

Council

Wednesday 5 December 2018

2.00 pm

**Council Chamber, Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

COUNCIL

Wednesday 5 December 2018, at 2.00 pm
Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Magid Magid)
THE DEPUTY LORD MAYOR (Councillor Tony Downing)

1	<i>Beauchief & Greenhill Ward</i> Simon Clement-Jones Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Andy Bainbridge Moya O'Rourke Steve Wilson	19	<i>Nether Edge & Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park & Arbourthorne Ward</i> Julie Dore Ben Miskell Jack Scott
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Alan Law Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill & Sharrow Vale Ward</i> Michelle Cook Magid Magid Kaltum Rivers	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	22	<i>Shiregreen & Brightside Ward</i> Dawn Dale Peter Price Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald Chris Peace	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Martin Phipps	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayris	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes & Crosspool Ward</i> Adam Hanrahan Mohammed Mahroof Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge & Upper Don Ward</i> Jack Clarkson Keith Davis Francyne Johnson
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore & Totley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Mike Levery
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

John Mothersole

Chief Executive

Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

paul.robinson@sheffield.gov.uk

PUBLIC ACCESS TO THE MEETING

The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the residents of their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader and at its Annual Meeting will appoint Councillors to serve on its Committees. It also appoints representatives to serve on joint bodies and external organisations.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Council meetings are normally open to the public but sometimes the Council may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**COUNCIL AGENDA
5 DECEMBER 2018**

Order of Business

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members to declare any interests they have in the business to be considered at the meeting.

3. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

To receive any questions or petitions from the public, or communications submitted by the Lord Mayor or the Chief Executive and to pass such resolutions thereon as the Council Procedure Rules permit and as may be deemed expedient.

4. MEMBERS' QUESTIONS

4.1 Questions relating to urgent business – Council Procedure Rule 16.6(ii).

4.2 Supplementary questions on written questions submitted at this meeting – Council Procedure Rule 16.4.

4.3 Questions on the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions – Section 41 of the Local Government Act 1985 – Council Procedure Rule 16.6(i).

(NB. Minutes of recent meetings of the two South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link -

<http://democracy.sheffield.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

5. NOTICE OF MOTION REGARDING "IMPROVING SECONDARY SCHOOL STANDARDS ACROSS SHEFFIELD " - GIVEN BY COUNCILLOR MOHAMMED MAHROOF AND TO BE SECONDED BY COUNCILLOR MIKE LEVERY

That this Council:-

- (a) welcomes that in the most recent OFSTED reports, more than two thirds of secondary schools in Sheffield are rated as outstanding or good;
- (b) believes this is due to the dedication that staff, young people and their families have put into the education of young people in Sheffield;
- (c) however, notes that there are a number of schools still underperforming and are rated as requiring improvement or inadequate or are in special measures;
- (d) notes these schools are Forge Valley, Chaucer, Yewlands, Ecclesfield, Stocksbridge, Bradfield, Westfield, Birley, Outwood and Sheffield Springs;
- (e) further notes that out of these underperforming schools, six are clustered in the same area in the North of Sheffield and four are clustered in the same area in the South/South East of Sheffield, limiting the choice and availability to young people in these particular areas;
- (f) notes that in the North this is approