councils to report concerns using the national referral mechanism, and a public commitment they will do that for their own contractors too)</p>	Sam Barstow		A system is in place to support referrals regarding companies of concern.	
	Report publicly on the implementation of this policy annually	Sam Barstow		A report is presented annually to Cabinet in respect of the Modern Slavery Transparency Statement.	
	<p>Confirm Policy Arrangements both in relation to Childrens and Adult</p> <p>(To ensure that effective Policy is in place which makes clear reference to modern slavery in relation to safeguarding practice/procedure)</p>	Vicky Schofield/Andrew Wells		Complete.	
	<p>Develop an outline plan for compliance against the MS Charter requirements.</p> <p>(Ensure that the Procurement service is working toward compliance with the commitments made within the MS Charter)</p>	Karen Middlebrook / Legal		Complete.	

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
	Explore available specialists training with wider Safeguarding Training	Sharon Clarke		All levels of Social Workers have had training and confirming that persons whom have "No recourse to public funds" are covered within the procedures.	
	Ensure basic e-learning is available to front line staff and manager	Steve Parry		E learning provided on the Directions Councils website	
	Ensure engagement in wider partnership activity to disrupt, prevent and address modern slavery	Steve Parry		Council in regular attendance at appropriate/relevant meetings.	
	<p>Establish operational links to support response to intelligence and information</p> <p>(Engage with the Home Office, Gang Master Licensing Authority, SYP and Border Force to ensure that proactive operational links are in place and that Rotherham benefits from operational partnership activity)</p>	Sam Barstow		Ongoing links established and continue through existing structures.	
	Develop a robust Transparency Statement on behalf of the Council	Sam Barstow		A refreshed Modern Slavery Transparency Statement is presented to Cabinet annually for approval prior to publication on the Councils website	
	<p>Confirm Policy Arrangements both in relation to Children's and Adult.</p> <p>(Ensure that effective Policy is in place which makes clear reference to Modern Slavery (MS) in relation to safeguarding practice/procedure)</p>	Vicky Schofield/Andrew Wells		Complete	

No:	Action:	Lead Action Owner:	By When:	Progress Update:	Status:
	<p>Develop an outline plan for compliance against the MS Charter requirements.</p> <p>(Ensure that the Procurement service is working toward compliance with the commitments made within the MS Charter)</p>	Karen Middlebrook / Legal		Complete	
	<p>Improve the Councils ability to identify and respond to (MS).</p> <p>(Working with partners, seek opportunities to enhance the expertise and ability within the Council to respond to Modern Day Slavery)</p>	Steve Parry		<p>The Council is a member of the South Yorkshire (MS) Partnership</p> <p>It also is represented on the South Yorkshire (MS) Practitioners Group and the county-wide and local Organised Crime Boards.</p> <p>A total of 11 Council officers have now been trained as (MS) Single Points of Contact Officers (SPOC's). This has significantly increased knowledge and expertise within the Council to identify and respond to (MS).</p> <p>Through work with the South Yorkshire (MS) Partnership, a detailed quarterly report is now to be presented to the Safer Rotherham Partnership Board to inform its activities in tackling (MS).</p>	

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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: Modern Slavery Update and Revised Transparency Statement	
Directorate: Regeneration & Environment	Service area: Community Safety & Regulatory Services
Lead person: Steve Parry	Contact number: 07443 477536
Is this a:	
<input type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function
<input checked="" type="checkbox"/> Other	
If other, please specify	

2. Please provide a brief description of what you are screening
The publication of the Transparency Statement itself, which is the decision within the report, does not represent any change in policy or delivery of function but reflects work done across a range of Council services, which are subject to their own decision-making processes and therefore equality impact assessment as appropriate. Therefore, an equality analysis is not required to accompany this report as there are no direct equality implications for the refresh of the published Transparency Statement.

Tackling modern slavery and human trafficking is a key priority for the Council and the Safer Rotherham Partnership. The potential for the exploitation of different groups is acknowledged and is monitored and managed by the multi-agency Protecting Vulnerable Adults and Children theme groups and reported to the Safer Rotherham Partnership Board.

3. Relevance to equality and diversity

All the Council’s strategies/policies, services/functions affect service users, employee’s 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?		X
Could the proposal affect service users?		X
Has there been or is there likely to be an impact on an individual or group with protected characteristics?		X
Have there been or likely to be any public concerns regarding the proposal?		X
Could the proposal affect how the Council’s services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect the Council’s workforce or employment practices?		X

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

The publication of the statement itself, which is the decision within the report, does not represent any change in Policy or delivery of function but reflects work done across a range of Council services, which are subject to their own decision-making processes and therefore equality impact assessment as appropriate.

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.

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

- **Key findings**

- **Actions**

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
Emma Ellis	Head of Community Safety & Regulatory Services.	10/01/2025

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 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	10 th January 2025
Report title and date	Modern Slavery Annual Transparency Statement 2025/26

If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Report to be presented to Cabinet on 17 th March 2025
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	11 th January 2025

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?	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				

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

Climate change and modern slavery are linked in a vicious circle. Climate change is increasing people’s vulnerability to modern slavery, by making sudden disasters such as storms and floods more likely and through slower onset disasters, such as drought and salination. Human trafficking for forced labour and sexual exploitation in the wake of natural disasters is well documented, as people who are displaced or forced to migrate lose their livelihoods and social ties in their communities. Extractive industries which cause the greatest environmental harm are also

the main source of demand for cheap labour in global supply chains and are linked to trafficking for sexual exploitation. People displaced by climate change are more at risk of being forced into modern slavery, in the same industries which are most to blame for global heating.

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

Climate change is a driver of modern slavery. In Rotherham and throughout global supply chains, exploitation has a carbon cost, which completes a vicious circle between modern slavery and climate change. By safeguarding people from modern slavery and acting to reduce exposure to modern slavery through its supply chains, the Council can mitigate the carbon as well as the human cost of exploitation.

Supporting information:

<p>Completed by: (Name, title, and service area/directorate).</p>	<p>Steve Parry, Community Safety Officer, Community Safety, Regeneration and Environment.</p>
<p>Please outline any research, data, or information used to complete this [form].</p>	<ul style="list-style-type: none"> • <i>Climate-induced migration and modern slavery: A toolkit for policy makers.</i> Anti-Slavery International & International Institute for Environment and Development (2021). Available from: <https://www.iied.org/sites/default/files/pdfs/2021-09/20441G.pdf> • <i>From a vicious to a virtuous circle: Addressing climate change, environmental destruction and contemporary slavery.</i> Anti-Slavery International (2021). Available from: <https://www.antislavery.org/wp-content/uploads/2021/04/ASI_ViciousCycle_Report_web2.pdf> • <i>Respecting Rights in Renewable Energy: Addressing forced labour of Uyghurs and other Muslim and Turkic-majority peoples in the production of green technology.</i> Modern Slavery and Human Right Policy and Evidence Centre (2024). Available from: <https://www.antislavery.org/wp-content/uploads/2024/01/MSPEC_Uyghur_Research_Summary.pdf>
<p>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.</p>	<p>N/A</p>
<p>Tracking [to be completed by Policy Support / Climate Champions]</p>	<p>Tracking reference: CIA 404</p> <p>Arthur King, Principal Climate Change Officer, Asset Management, Finance and Customer Services</p>

Committee Name and Date of Committee Meeting

Cabinet – 17 March 2025

Report Title

Transport Capital Programme 2025/26

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)

Nat Porter, Interim Head of Service – Transportation Infrastructure
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Ward(s) Affected

Borough-Wide

Report Summary

This report details the Transport Programme for the upcoming 2025-26 financial year, for both revenue and capital, including its funding sources and programme areas, and explains how projects will be managed within them.

Recommendations

That Cabinet:

1. Approves the schemes and allocations of funding outlined in Section 2 of this report.
2. Delegates 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. Approves 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. Delegates 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.

List of Appendices Included

Appendix 1 Equalities Assessment
Appendix 2 Carbon Impact Assessment

Background Papers

[City Region Sustainable Transport Settlements: guidance for mayoral combined authorities](https://www.gov.uk/government/publications/city-region-sustainable-transport-settlements-developing-proposals/city-region-sustainable-transport-settlements-guidance-for-mayoral-combined-authorities)

<https://www.gov.uk/government/publications/city-region-sustainable-transport-settlements-developing-proposals/city-region-sustainable-transport-settlements-guidance-for-mayoral-combined-authorities>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Transport Capital Programme 2025/26

1. Background

- 1.1 In July 2022, the Department for Transport (DfT) confirmed a new round of funding called the City Regions Sustainable Transport Settlement (CRSTS). This funding is distributed to Local Transport Authorities within Combined Authority areas for a funding period from 2022-2027. The DfT has allocated £570 million to South Yorkshire, of which a total of £72.4 million capital is designated for schemes in Rotherham.
- 1.2 This funding includes a £6 million allocation over the 5-year period (2022-2027) for a Local Neighbourhood Complementary Transport Programme (LNCTP) that is intended to support localised transport improvements, including the Local Neighbourhood & Road Safety schemes and specific interventions, such as pedestrian crossings and minor works.
- 1.3 This report considers the LNCTP funding that remains to be allocated in the 2025-26 financial year (the fourth year out of the 5-year period).
- 1.4 There is also an additional allocation of £426,400 for highway structures asset maintenance. This is part of the separate CRSTS Network Asset Maintenance block funding.
- 1.5 The DfT expects that all CRSTS funding, including LNCTP, will contribute to the overarching objectives of amongst other things driving growth and productivity, decarbonisation and promoting modal shift from cars to public transport, walking and cycling. The Council is increasingly being monitored against delivery on outputs and outcomes from the programme.
- 1.6 These objectives are applied and evidenced through the internal project mandate and business case process, therefore ensuring compliance with the funder's criteria and ensuring that the capital is diligently expended on suitable projects.
- 1.7 Rotherham Council has been invited to bid for Active Travel Fund tranche 5 (ATF5), as part of a wider South Yorkshire Mayoral Combined Authority bid. It is not confirmed this bid is successful at this time; approvals are sought subject to that bid being successful so as to allow work to commence promptly.

2. Key Issues

2.1.1 The 2024-25 programme

The 2024-25 programme included the successful completion of the Transforming Cities Fund schemes, making Rotherham the first of the five South Yorkshire authorities to complete its programme. Additionally, two large emergency structural repair schemes were completed on Centenary Way Viaduct and at Packman Road, Brampton.

- 2.1.2 New pedestrian crossings were also delivered at Upper Wortley Road, Kimberworth; at Chesterfield Road, Swallownest, and at Corton Wood retail park. Design work has commenced on a new crossing at Wath Road, Brampton Bierlow.
- 2.1.3 Progress has been made on Tranche 1 of the Local Neighbourhood and Road Safety programme. Works in five wards are complete, with a further six programmed for construction in the first half of the 2025/26 financial year.
- 2.1.4 Unfortunately, during the 2024-25 financial year, SYMCA withdrew its proposed funding for bus priority works – this decision was made in respect of all bus priority works across the region and was not a reflection of this particular proposal. This has necessitated some changes to scope and funding for the A633 bus priority scheme, as set out in paragraph 2.2.8 – 2.2.11.

2.2.1 The 2025-26 Local Neighbourhood Complementary Transport Programme (LNCTP)

The proposed 2025-26 Local Neighbourhood Complementary Transport Programme is shown in Table 1 below, along with the breakdown of funding sources.

Table 1 - Proposed 2025-26 Local Neighbourhood Complementary Transport Programme (LNCTP)

Theme	£ thousands			
	Carry forward 22-25	CRSTS (LNCTP)	RMBC capital	Total 25/26
Operational activity	0	32	0	32
Pedestrian crossings of which...	205	100	0	305
- <i>Wath Road</i>	205	0	0	205
- <i>Planning for 2026-27</i>		100	0	100
Contribution to A633 BSIP bus priority scheme	281	400	0	681
Local Neighbourhood & Road Safety (LNRS)	600	415	0	1,015
Capital projects monitoring & evaluation	115	100	0	215
Minor works	36	0	200	236
Total	1,237	1,047	200	2,484

- 2.2.2 The 2025-26 financial year is the penultimate year of this funding round. The above allocations leave £1,023,000 of CRSTS-LNCTP funding to be allocated for the 2026/27 financial year. Allocations for that year will be covered by a subsequent Cabinet report.

2.2.3 *Operational activity*

This theme is intended to fund operational activity for which no alternative funding is available – this typically includes purchase of software, data or resources required to develop, deliver, and monitor the Capital programme. An allocation of £32,000 is proposed for this activity, wholly funded from the CRSTS-LNCTP fund.

2.2.4 *Pedestrian crossings*

An allocation of £100,000 is proposed to enable identification and design of a pedestrian crossing for delivery in the 2026/27 financial year. This is proposed to be wholly funded from the CRSTS-LNCTP fund. An additional £350,000 may be available subject to the outcome of SYMCA's bid into ATF5. The location where these two crossings will be prioritised amongst those locations where the Council has received requests since 2021, on the basis of how difficult it is for pedestrians to cross the road, and the numbers of pedestrians impacted. A lighter touch prioritisation process will likely be required for the Active Travel Fund funded crossing owing to external funders timelines not permitting sufficient time for data collection. It is recommended that the decision as to which crossing is progressed is delegated to the Strategic Director, in conjunction with the Cabinet Member, (refer to paragraph 3.3), so as to permit design work to be commenced within the 25/26 financial year. Further detail in respect of the prioritisation process would be given as part of any subsequent Delegated Decision Report.

2.2.5 Design work on the crossing at Brampton Road, Wath is underway. Delivery is to be funded by £205,000 carried forward from monies approved in 2024/25.

2.2.6 The proposed crossing at Broad Street, Parkgate forms part of the A633 Bus Priority scheme (see paragraph 2.2.10).

2.2.7 *Contribution to A633 BSIP bus priority scheme*

Design work progressed in 2024/25, in the expectation that SYMCA CRSTS Bus Service Improvement Plan monies would be available to deliver this work. Unfortunately, this funding opportunity was withdrawn by SYMCA during the 2024/25 financial year. As such there is insufficient funding to deliver the project described in last years' report. Whilst design work has progressed, this has been deliberately handled as a lower priority to allow the Local Schemes team to recover the Local Neighbourhood and Road Safety programme – consequently £281,000 is carried forward into 2025/26.

2.2.8 Opportunity has been found to deliver the proposed changes at the junction of Ship Hill and Westgate as part of the Regeneration-led scheme on Corporation Street, and utilising £550k of Transforming Cities Fund (TCF) monies saved on delivery of the Sheffield Road cycleways scheme. Change control for the TCF monies was approved by the South Yorkshire Mayoral Combined Authority in December 2024. This budget variation was noted by Cabinet in the January 2025 Financial Monitoring Report.

- 2.2.9 In order to ensure delivery of the low-cost high-impact enforcement intervention at Wath Interchange, and to ensure delivery of both the bus priority works and the associated pedestrian crossing at Broad Street, Parkgate, an additional allocation of £400,000 of CRSTS-LNCTP funding is recommended.
- 2.2.10 It is proposed that design work will continue in respect of remaining elements of the projects, in particular the bus lane proposed on Warren Vale, utilising part of the carried forward funds. Delivery will be subject to successful future funding bid(s).
- 2.2.11 *Collision Investigation & Prevention*
The remaining live collision investigation & prevention projects were completed in 24/25. This funding is specifically for addressing sites with recorded collision history. This workstream holds a balance of £175,000 – the reason being that investigations since 2022 have not found sufficiently effective casualty reduction interventions to warrant spend of the available budget.
- 2.2.12 So as to modernise and improve the Council's management of road safety, the Council has allocated £80,000 of CRSTS revenue funding to investigate trends patterns and performance in respect of road traffic collisions, and other harms associated with road transport, across the borough. This is in part a response to traditional collision investigation and prevention approaches being unable to identify suitable interventions. This study work will support the Council in discharge of its duty under s.39 Road Traffic Act 1988 in an effective manner. No further capital works are proposed until this study reports; the £175,000 balance is proposed to be held until 2026/27 to ensure availability of budget in the final year of this funding round.
- 2.2.13 *Local Neighbourhood and Road Safety (LNRS)*
As previously forecast, an additional £415,000 is allocated this year, to bring the total allocation to its final £3 million value. Schemes were approved in the 2024/25 Transport Capital Programme Report. This money brings the Local Neighbourhood and Road Safety programme to its close.
- 2.2.14 It is proposed to vary two projects, in Wath and Rawmarsh West wards, where feasibility work has found no viable affordable solution in respect of the originally agreed project. It is therefore proposed to reallocate these funds to new LNRS2 projects in the same wards to new schemes, to be agreed with ward members. It is also proposed the decision on the redesignation of these two schemes is delegated to the Strategic Director, in conjunction with the Cabinet Member, to enable work to commence promptly once new schemes are identified.
- 2.2.15 *Capital projects monitoring & evaluation*
£100,000 is proposed to be used for the purpose of monitoring and evaluation of capital projects. This will help the Council demonstrate the outcome of previous projects, to be used in project evaluation and applying

lessons to shape future programmes. The following projects will be investigated: –

- Sheffield Road cycleways
- Rotherham to Maltby bus corridor

Additionally, £115,000 of monies is carried forward from 2024/25. This mostly relates to schemes not completing in sufficient time to allow for monitoring to take place in 2024/25 – these monitoring activities will take place will take place in 2025/26.

2.2.16 *Minor works*

This theme is identified for small scale works to address minor requests in the highway, funded wholly by RMBC capital allocated in the 2024 budget. Work to prioritise this workstream is underway – should delegation be granted under recommendation 4, it is anticipated that this programme will be confirmed by the end of April 2025.

2.3.1 **Structures**

As detailed in paragraph 1.4, there is an allocation of £426,400 for structures for the 2025/26 financial year. This will be added to existing funding carried forward. Approval is sought for this money to be utilised for capital maintenance as may be identified through the Council's ongoing programme of General and Principal Inspections to enable this critical work to be undertaken in a timely manner.

2.3.2 It is recommended that the decision as to which structures schemes are progressed is delegated to the Strategic Director (refer to paragraph 3.3), in conjunction with the Cabinet Member, so as to permit work to commence within the 25/26 financial year.

2.4.1 **Clean Air Zone**

Projects to deliver statutory compliance with air quality legislation were completed in 2022, and were delivered well within budget. A sum of £874,451 remains and this money was granted solely for measures to achieve compliance with statutory limits on concentrations of Nitrogen Dioxide.

2.4.2 Rotherham remains within the Government's Clean Air Plan programme, on account of its joint mandate with Sheffield, and also owing to the requirement to remain within the programme until compliance is confirmed beyond doubt in both Sheffield and Rotherham. Of the sites of concern, Fitzwilliam Road is at greatest risk of non-compliance, and whilst monitoring to date suggests compliance is likely to be achieved here, this is not sufficiently certain at this time to allow for exit from the Clean Air Programme.

2.4.3 Challenges remain in Sheffield however, principally relating to the underperformance of bus retrofit technologies. To address these and ensure compliance across the joint Sheffield-Rotherham Clean Air Plan, it is proposed to accelerate the roll-out of electric buses. To support this, it is

recommended that the £874,451 saved on delivery of Rotherham Clean Air Plan measures is reallocated to the Sheffield Council-managed Clean Air Fund. The Government's Joint Air Quality Unit, funder for this work, approved this change in December 2024. It is important to consider that joint mandating of Sheffield and Rotherham means Rotherham cannot leave the Clean Air Programme until compliance is demonstrated in both Sheffield and Rotherham.

2.4.4 In order to bring sufficient certainty that compliance will be achieved, the money will include works to support the deployment of electric buses on the X3 Sheffield-Rotherham-Doncaster route which runs along Fitzwilliam Road.

3. Options considered and recommended proposal

3.1 Option 1 – do not agree to receiving the CRSTS Funding referred to in 1.2 of this report. This would severely impact on the Council's ability to maintain and improve its transportation assets and would carry significant reputational risk for future awards of funding. This option is not recommended.

3.2 Option 2 – utilise CRSTS element of 2025-26 approved funding as set out in paragraph 2.1 onwards. This would require Cabinet approval be sought to approve the list of schemes as they are identified where this is not described in this report; this is not recommended, as the additional time required to finalise all projects and submit for Cabinet approval would add delay to programme delivery.

3.3 Option 3 – as option 2, and additionally delegate responsibility to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Job and the Economy to confirm –

- The pedestrian crossing scheme to be taken into delivery (paragraph 2.2.4);
- Replacement LNRS2 schemes for Wath and Rawmarsh West wards (paragraph 2.2.15); and,
- Schemes to be taken forward under the Structures capital programme (paragraph 2.4.2).

This is the recommended option.

4. Consultation on proposal

4.1 No community consultation has yet taken place on the 2025-26 transport infrastructure programme. This is to be undertaken once further detail on projects within each scheme are identified and sufficiently developed to enable meaningful consultation.

4.2 Consultation on individual projects takes place at levels consistent with the scale of each project. For example, small schemes often engage with Ward Councillors and local community interests whereas larger schemes require wider community and public engagement.

5. Timetable and Accountability for Implementing this Decision

5.1 Following approval of the Council's transport capital programme budget, the programme will be delivered as part of the 2025-26 capital programme of the Council.

6. Financial and Procurement Advice and Implications

6.1 This report outlines recommendations on how to allocate existing external funding to the Council's capital programme. The Council must ensure that it abides by any conditions stipulated by the grant funder to minimise the risk of clawback. As set out above, there may be further funding available. Any bids and acceptance of additional funding will need to follow internal approval processes.

6.2 To support delivery of the programme, all procurement activity must be procured in compliance with the relevant procurement legislation (the Public Contracts Regulations 2015 or the Procurement Act 2023 whichever is applicable) as well as the Council's own Financial and Procurement Procedure Rules.

7. Legal Advice and Implications

7.1 The recommendations of this report are in compliance with Council's constitution and there are no substantive legal implications arising from the contents of this report.

8. Human Resources Advice and Implications

8.1 There are no Human Resources implications arising from this report. The programme will be delivered through existing staff resources within the Transportation and Highways Design Service within Planning, Regeneration and Transportation. Specialist consultants, the internal highways service provider (Highways Delivery Team) and external works providers will be used as required, in accordance with Council procurement procedures, and where able to offer the required services.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The implications of the programme will depend on the detail of schemes that will be delivered. Typically, measures such as improved crossings, reduced and local transport improvements can be expected to improve conditions for children, young people and vulnerable adults – this will need to be confirmed by Equalities Impact Assessment for each project as they are developed.

10. Equalities and Human Rights Advice and Implications

10.1 An Equalities Screening Assessment is attached at Appendix 1 of this

report. The implications of the programme will depend on the detail of the schemes that will be delivered. Typically, measures such as improved crossings, reduced road traffic collisions and local transport improvements can be expected to improve outcomes. This will need to be confirmed by Equalities Impact Assessments for each project as they are developed.

11. Implications for CO2 Emissions and Climate Change

11.1 CO2 emissions impacts have not been quantified, as it is not possible to do this at this stage of programme development. However, at high level it is anticipated these will fall into three categories:–

- Emissions from transport (impact unknown);
- Emissions from construction (forecast increase emissions);
- Operational emissions (forecast increase emissions).

11.2 Further detail can be found in the Carbon Impact Assessment at Appendix 2.

12. Implications for Partners

12.1 Transport infrastructure schemes carry implications for all road users – which in practice is everyone. In terms of partner agencies and organisations, key stakeholders are the emergency services, utility provider companies, transport operators (road & rail), road haulage associations and companies, key highway user groups such as motoring, cycling, walking and disability representation bodies. The exact nature of these implications will vary considerably between individual schemes.

12.2 Where required engagement takes place with interested parties during scheme development and at construction. Any implications that may arise through specific measures would be addressed as part the scheme design and / or Traffic Regulation Order process that governs the operation and use of the road network.

13. Risks and Mitigation

13.1 Project risks are identified within scheme design, business case preparation and then at operational level during the construction process. These are managed using recognised risk register approaches and in accordance with the Council's contract procedure rules for the approval of any project or programme changes.

14. Accountable Officers

Nat Porter

Interim Head of Transportation Infrastructure Service

Email: nat.porter@rotherham.gov.uk

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	03/03/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	20/02/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	19/02/25

Report Author: *Nat Porter,*
Interim Head of Transportation Infrastructure Service
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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	
Title: Transport Capital Programme 2025-26	
Directorate: Regeneration & Environment	Service area: Transportation Infrastructure Service
Lead person: Nat Porter	Contact: nat.porter@rotherham.gov.uk
Is this a:	
<input type="checkbox"/> Strategy / Policy	<input checked="" type="checkbox"/> Service / Function
<input type="checkbox"/> Other	
If other, please specify	

2. Please provide a brief description of what you are screening
Approval of Transport Capital Programme 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.

Appendix 1

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		

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).

Appendix 1

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

The report details a programme of work, and its division of themes. General consideration has been given to equalities implications of work in these themes; however specific impacts will not be identifiable until individual schemes are identified. It is proposed as schemes are identified under each theme, the programme and schemes within them will be subject to an update of this Initial Screening Assessment, with individual schemes subjected to Equality Analysis as required by RMBC Policy.

Much of the 2025-26 programme relates to allocation of money to ongoing schemes subject to their own individual processes. Consequently this screening applies only to the following parts of the programme -

- The allocation of £100,000 for works to prioritise and design an additional pedestrian crossing;
- The withdrawal of £175,000 from the previous Collision Investigation and Prevention workstream;
- The re-definition of tranche 2 LNRS projects in Rawmarsh West and Wath wards;
- The approved of schemes to enter the 2025-26 Minor Schemes programme;
- The allocation of monies for the Structures Capital Maintenance Programme;
- The allocation of Clean Air Plan monies to support accelerated deployment of electric buses; and,
- Reallocation of savings from the delivered moving traffic enforcement project.

- **Key findings**

Local and national data identify a number of inequalities in respect of transport which will need to be considered in the development of the programme, some of which may be cause of or an effect of existing traffic and transport conditions. Headline inequalities identified are –

- Children, young people and the elderly are overrepresented amongst road traffic casualties relative to their population size;
- Wheelchair and mobility scooter users express notably worse satisfaction with provision of safe and level crossing points, and obstruction of footways, than others;
- Men are overrepresented amongst road traffic casualties relative to the average;
- Access to cars is lower amongst people of non-White ethnicity, and amongst lower income households;
- People without access to cars travel significantly less far despite spending similar (but slightly lesser) amounts of time travelling compared to the average. They are also more dependent on non-motorised travel, and especially buses, for their mobility.

In light of these headlines, the following initial findings are made –

- Introduction of an additional pedestrian crossing can be expected to advance equality of opportunity for those amongst children and young people, the elderly,

Appendix 1

<p>people with disabilities and those without access to cars – however this will depend upon the final prioritised crossing. A screening assessment will be made as part of the report to enter the prioritised crossing into the programme.</p> <ul style="list-style-type: none"> As children, young people and men are overrepresented in road traffic collisions, there is a risk of adverse outcomes of reallocation of Collision Investigation & Prevention monies for these groups. However, in the context of the study into road traffic collision patterns and trends in the Borough should leave the Council better informed to tackle road traffic collisions and their attendant inequalities, and this is considered likely to be of greater benefit in the longer term than any disbenefit in not promoting a scheme this year. Any works and/or changes in policy arising from the study will be subject to their own Equalities Impact Analysis. 	
<ul style="list-style-type: none"> Actions <ul style="list-style-type: none"> Ensuring consultation and engagement activity seeks the view of groups with protected or other characteristics where there may be inequalities of which we are unaware and/or lack information; Conduct an Initial Equality Screening Assessment on projects within each theme as these are developed. This will include an assessment to be included as part of the decision report for the prioritisation of the new pedestrian crossing. Progress schemes to Equality Analysis where screening assessment indicates this is required. 	
Date to scope and plan your Equality Analysis:	See Actions – above.
Date to complete your Equality Analysis:	See Actions – above.
Lead person for your Equality Analysis (Include name and job title):	Nat Porter, Interim Head of Transportation Infrastructure Service

5. Governance, ownership and approval

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

Name	Job title	Date
Nat Porter	Interim Head, Transportation Infrastructure Service	28 th January, 2025
Simon Dennis	Policy, Improvement and Risk Manager	31 st January, 2025

Appendix 1

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 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	28 Jan '25
Report title and date	Transport Capital Programme 25/26 17 Mar '25
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	28 Jan '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
Emissions from non-domestic buildings?	No impact				
Emissions from transport?	Decrease emissions	Additional emissions may be expected from travel related to the development and construction of projects in the Transport Capital Programme.	<p>This will depend on each project taken forward. Generally, schemes which reduce demand for travel, or facilitate active travel and/or public transport may be expected to reduce emissions. Measures which facilitate car ownership or use, or additional travel more generally, may be expected to increase emissions.</p> <p>The likely greatest impact is associated with the reallocation of Clean Air Plan monies to support accelerated deployment of electric buses - saving 70% of emissions on treated routes at 2019 grid average electricity, which could</p>	Where possible scheme PMs will be expected to provide estimates of changes in carbon emissions consequential to the schemes.	<p>To be determined once projects and their impacts are understood in more detail.</p> <p>It is proposed to investigate outcomes from the Sheffield Road cycleways and Rotherham - Maltby bus corridor schemes. Evaluation of these completed projects may increase the Council's understanding of their respective carbon emissions impacts and inform the development of future schemes.</p>

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
			increase up to 100% with fully renewable electricity.		
Emissions from waste, or the quantity of waste itself?	Increase emissions	Most schemes will result in excavations and/or disposal of materials as part of construction, with consequential one-off increase in waste and associated emissions.	There may be a waste implication depending on the decisions of commercial operators as to how ICE buses remaining in the fleet are utilised or scrapped.	Scheme PMs will be expected to work with designers and contractors to ensure carbon emissions are minimised as far as practicable, including actively seeking opportunities to cut emissions from existing operation.	
Emissions from housing and domestic buildings?	No impact				
Emissions from construction and/or development?	Increase emissions	All highway schemes have construction emissions arising from the supply, installation, maintenance and operation of the schemes. The scale and nature of these cannot be confirmed until schemes	No impact expected beyond the contribution from RMBC and its contractors.	Scheme PMs will be expected to work with designers and contractors to ensure carbon emissions are minimised as far as practicable, including actively seeking opportunities to cut	

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
		are identified and more developed.		emissions from existing operation.	
Carbon capture (e.g. through trees)?	Impact unknown	It is possible schemes will be identified involving removal of small numbers of trees.	No impact expected.	Impacts on trees will be avoided in the first instance. The advice of arboriculturists will be sought in respect of replacement planting in the event of tree impacts being identified.	To be determined once projects and their impacts are understood in more detail.
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:

In summary, the following impacts are expected, with the scale and balance of emissions unknown until projects are further developed -

- A one-off increase in emissions associated with development and construction of the projects;
- An ongoing increase in emissions associated with the maintenance and operation of the projects;
- Potential but as yet unknown change in emissions from transport resulting from the schemes;
- A likely ongoing reduction in carbon emissions from operation of services buses in Sheffield and Rotherham, arising from the accelerated deployment of electric buses.

The increases associated with development, construction, maintenance and operation reflect the systemic nature of the carbon emissions problem; whilst the energy and construction systems are emitters of carbon, any additional activity utilising these systems can be expected to result in increases in emissions.

The changes are thought likely to be very small in the context of overall transport emissions in Rotherham, and very small in the context of the NZ30 and NZ40 targets.

Mitigation will principally consist of emissions estimates being prepared as schemes are developed, PMs being required to ensure emissions are reduced as far as practicable in the design and construction of the projects, and this feeding into scheme development.

Supporting information:	
Completed by: (Name, title, and service area/directorate).	Nat Porter Interim Head, Transportation Infrastructure Service Regeneration & Environment
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.	Project report MIS072 - Low Emission Bus Scheme monitoring programme (TRL, 2022)
Tracking [to be completed by Policy Support / Climate Champions]	Tracking reference: CIA 414 Arthur King Principal Climate Change Officer Finance and Customer Services

Committee Name and Date of Committee Meeting

Cabinet – 17 March 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)

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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 April 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: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	03/03/25
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
Appendices	
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 licenced 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.

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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.

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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

- 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. It's all about taking practical steps together to make the Borough at night safer 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

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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 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.

DRAFT

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: Licensing Act 2003 – Statement of Licensing Policy	
Directorate: Regeneration and Environment	Service area: Community Safety and Street Scene
Lead person: Alan Pogorzelec	Contact: Alan Pogorzelec
Is this a:	
<input checked="" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify	

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

Appendix 2

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.

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

Appendix 2

<p>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></p>		X
If you have answered no to all the questions above, please explain the reason		
<p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>		

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?**

Appendix 2

<ul style="list-style-type: none"> • Key findings 	
<ul style="list-style-type: none"> • Actions 	
Date to scope and plan your Equality Analysis:	
Date to complete your Equality Analysis:	
Lead person for your Equality Analysis (Include name and job title):	

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 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	30/1/25
Report title and date	Licensing Act 2003 – Statement of Licensing Policy
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Cabinet – 17 th March 2025
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	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				

Carbon capture (e.g. through trees)?	None				
---	------	--	--	--	--

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.

Supporting information:	
Completed by: (Name, title, and service area/directorate).	Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene (Regeneration and Environment)
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]	

Waste Policy Pilot and Consultation Update

Background

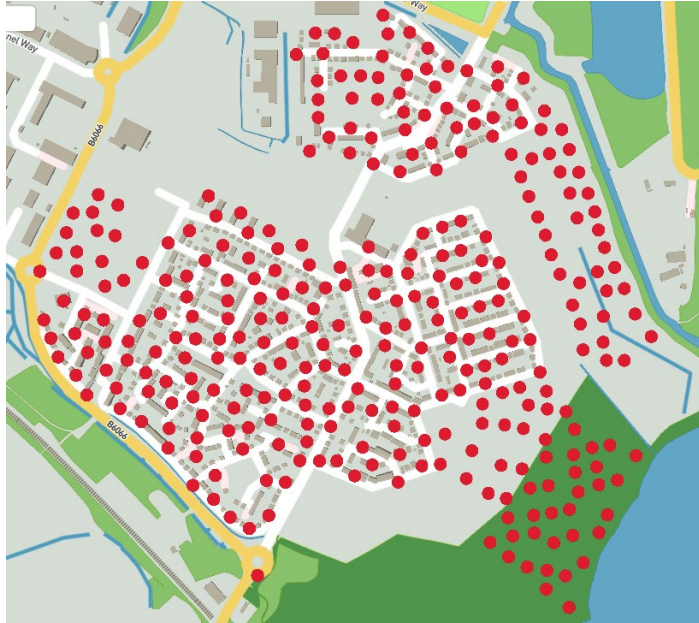
At its meeting on the 14th January 2025 the Overview and Scrutiny Management Board requested further information in relation to the Pilot Areas and Consultation

Content

- Waste Pilot Areas
- Consultation Overview
- General Updates

Pilot Areas

Waverley



Ferham



Data Overview

- Ferham area showed contamination on 8 of the 13 loads
- Waverley showed contamination on 3 of the 9 loads sampled
- The two areas demonstrate a different scale of challenge which will improve the intelligence arising from the pilot
- The areas have been chosen due to the differences in the nature of the urban landscapes and properties

Communication in Pilot Areas

- Communication with ward members
- Letters to affected residents
- Ward bulletin information
- Door knocking during collection days

Consultation

- Full public consultation (dates to be determined but will commence in April and run for a three month period)
- Primarily online with paper copies available on request
- All member briefings
- No intention to host face to face events at this stage
- Will work with relevant community groups to ensure the consultation is accessible and well promoted to hard to reach groups
- Promotion through local media channels
- Penalty max level is £80 but can be set lower and this is to form part of the consultation and final decision

Mock up of tags

Oops, you did it again



Make sure to put the correct items in your recycling bin

Follow our Guide! Not your Packaging!

 General Waste	 Plastic Cans & Bottles
 Paper and Card	 Garden Waste

Scan to Translate on your Phone

For more details:
<https://www.rotherham.gov.uk/homepage/40/a-to-z-of-waste>



If we find unacceptable items in your next collection, you will be issued with a fixed penalty notice.

We had a problem with your green bin

We only accept Paper & Card in this bin

Your bin contained items we can't collect:

- Items contaminated with food
- Paper cups and plates
- Drink Cartons
- Wrapping Paper
- Animal Bedding/pet waste
- Plastic Bags
- Garden Waste
- Glass, Cans or Plastics
- General Rubbish
- Other

Please remove these items prior to your next collection

If you have excess waste you can dispose of it at a Household Waste Recycling Centre
<https://www.rotherham.gov.uk/environment-waste/household-waste-recycling-centres/1>

If we find unacceptable items in your next collection, you will be issued with a fixed penalty notice.

Oops, you did it again



Make sure to put the correct items in your recycling bin

Follow our Guide! Not your Packaging!

 General Waste	 Plastic Cans & Bottles
 Paper and Card	 Garden Waste

Scan to Translate on your Phone

For more details:
<https://www.rotherham.gov.uk/homepage/40/a-to-z-of-waste>



As this is the 3rd instance of contamination, we will also be issuing a fixed penalty notice.

We had a problem with your green bin

We only accept Paper and Card in this bin

Your bin contained items we can't collect:

- Items contaminated with food
- Paper cups and plates
- Drink Cartons
- Wrapping Paper
- Animal Bedding/pet waste
- Plastic Bags
- Garden Waste
- Glass, Cans or Plastics
- General Rubbish
- Other

Please remove these items prior to your next collection

If you have excess waste you can dispose of it at a Household Waste Recycling Centre
<https://www.rotherham.gov.uk/environment-waste/household-waste-recycling-centres/1>

As this is the 3rd instance of contamination, we will also be issuing a fixed penalty notice.

NOTICE OF CALL-IN	Date of Cabinet meeting:	Monday 10 February 2025	
	Title and item number of related Cabinet report:	Agenda item: 12 – Strategic Community Infrastructure Levy (CIL)	
	Originator of the call-in:	Councillor Adam Carter	Emailed notification on Fri 14/02/25 16:12
	Supporters of the call-in:	Councillor Charlotte Carter	Emailed confirmation on Fri 14/02/25 16:17
		Councillor Taiba Yasseen	Emailed confirmation on Fri 14/02/25 16:56
		Councillor Drew Tarmey	Emailed confirmation on Tue 18/02/25 15:14

Reasons for call-in:

The reasons for the call-in are as follows:

1. Rationale as to why RMBC prioritised the development of projects, for example why Todwick Roundabout proposal has not been progressed whereas Project 4 of Appendix 1, entitled 'A630 Rotherham East Sustainable Transport Corridor Extension'.
2. A630 Rotherham East Sustainable Transport Corridor Extension – consultation not comprehensive enough, and concern that this as a priority does not match the needs of the borough as a whole.
3. A630 Rotherham East Sustainable Transport Corridor Extension – concern that the £7.5m investment will not adequately address the issues around that junction in terms of capacity.
4. Medical Centres Improvements – Lack of detail around the rationale for investment of Strategic CIL into those specific GP surgeries, and whether other GP surgeries were consulted on this, and how those fits with the council's overall plan for public health delivery. Lack of detail as to whether other aspects of the NHS capacity issues, such as poor access to dental surgeries have been assessed by the council and how Strategic CIL could be used to help alleviate this problem.
5. Lack of discussion in the cabinet meeting and report as to the next steps and potential for any future funding of the ineligible projects through Strategic CIL.
6. Concern that the Strategic CIL allocation policy needs to be reviewed to better reflect the views and priorities of constituents.

Additional reasons for call-in from other supporting members:

- **Public Consultation and Stakeholder Engagement:**
The agenda item reports do not provide detailed information on the extent of public consultation or stakeholder engagement conducted during the project selection process.
- **Allocation of Funds:**
The proposals include significant funding allocations to specific projects without a transparent, clear understanding or explanation of the criteria used for selection. It's important to ensure that the allocation process is fair, transparent, and based on clear and objective criteria & equity.
- **Equity of Benefits:**
The selected projects, e.g improvements to medical centres and bus infrastructure developments - should be evaluated to ensure they benefit a broad spectrum of Rotherham's community, It's important to assess whether these projects address the needs of residents equitably.
- **Carbon Impact Assessment:**
The Carbon Impact Assessment notes potential increases in emissions due to construction activities but lacks specific targeted mitigation strategies. A more detailed plan to minimise environmental impact of such significant construction should be considered more at this stage.

To be completed by Governance:

Date received by Governance/Head of DS:	Friday 14 February 2025
Date sent to Monitoring Officer, Chief Executive and Strategic Director:	Friday 14 February 2025
Date sent to Chair of OSMB for consideration:	Tuesday 18 February 2025
Date of Chair of OSMB's acceptance of the Call-in request (if applicable):	Wednesday 19 February 2025
Date of Chair of OSMB's rejection of the Call-in request (if applicable):	N/A
Date of OSMB meeting to consider the call-in (if accepted):	Wednesday 19 March 2025

Committee Name and Date of Committee Meeting

Cabinet – 10 February 2025

Report Title

Strategic Community Infrastructure Levy

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)

Winsze Lam, Assistant Planning Policy Manager
01709 82 2874 or winsze.lam@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The report updates on the application process for Strategic Community Infrastructure Levy (Strategic CIL) funding that has taken place following Cabinet approval in July 2024.

It also sets out the findings of the Strategic CIL officer group assessment on submitted projects against relevant criteria to determine the infrastructure that will most support new growth areas and help bring forward development sites to implement the Local Plan.

A list of priority projects is presented in the report, seeking approval for the Strategic CIL funds to be allocated as recommended.

Recommendations

1. That Cabinet approves the allocation of Strategic CIL funds to the following project(s):
 - Medical Centres Improvements
 - Trans Pennine Trail Community Access
2. That Cabinet approves delegation to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs

and the Local Economy, to establish the process to release funding to the approved project(s) as set out in Section 5 of the report.

List of Appendices Included

Appendix 1 Projects Summary

Appendix 2 Equality Assessment Part A

Appendix 3 Carbon Impact Assessment

Background Papers

[National Planning Policy Framework](#)

[Planning Practice Guidance – Community Infrastructure Levy](#)

[Community Infrastructure Levy Regulations 2010](#)

[Rotherham Local Plan 2013 – 2028](#)

[Rotherham CIL Documents](#)

[Infrastructure Delivery Study 2021](#)

[Cabinet Approval CIL Spending Protocol – 20/09/2021 – Item 50](#)

[Cabinet Approval Strategic CIL Application Process – 29/07/2024 – Item 31](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Strategic Community Infrastructure Levy

1. Background

- 1.1 The Council has a Community Infrastructure Levy (CIL) in place for Rotherham which secures contributions from developers towards infrastructure to support growth. CIL payments are required alongside planning permission for certain types of development and work in tandem with payments negotiated as "Section 106" planning obligations.
- 1.2 As of January 2025, the Council holds approximately £9.2m in the Strategic CIL fund. The allocation of Strategic CIL funds is a Cabinet decision and funding applications are invited on an annual basis. The overall fund does not need to be used in any one year, it can be rolled forward fully or in part to accumulate with future CIL payments.

Cabinet Approval

- 1.3 In July 2024 Cabinet approved the formal process for the allocation of Strategic CIL funds (Cabinet 29/07/24, minute 31 refers).
- 1.4 Given the overall Strategic CIL funding pot, the July Cabinet report envisaged that projects within the range of £100,000 to £3m would be supported. The purpose of setting a range is to avoid a high number of small projects that would have limited strategic impact being funded. Equally this range would ensure that one project cannot use more than half of the total available funding. The Strategic CIL application form, and gateway tests sought to promote and assess match funding from other sources with a view to maximising the benefits of CIL by not entirely funding a project via CIL. Applications requesting 100% support from the Strategic CIL funding were not excluded, however, but would receive a lower assessment score.

Application Invitation

- 1.5 In August 2024 a Strategic CIL application pack was sent to over 100 infrastructure contacts responsible for the different types of infrastructure that are reflected in the Infrastructure Delivery Schedule that supports the Local Plan. These types of infrastructure include water, flood risk, broadband & telecommunications, energy, green infrastructure/environment, transport, health, emergency services, cultural & community facilities, education, libraries, and waste. The providers of these different types of infrastructure included external organisations and internal Council services.
- 1.6 A guidance note was issued with the application pack and an introductory/Q&A session was held online. A general offer to provide any advice and answer any questions was made via email.
- 1.7 A period of 8 weeks was given for applications to be drawn up and submitted before the end of September 2024.
- 1.8 Twelve applications were received for Strategic CIL funding through this application round. Seven applications were submitted by the Council's services and five applications by the NHS South Yorkshire Integrated Care

Board. The NHS bids were all for similar schemes to improve local primary care facilities at locations around the Borough affected by growth, so were combined into one bid for assessment. This resulted in eight applications in total being assessed using the criteria approved by Cabinet.

2. Key Issues

CIL Eligibility

- 2.1 Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.
- 2.2 Strategic CIL cannot be used to remedy existing infrastructure deficits or supplement revenue budgets. A broad range of infrastructure can be funded. The CIL Regulations (which implement provisions in the Planning Act 2008) require CIL funds to be used for “the provision, improvement, replacement, operation, or maintenance of infrastructure needed to support the development of an area”.
- 2.3 Local areas have the flexibility and opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan). The Council’s approach has therefore sought to establish a clear relationship between potential projects for Strategic CIL funding and the delivery of the Rotherham Local Plan. The Local Plan is itself informed by the Infrastructure Delivery Schedule, which sets out the infrastructure required to support the new homes, employment and retail development flowing from implementation of the Plan. It is important that projects satisfy the requirements of the CIL regulations to avoid any challenge that the funds are not being used appropriately for their intended purpose.
- 2.4 The Council’s approach is based on five specific Strategic CIL objectives:
- Improving people’s physical and mental health and well-being.
 - Reducing the Borough’s contribution to and helping to adapt to the effects of climate change.
 - Improving movement and enabling better accessibility, particularly by public transport, walking & cycling.
 - Expanding economic opportunity & supporting a dynamic economy.
 - Creating and supporting safe and sustainable communities.

This broadly reflects what the Local Plan Core Strategy, Rotherham Council Plan 2022-2025, Social Value Charter for Rotherham and Rotherham Climate Change Emergency Declaration seek to achieve.

Officer Group Assessment

- 2.5 Applicants were sent a CIL scoring matrix alongside the application form for transparency and clarity.

- 2.6 A Strategic CIL officer panel applied the scoring matrix to eight applications that were submitted. The Panel has carefully considered whether the projects meet the important 'Gateway Tests' that form part of the application process. These tests reflect the fundamental role and purpose of Strategic CIL funding, in supporting the delivery of growth as planned for through the Rotherham Local Plan and forming part of the Infrastructure Delivery Schedule.

Gateway Tests	
1	Infrastructure Project – the proposed works are a new capital project related to the provision, improvement, replacement, operation, or maintenance of infrastructure (as defined by CIL Regulations)
2	Growth Delivery – the project supports growth and enables development identified in the Rotherham Local Plan or the Rotherham Brownfield Register.
3	Planned Infrastructure – the project is identified in the Rotherham Local Plan Infrastructure Delivery Plan (IDP) which provides a longlist of infrastructure projects that are required to enable and support the delivery of the Local Plan (or could be included in an Updated IDS as an infrastructure project that helps deliver the Rotherham Local Plan).
4	Partnership Based Funding - the project is not totally reliant on CIL funding, as CIL will not be used to fund entire projects. Match funding and financial commitments have been secured.
5	Fully Funded – the project will be fully funded if the CIL contribution is agreed.
6	Project Delivery – a clear and detailed project delivery plan is in place which demonstrates and provides evidence as to when, how and by whom the project will be delivered. The plan delivery plan reflects project feasibility work that proves the need for the project, includes cost/budget breakdowns and identifies and addresses project risks.
7	Delivery Timescale – the project is deliverable within 5 years.

Eligible Projects

- 2.7 Out of the eight applications assessed, four potential projects fulfil the requirements of the Gateway Tests. All four schemes scored above 70% (based on the potential maximum score through the assessment matrix).

Projects	Panel Average Score (%)
Medical Centres Improvements	81.30
A633 Rotherham to Dearne Valley Bus Priority	75.56
Trans Pennine Trail Community Access	72.78
Rotherham East Sustainable Transport Corridor Extension	70.56

2.8 The eligible projects are:

- **Medical Centres Improvements**, with a requested Strategic CIL contribution of £256,074 (67% of the overall project cost with further funding from individual medical practices) between 2025 – 2027, which would support internal reconfiguration to five medical centres to provide additional clinical space to meet the requirements of additional residents from new homes in wards across Rotherham.

The five medical centres are Dinnington Medical Centre (New Street, Dinnington), The Gate Surgery (Doncaster Gate), Rosehill Medical Centre (Rosehill Road, Rawmarsh), Stag Medical Centre (Wickersley Road) and Thorpe Hesley Surgery (Sough Hall Avenue, Thorpe Hesley).

- **A633 Rotherham to Dearne Valley Bus Priority**, with a requested Strategic CIL contribution of £3,141,900 (84% of the overall project cost, with 16% from the Council's Capital & CRSTS LNCTP block funding as agreed at Cabinet in March 2024, item 167), which would deliver a package of bus infrastructure enhancements between Rotherham and Wath upon Dearne with new bus lanes and associated pedestrian crossing improvements being provided in 2027.
- **Trans Pennine Trail Community Access**, with a requested Strategic CIL contribution of £787,400 (93% of the total project cost with further funding from the Council's rights of way budget), which between 2025 and 2027 would improve and provide links to the main 5km long Trans Pennine Trail corridor at Wath-upon-Deerne enabling better, healthier and more sustainable non-vehicle access to facilities, employment, the countryside and recreational opportunities for local communities.
- **Rotherham East Sustainable Transport Corridor Extension**, with a requested Strategic CIL contribution of £7,551,920 (99% of the overall project cost, S106 funds have been used for a feasibility study), which would support works being undertaken in 2028/29, providing improved active travel connectivity along the A630 Doncaster Road corridor.

2.9 Summaries of the four potential Strategic CIL projects are set out in Appendix 1 including information on costs, dates, proposed works, deliverability, funding and benefits.

2.10 These projects score above 70%, so are deemed eligible to be funded by CIL and should be included in the Rotherham Strategic CIL Programme. This was outlined in the July Cabinet Report whereby projects are to be ranked and grouped into three categories based on their overall score and funding availability (recommended for support; recommended for support if extra funding is available; not recommended for support).

2.11 Since the submission of CIL bids, the Department of Transport has announced it will develop a new Integrated National Transport Strategy, and it is anticipated a new round of funding will be announced for transport

schemes following the Comprehensive Spending Review in late spring 2025. This may allow for transport schemes submitted to CIL to be delivered through external funding. As such, it is proposed not to commit any CIL funding to transport at this time.

- 2.12 The total cost of the eligible projects is £11,737,294. As this exceeds the current Strategic CIL funds and the uncertainty of external funding to transport schemes, preferred options are set out in Section 3 with the remainder project(s) to be considered for future funding rounds.

Recommended for support:

- Medical Centres Improvements
- Trans Pennine Trail Community Access

Recommended for consideration in future rounds:

- A633 Rotherham to Dearne Valley Bus Priority
- Rotherham East Sustainable Transport Corridor Extension

Ineligible Projects

- 2.13 Four projects did not meet the Gateway Tests, as outlined below:

Project Descriptions	Reasons
Todwick Roundabout Improvement for signing and lining to mitigate queuing on the roundabout approach.	<ul style="list-style-type: none"> - The project does not meet Gateway Test 6 with ongoing feasibility work and details of mitigation work are yet to be identified. - The panel considers the project is premature to be funded by Strategic CIL at this stage as the project benefits towards growth cannot be fully considered based on limited information (as assessed against Gateway Test 2).
Wellgate Junction with Hollowgate Improvement for the renewal of improvement of signals to incorporate improved crossings, reduce delays to traffic, and improvements to parking loading, public realm and traffic calming provisions on Wellgate. This forms part of the Rotherham to Wickersley Active Travel Corridor.	<ul style="list-style-type: none"> - The project does not meet Gateway Test 6 with feasibility work to be undertaken and the scheme is yet to be defined and informed by a Community Street Audit. - The panel considers the project is premature to be funded by Strategic CIL at this stage as the project benefits towards growth cannot be fully considered based on limited information (as assessed against Gateway Test 2).
Greasbrough Street Improvement for remediation works to previous College Road roundabout works to mitigate local concerns regarding traffic congestion. The facilitation of sustainable and active travel access to Basingthorpe Farm and the proposed Mainline Station is referred to however this is yet to be confirmed as it would be subject to additional investment.	<ul style="list-style-type: none"> - The project is not currently in the Infrastructure Delivery Schedule as planned infrastructure (Gateway Test 3) but intending to request its inclusion in the future update. - The project does not meet Gateway Test 6 with feasibility work to be undertaken and no costs are provided. - The panel considers the project is premature to be funded by Strategic

	CIL at this stage as the project benefits towards growth cannot be fully considered based on limited information (as assessed against Gateway Test 2).
Street Lighting Central Management System as an enhancement project to replace street lighting that is already operational and new street lighting infrastructure would be provided through S.278 works.	<ul style="list-style-type: none"> - The project is not currently in the Infrastructure Delivery Schedule as planned infrastructure (Gateway Test 3). - While it is acknowledged the project has safety and sustainability benefits, the panel considers the project does not meet Gateway Test 2 as it does not support growth by a clear link for enabling the delivery of the Local Plan.

2.14 Among these projects, the following will be considered for inclusion in an update to the Infrastructure Delivery Schedule and may be considered for future Strategic CIL funding rounds:

- Todwick Roundabout Improvement
- Wellgate Junction with Hollowgate Improvement
- Greasbrough Street Improvement

3. Options considered and recommended proposal

3.1 Three options for this first round of the Strategic CIL allocation process have been considered, to then progress further as set out in Section 5 of the report.

3.2 With the consideration of the eligible projects and their level of funding requirement, the suggested options to allocate Strategic CIL from the 2024/25 application process are:

3.3 Option 1: Allocate Strategic CIL funds to:

- **Medical Centres Improvements (£256,074)**
- **Trans Pennine Trail Community Access project (£787,400)**

3.4 This would utilise £1,043,474 of the Strategic CIL funding pot with the remainder rolled forward. Although only a small proportion of the Strategic CIL funding pot is allocated at this time, this is the first round of Strategic CIL funding allocation in Rotherham with a small number of applications being submitted. It has raised awareness to infrastructure providers to consider this available fund for relevant projects in the future and the Council intends to undertake the next round of funding application in early 2025.

3.5 There has been no Strategic CIL spend since the charge was adopted in 2017 as significant funds have only accumulated in recent years. Progressing the Strategic CIL funding process to support eligible infrastructures will demonstrate the Council's intention to deliver the required infrastructure within the Borough, benefitting communities in line with the Council's priorities and supporting future growth.

3.6 Option 2: Do not allocate Strategic CIL to any projects from the 2024/25 applications and roll forward the funds, with further bids to be requested and assessed through a 2025/26 funding round

Should Cabinet decide not to support the eligible projects, then progress cannot be made on delivering the infrastructure set out in the Infrastructure Delivery Study, hindering future development and growth within the Borough. Justification would be required on why the eligible projects are not supported and this option would fail to demonstrate how the Council will address the pressures that new development places on communities across the Borough.

3.7 Option 1 is the recommended option.

4. Consultation on proposal

4.1 The Strategic CIL application invitation has been sent widely to over 100 internal and external stakeholders.

4.2 Six stakeholders have attended the virtual Q&A session and a further eight stakeholders have been in contact for discussions.

4.3 A fact sheet has been provided to all Members regarding CIL and Section 106, and the Strategic CIL process.

5. Timetable and Accountability for Implementing this Decision

5.1 It is intended to use a Project Initiation Document (PID) as the first stage in the development of a project once the allocation of Strategic CIL is approved through the agreement of a programming option. It contains high-level project information, clearly setting out the project objectives, why it should go ahead, how it will be organised and how the project will move to the next stage. Some of this information has been provided as part of the Strategic CIL funding application, however the PID will form the basis of the Strategic Business Case and establish an overseeing Department/Project Sponsor and a Project Manager.

5.2 There is scope for the project to be allocated a certain amount of feasibility funding first. Following the feasibility exercise a final decision could then be taken on whether to fully fund the project from Strategic CIL. Such a process would capture internal consultee comments and make sure nothing is missed, and projects could evolve further over time through improved efficiency or decreased operating costs while still meeting project needs.

5.3 Government regulations require CIL charging authorities to publish annual statements on their website to provide transparency on CIL income and spending. The Council should also have a robust, documented process in place to evidence its Strategic CIL spending decisions, should these be challenged by any third party. Applications are to be invited once a year in line with the Cabinet-approved process, and the outcome reflected in the Council's Infrastructure Funding Statement.

6. Financial and Procurement Advice and Implications

- 6.1 Whilst there are no direct procurement implications associated with the recommendation to allocate CIL monies to the projects identified, it must be noted that once any Council related projects progress the engagement of external Contractors to deliver the schemes will require adherence to the Council's Financial and Procurement Procedure Rules as well as the relevant procurement legislation (Public Contracts Regulations 2015 or the Procurement Act 2023) which should be appropriately considered when considering project timescales.
- 6.2 CIL can be spent on a wide range of infrastructure, provided it supports the development of the area, so it can fund both new and existing projects within the capital programme. As of January 2025, the Council has £9.2m of CIL available for use. If option 1 is agreed, there will be £8.2m remaining.

7. Legal Advice and Implications

- 7.1 This report and the pursuant recommendations and Cabinet approval of July 2024 provides the necessary application and funding process for Strategic Community Infrastructure Levy (Strategic CIL) in accordance with the Community Infrastructure Levy (CIL) adopted for Rotherham; this process is in accordance with the Community Infrastructure Levy Regulations 2010 as amended.

8. Human Resources Advice and Implications

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

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no direct implications for children and young people and vulnerable adults arising from this report. The allocation and spend of Strategic CIL funds may eventually benefit this group if the spend is directed to educational provision, either for the general school population or for special needs facilities. Similarly, Strategic CIL spend on facilities may benefit vulnerable adults.

10. Equalities and Human Rights Advice and Implications

- 10.1 An equalities screening assessment has been carried out and is attached in Appendix 2.
- 10.2 The equalities screening assessment for this report concludes that equalities analysis is not required given the overarching nature of the process to allocate Strategic CIL, whilst recognising that equalities consideration is included in the criteria to assess and prioritise individual schemes.

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. CIA 402)
- 11.2 The assessment concludes that the Strategic CIL spending protocol is designed to prioritise and allocate Strategic CIL funds to infrastructure schemes to support growth promoted by the Local Plan. The Local Plan itself was subject to and refined by Sustainability Appraisal as part of its drafting, so its implementation inherently promotes sustainable development. Reducing emissions and safeguarding the natural environment is included in the criteria used to assess and prioritise schemes for Strategic CIL funding.

12. Implications for Partners

- 12.1 Partners and stakeholders have been consulted and engaged in the Strategic CIL application process.
- 12.2 The discussions and contact with infrastructure providers highlighted that the availability of Strategic CIL funding has not been taken into consideration in some potential projects. For example, this was indicated in relation to early years provision planning for education and playing field provision.
- 12.3 This Strategic CIL application round has therefore for the first time directly raised awareness about the availability and role of Strategic CIL funding. Ongoing strategic planning work by stakeholders will lead to future potential projects being identified, for example for education and play facilities. Ongoing work will also provide the basis for updating the Infrastructure Delivery Schedule (IDS). The updating of the IDS will help with the future generation and assessment of Strategic CIL projects.

13. Risks and Mitigation

- 13.1 The Council is required to spend Strategic CIL income in line with the CIL Regulations. The CIL application and scoring process required a range of information to be submitted about the project's deliverability, funding, development impacts and benefits. This is designed to ensure that projects funded by Strategic CIL are eligible and to give confidence that the project had been subject to development work and would provide benefits. The approved protocol ensures decisions on Strategic CIL spend are in accordance with the regulations.
- 13.2 The application process set out in this report has taken place in line with the approved protocol and it is important to determine the next steps of whether to support the eligible projects or to reject the projects with reasonable justification. Following the approved process is required to minimise the risk of challenge to the Council or harm to public perceptions of the Council's probity.

14. Accountable Officers

Andrew Bramidge

Strategic Director of Regeneration and Environment

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	27/01/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	27/01/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	23/01/25

*Report Author: Winsze Lam, Assistant Planning Policy Manager
01709 82 2874 or winsze.lam@rotherham.gov.uk*

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

APPENDIX 1 – ELIGIBLE PROJECT SUMMARIES

1. Medical Centres Improvements	
CIL Funding Sought	£256,074.00 (67% of the total project costs with further funding from the 5 respective General Practices, with support from the South Yorkshire Integrated Care Board)
Start Year	2025
Completion Year	2027
Project Description	Improvements would be made to five existing General Practices – Dinnington Group Practice, Gateway Primary Care, Stag Medical Centre, Rosehill Medical Centre and Thorpe Hesley Surgery. This would meet the demands arising from additional residents from new housing development in wards across Rotherham for GP and related health services. The projects were selected from areas where higher number of residents were expected given the build sizes related to sites within the Rotherham Local Plan. General practice estates are also under increased pressure due to the national initiatives around additional roles being brought into practices and Primary Care Networks to support patients accessing the clinicians from physiotherapists to mental health workers.
Deliverability	The improvements involve internal works to existing buildings to increase clinical capacity by reconfiguring, refurbishing or converting existing space/rooms. Recognised methods for calculating building costs per patients and NHS Capital Estates costings for works have been used.
Alternative Funding	Supporting General Practices to cover the additional demands associated with housing growth is becoming increasingly difficult. South Yorkshire ICB receive a small allocation which is insufficient to meet the need arising, there is a national funding shortage within the NHS to support capital growth to manage the demand from new housing development projects.
Future Maintenance	Undertaken by each General Practice.
Benefits Summary	Access to primary care services supports physical and mental well-being and is essential to the health and well-being of communities. Providing additional services to address capacity issues reduces people's need to travel longer distances, helping to carbon emissions. Green construction methods will also be used in the projects. The ICB are keen to work with RMBC and local partners on ensuring local opportunity for people and businesses to maximise the opportunity to use local contractors ensuring that jobs, education and training are built into the process and to fulfil Rotherham's Social Value charter. Spaces offered within healthcare settings also extend beyond healthcare, enabling community groups to meet and deliver services.

2. A633 Rotherham to Dearne Valley Bus Priority	
CIL Funding Sought	£3,141,900 (84% of the overall project cost, 16% from RMBC Council Capital & CRSTS LNCTP block funding as agreed at Cabinet in March 2024, item 167)
Start Year	2027
Completion Year	2027
Project Description	Providing a package of bus infrastructure enhancements between Rotherham and Wath upon Dearne with 900 m new bus lane along the A633 Warren Vale, Rawmarsh and approximately 100 m new bus lane on the A.633 Broad Street, Parkgate approaching Taylors Lane Roundabout. Works include a new pedestrian crossing and review and alterations at the junction of Broad Steet and Greasbrough Road.
Deliverability	Works would be within the public highway and utilise permitted development rights. Cost based on estimates of construction costs of similar schemes plus inflation. The main bus lane has been costed by a QS based on feasibility designs and a cost plan has been submitted.
Alternative Funding	<p>City Region Sustainable Transport Settlement which is fully allocated until 2027. No funding is confirmed after April 2027.</p> <p>Since the submission of CIL bids, the Department of Transport has announced it will develop a new Integrated National Transport Strategy, and it is anticipated a new round of funding will be announced for transport schemes following the Comprehensive Spending Review in late spring 2025.</p>
Future Maintenance	Undertaken by RMBC Highways
Benefits Summary	<p>Measures will facilitate faster and more reliable public transport between settlements, into the Dearne Valley which is identified as an area of Transport Poverty in the South Yorkshire Transport Strategy.</p> <p>The scheme will facilitate trips being made by public transport rather than by car and support the introduction of South Yorkshire's first electric bus routes on the corridor in 2024.</p> <p>This will contribute to reducing Greenhouse Gas emissions in the Borough and improve people's access to facilities and job/training/education opportunities, especially for those without access to a car.</p> <p>The attractiveness and commercial viability of public transport will be enhanced, and the works will help mitigate congestion on the A633 and B6089 corridors where additional capacity has proven to not be viable.</p>

3. Trans Pennine Trail Community Access	
CIL Funding Sought	£787,400 (93% of the total project cost with further funding from the RMBC rights of way budget).
Start Year	2025
Completion Year	2027
Project Description	Delivering enhanced community access by improving and extending the main Trans Pennine Trail at Wath-upon-Dearne. The project will provide enhanced multi-user access improving the existing infrastructure of non-vehicle access, providing improved accessibility, connectivity and access to green space for local communities along this 5km long part of the trail. New access links will be promoted into the local community and public transport use encouraged and promoted.
Deliverability	Landowner and partner organisation permissions have already been agreed, the works do not require planning permission and the council – as highway authority – has the right to enter the land crossed by the trail at any time to carry out works and improvements. A Scheme Summary and Cost document has been submitted.
Alternative Funding	The internal RMBC budget for rights of way is set at £90K per annum. Other avenues of funding have been explored including capital fund bidding and through working with partners such as the Trans Pennine Trail Office and Sustrans.
Future Maintenance	Undertaken by RMBC as required by highway legislation & through commitments to users and the local community through the Rights of Way Improvement Plan 2.
Benefits Summary	<p>Works will improve non-vehicle access along a 5km corridor, with improved links/access to the local community from the trail and vice-versa. Access will embrace all users, particularly benefitting those with mobility issues, improving access to facilities and amenities along the whole route and enabling longer journeys without road crossings providing safer access. Improved access to the Trail and the countryside will encourage healthier more active lifestyles.</p> <p>This includes easier access to recreation spaces, particularly Wath Manvers, Brookfield Park and the Old Moor Wetland Centre. Improved access and connectivity through the local area enables more walking and cycling to work and to access facilities.</p> <p>Sustrans and the Trans Pennine Trail Team will provide support with communication and promotion.</p>

4. A630 Rotherham East Sustainable Transport Corridor Extension	
CIL Funding Sought	£7,551,920 (99% of the overall project cost, S106 funds have been used for a feasibility study)
Start Year	2028
Completion Year	2029
Project Description	A CIL funded scheme would provide new and improved pedestrian and cycle paths and crossings at Mushroom Roundabout, with active travel paths and crossings and new bus priority lanes extending existing bus priority as far back as Magna Lane. Additional carriageway capacity east of Mushroom Roundabout, would also improve congestion arising where the two eastbound lanes presently merge, which in turn can block back to the roundabout and create more serious congestion. This would complement works proposed on Fitzwilliam Road, funded as part of the City Regions Sustainable Transport Settlement programme.
Deliverability	An aborted previous scheme indicates that the works should be delivered using Permitted Development Rights and where land acquisition is required the landowner would be amenable. A feasibility design study was completed in June 2024.
Alternative Funding	<p>Alternative funding sources such as City Region's Sustainable Transport Settlement (CRSTS) are fully committed. A bid to a <u>possible</u> second round of CRSTS for the period 2027-2032 could be made following development of the scheme using CIL funding.</p> <p>Since the submission of CIL bids, the Department of Transport has announced it will develop a new Integrated National Transport Strategy, and it is anticipated a new round of funding will be announced for transport schemes following the Comprehensive Spending Review in late spring 2025.</p>
Future Maintenance	Undertaken by RMBC Highways.
Benefits Summary	<p>Indirect and direct health benefits through active travel and public transport improvements. Bus service reliability and delays would be improved, access to the town centre and Rotherham Central station would be improved. The increased use of low and zero carbon transport services and walking and cycling, will contribute to reducing Greenhouse Gas emissions in the Borough.</p> <p>The scheme will improve availability of transport services for all people, but especially amongst groups that do not have access to cars on account to age, ability, health, disability and/or financial position. There will be complementary benefits by extending the Rotherham East CRSTS scheme.</p>

Appendix 2

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: Strategic Community Infrastructure Levy	
Directorate: Regeneration and Environment	Service area: Planning, Regeneration and Transport
Lead person: Winsze Lam	Contact number: 01709 822874
Is this a:	
<input checked="" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function
<input type="checkbox"/> Other	
If other, please specify	

2. Please provide a brief description of what you are screening
<p>The Community Infrastructure Levy (CIL) is a charge that councils can apply to new development to raise funds for local infrastructure. Rotherham's CIL Charging Schedule was adopted by the Council on 7 December 2016 and came into force on 3 July 2017. The majority of the CIL income held by the Council is for strategic infrastructure across the borough to support growth promoted by the Local Plan.</p> <p>The purpose of this report is to set out the progress of inviting and considering applications for Strategic CIL funding for infrastructure projects and request the</p>

Cabinet to make decision on whether to support the use of Strategic CIL funding for the eligible projects in Rotherham.

A list of priority projects is presented in the report, seeking approval for the Strategic CIL funds to be allocated as recommended. The projects relate to a range of infrastructure to support housing growth, which includes enhancing sustainable transport networks, improving community trail corridor, and health centre alterations to increase capacity. It is also recommended that Cabinet approves delegation to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to establish the process to release funding to the approved project(s).

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?		x

(If the answer is yes you may wish to seek advice from your HR business partner)

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?**

Infrastructure funding is required to support the growth promoted by the Local Plan. The plan was subject to extensive public consultation over a number of years, culminating in a public examination by a government-appointed planning inspector. The 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 EqIA for the Local Plan is in two parts, available on the website:

<https://www.rotherham.gov.uk/downloads/file/310/adopted-core-strategy-integrated-impact-assessment> (pages 309-374)

<https://www.rotherham.gov.uk/downloads/file/487/sites-and-policies-document-integrated-impact-assessment-report-volume-3-assessment-of-policies> (pages 236-290)

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. Funding infrastructure to support growth is key to successfully implementing the plan.

An update to the evidence base, used to assess the equalities impacts, has been prepared to support the most recent Regulation 18 Consultation on the Core Strategy Partial Update (CSPU) (July 2024) here: <https://rotherham-consult.objective.co.uk/kpse/event/01D87F0C-49EE-4D63-8CBF-BBB3E45CCED5>

Appendix B of CD02 provides the Equalities Impact Assessment for those policies (including CS1) to be updated and chapter 3 'Sustainability Context' provides the relevant updates to the baseline information.

To contribute to the infrastructure funding required, the Council has implemented a Community Infrastructure Levy (CIL) charge for Rotherham. This was also subject to public consultation and public examination, prior to being adopted by the Council.

Infrastructure needs have been assessed in an Infrastructure Delivery Study, which has had input from service providers internal and external to the Council. In doing this, the infrastructure needs identified have taken account of providers' views, which are informed by their assessment of the effects on service users, equality and diversity. The Cabinet report concerns prioritising, allocating and spending Strategic CIL fund on infrastructure. At this stage, it identifies a list of projects that are eligible to receive funding.

- **Key findings**

The provision of infrastructure aims to ensure the Local Plan is delivered to its fullest extent and ensure there are benefits to local people arising from new development opportunities; and that any impacts on the community and wider environment are mitigated in accordance with the vision of the Local Plan: "to minimise inequalities through the creation of strong, cohesive and sustainable communities".

Strategic CIL funds will be used for infrastructure, such as road improvements, extra school places, improved greenspaces and public transport improvements benefitting all sections of the community. Supporting the infrastructure development will have an overarching benefit to the communities of all groups.

The findings of the eligible projects are set out below:

1. A633 Rotherham to Dearne Valley Bus Priority / Rotherham East Sustainable Transport Corridor Extension

Both projects are to improve the sustainable transport network, improving bus services and connectivity to Rotherham Town Centre. Improving connectivity will encourage the use of public transport and potentially reduce the reliance on private car uses, contributing to the reduction of carbon emissions within the borough.

2. Trans Pennine Trail Community Access

The project will improve and provide links to the main 5km long Trans Pennine Trail corridor at Wath-upon-Deerne enabling better, healthier and more sustainable non-vehicle access to facilities, employment, the countryside and recreational opportunities for local communities. The trail is designed to be suitable for all, including wheelchair, pushchair, bike users.

3. Health Centres Alteration

The project through internal alteration will increase the capacity of GP practice to take in more patients registers. The design of the projects would be in line with the NHS accessibility guidance and will improve the accessibility of health services to residents.

- **Actions**

The use of Strategic CIL funds for infrastructure schemes is a positive and proactive approach to ensuring that the Local Plan and its policies can be implemented to its fullest extent. The process will assist the Council in achieving the best possible outcomes from new development opportunities for its own communities and all people.

It is acknowledged that Part B Equality Analysis will be required and it will be prepared at a later stage as the projects progress.

Date to scope and plan your Equality Analysis:	10/01/2025
Date to complete your Equality Analysis:	Spring 2026
Lead person for your Equality Analysis (Include name and job title):	Winsze Lam

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	10/01/2025

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 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	27/11/2024
Report title and date	Strategic Community Infrastructure Levy
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Cabinet 10 February 2025
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	10 January 2025

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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?	Impact unknown	-	The development of medical centre internal alteration may have some impact on emission but no full design details at this stage.	The energy efficiency of the building to be considered at scheme design stage.	No emissions monitoring will be carried out however suggestion can be made to the building operators.
Emissions from transport?	Impact unknown	-	Schemes that may eventually be funded by CIL should improve vehicle flows and therefore reduce emissions. The enhancement of sustainable transport network would encourage the use of public transport, which may reduce car reliance.	In designing schemes, the Transportation Service would seek to reduce emissions.	Ongoing traffic flows and air quality monitoring
Emissions from waste, or the quantity of waste itself?	No impact on emissions	-	-	-	-
Emissions from housing and domestic buildings?	No impact on emissions	-	-	-	-
Emissions from construction	Increase in emissions	There would be some emissions from the	Emissions from the construction of a road scheme could alleviate	In designing schemes, the Council service would seek to reduce emissions	Ongoing traffic flows and air quality monitoring

and/or development?		construction of all new infrastructure.	traffic flows or reduced need to travel via private car and reduce emissions from transport. Building alterations may improve energy efficiency.	and developers would be encouraged to consider emissions.	
Carbon capture (e.g. through trees)?	-	-	-	-	-

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 Council's Local Plan provides a long-term development strategy for the Borough, setting out policies and proposals for new development. The CIL spending process is designed to prioritise and allocate Strategic CIL funds to infrastructure schemes to support growth promoted by the Local Plan. The Local Plan itself was subject to sustainability appraisal as part of its drafting, so its implementation inherently promotes sustainable development.

The Council's Infrastructure Delivery Study identifies a broad range of infrastructure which could have impact on emissions including: water, flood risk, broadband & telecommunications, energy, green infrastructure/environment, transport, health, emergency services, cultural & community facilities, education, libraries, and waste.

All development are likely to have an impact on carbon emissions. However, the infrastructure projects have been carefully considered against sustainability principles and carbon emissions can be considered at the project delivery stage.

Supporting information:	
Completed by: (Name, title, and service area/directorate).	Winsze Lam, Assistant Planning Policy Manager, Planning and Regeneration Service
Please outline any research, data, or information used to complete this form.	Infrastructure Delivery Study update https://www.rotherham.gov.uk/downloads/file/2396/rotherham-2020-infrastructure-delivery-study-march-2021

	<p>Core Strategy Integrated Impact Assessment</p> <p>https://www.rotherham.gov.uk/downloads/file/310/adopted-core-strategy-integrated-impact-assessment</p>
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]	<p>Tracking reference: CIA 402</p> <p>Arthur King, Principal Climate Change Officer</p>

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FORWARD PLAN OF KEY DECISIONS
1 March 2025 – 31 May 2025

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of Key Decisions due to be taken by the Authority and of those parts of the Cabinet meeting identified in this Forward Plan will be held in private because the agenda and reports for the meeting will contain confidential or exempt information as defined in the Local Government Act 1972.

Contact Information:-

Democratic Services
Riverside House
Main Street
Rotherham
S60 1AE

Email: governance@rotherham.gov.uk
Tel: 01709 822477

What is the Forward Plan?

The Forward Plan contains all the key decisions the Council expects to take over the next three months. It will be refreshed monthly and will give at least 28 days’ notice of any Key Decisions and, if applicable, the Cabinet’s intention to discuss an item in private. This gives you the opportunity to submit relevant documents to the decision maker concerning any individual Key Decisions and draws to your attention any relevant constitution process.

What is a Key Decision?

A Key Decision is one which is likely to:-

- relate to the capital or revenue budget framework that is reserved to the Council, or
- result in income, expenditure or savings of £400,000 or greater, or
- have a significant effect on two or more wards

A Key Decision can be made by the Cabinet. The Forward Plan also includes some matters which are not Key Decisions under the heading “Decisions which are not Key Decisions”.

What does the Forward Plan tell me?

The plan gives information about:

- what key decisions are to be made in the next three months.
- the matter in respect of which the decision is to be made.
- who will make the key decisions.
- when those key decisions are likely to be made.
- what documents will be considered.
- who you can contact for further information.

Who takes Key Decisions?

Under the Authority’s Constitution, Key Decisions are taken by the Cabinet. Key Decisions are taken at public meetings of the Cabinet. The Cabinet meets once a month on a Monday at 10.00am at Rotherham Town Hall. Meeting dates for 2024/25 are:

10 June 2024	16 September 2024	18 November 2024	20 January 2025	17 March 2025	12 May 2025
8 July 2024	14 October 2024	16 December 2024	10 February 2025	14 April 2025	

Further information and Representations about items proposed to be heard in Private

Names of contact officers are included in the Plan.

If you wish to make representations that a decision which is proposed to be heard in private should instead be dealt with in public, you should contact Democratic Services by no later than five clear working days before the meeting. At the end of this document are extracts from the Local Government Act 1972 setting out the descriptions of information which may be classed as “exempt”, and the definition of confidential information.

The members of the Cabinet and their areas of responsibility are: -

- | | |
|--------------------------------|---|
| Councillor Chris Read | Leader of the Council |
| Councillor Dave Sheppard | Deputy Leader and Cabinet Member for Social Inclusion & Neighbourhood |
| Councillor Joanna Baker-Rogers | Cabinet Member for Adult Social Care and Health |
| Councillor Victoria Cusworth | Cabinet Member for Children and Young People |
| Councillor Saghir Alam | Cabinet Member for Finance & Safe and Clean Communities |
| Councillor Sarah Allen | Cabinet Member for Housing |
| Councillor Robert Taylor | Cabinet Member for Transport, Jobs and Local Economy |

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
KEY DECISIONS TO BE TAKEN ON 17 MARCH 2025								
ADULT CARE, HOUSING AND PUBLIC HEALTH								
Housing Capital Programme 2025-28	December 2024	To agree the 2025-28 Housing Capital Programme.	Cabinet Member for Housing	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
Moving Rotherham Partnership Delivery of Place Expansion Grant	December 2024	Approval for delivery of Sport England Place Expansion grant in line with Sport England development bid proposal.	Cabinet Member for Adult Social Care and Health	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
Supplementary Public Health Grants for 2025/26	January 2025	To approve spending plans for Rotherham's allocations of government Drug and Alcohol and Smoking Cessation grants.	Cabinet Member for Adult Social Care and Health	Cabinet Member, relevant members, officers and stakeholders.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
ASSISTANT CHIEF EXECUTIVE								
UK Shared Prosperity Fund (UKSPF) 2025/26	January 2025	To agree project allocations for Rotherham's 2025/26 UKSPF programme.	Leader of the Council	Relevant members, officers and stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
REGENERATION AND ENVIRONMENT								
Transport Capital Programme 2025/2026	December 2024	To approve the Transport Capital Programme for 2025/2026.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk
Rotherham Roads Programme 2025/26	December 2024	To note the proposed Rotherham Roads Programme 2025/26 and delegate authority to the Strategic Director, Regeneration and Environment to approve the final programme.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk
Licensing Act 2003 - Statement of Licensing Policy & Cumulative Impact Policy	December 2024	To approve the reviewed Statement of Licensing Policy and Cumulative Impact Statement.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
Place Based Investment Strategy (Phase 2)	December 2024	To approve Rotherham's Place Based Investment Strategy.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk
NON-KEY DECISIONS TO BE TAKEN ON 17 MARCH 2025								
ADULT CARE, HOUSING AND PUBLIC HEALTH								
Response to Outcomes from the Overview and Scrutiny Management Board relating to the Children's Commissioner's Takeover Challenge - Health and Wellbeing	January 2025	Cabinet to formally provide a response to the recommendations from the Overview and Scrutiny Management Board Children's Commissioner's Takeover Challenge.	Cabinet Member for Children and Young People	Relevant Members, officers, and stakeholders.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
CHILDREN AND YOUNG PEOPLE'S SERVICES								
Early Help Strategy: Family Help in Rotherham Year 1 Update	December 2024	To receive an update on the implementation of the Early Help Strategy, 1 year on.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Nicola Curley nicola.curley@rotherham.gov.uk
REGENERATION AND ENVIRONMENT								
Modern Slavery Transparency Statement - Annual Refresh	December 2024	To approve the annual refresh of the Councils Modern Slavery Transparency Statement and approve publication.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
KEY DECISIONS TO BE TAKEN ON 14 APRIL 2025								
ADULT CARE, HOUSING AND PUBLIC HEALTH								
Review of the Non-Residential Charging Policy	December 2024	To agree the updated Non-Residential Charging Policy.	Cabinet Member for Adult Social Care and Health	Relevant Members.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
ASSISTANT CHIEF EXECUTIVE								
New Council Plan	December 2024	To agree a new Council Plan for the borough.	Leader of the Council	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
FINANCE AND CUSTOMER SERVICES								
Property Transactions	August 2024	To consider any recommendations for property transactions, including disposals, acquisitions, leases and licenses.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
REGENERATION AND ENVIRONMENT								
Household Design Guide Supplementary Planning Document	February 2025	To approve public consultation on an updated Householder Design Guide Supplementary Planning Document.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and Appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk
Economic Inactivity Trailblazer	February 2025	To approve receipt of funding to implement an Economic Inactivity Trailblazer (Pathways to work.)	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
NON-KEY DECISIONS TO BE TAKEN ON 14 APRIL 2025								
FINANCE AND CUSTOMER SERVICES								
New Application for Business Rates Relief	November 2024	To consider the recommendation for a new application for Business Rates discretionary relief.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
KEY DECISIONS TO BE TAKEN ON 12 MAY 2025 OR LATER								
CHILDREN AND YOUNG PEOPLE'S SERVICES								
Family Prosperity Strategy (Addressing Child Poverty)	February 2025	To approve the Family Prosperity Strategy.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Nicola Curley nicola.curley@rotherham.gov.uk
FINANCE AND CUSTOMER SERVICES								
Property Transactions	August 2024	To consider any recommendations for property transactions, including disposals, acquisitions, leases and licenses.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Ethical Procurement Policy	February 2025	To note the updated Ethical Procurement Policy.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
REGENERATION AND ENVIRONMENT								
Interim Local Development Scheme	February 2025	To approve an updated Local Development Strategy.	Cabinet Member for Transport, Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
NON-KEY DECISIONS TO BE TAKEN ON 12 MAY 2025 OR LATER								
ASSISTANT CHIEF EXECUTIVE								
Social Value Annual Report	January 2025	<ul style="list-style-type: none"> To receive the Social Value Annual Report of progress on new social value commitments and delivery against existing commitments together with market intelligence. To receive recommendations on priorities for the coming year (25/26). 	Leader of the Council	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
FINANCE AND CUSTOMER SERVICES								
New Applications for Business Rates Relief	December 2024	To consider the recommendation for a new application for Business Rates discretionary relief.	Cabinet Member for Finance & Safe and Clean Communities	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Andrew Bramidge Andrew.Bramidge@rotherham.gov.uk

**LOCAL GOVERNMENT ACT 1972 SCHEDULE 12A
ACCESS TO INFORMATION: EXEMPT INFORMATION
PART 1
DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**PART 2
QUALIFICATIONS: ENGLAND**

Paragraphs 1-8 repealed.

- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- 10 Information which –
 - a. falls within any of paragraphs 1 to 7 above; and
 - b. is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

**LOCAL GOVERNMENT ACT 1972
SECTION 100A(3) – DEFINITION OF CONFIDENTIAL INFORMATION**

- Confidential information means –
- a. information furnished to the council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
 - b. information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court;
- and, in either case, the reference to the obligation of confidence is to be construed accordingly.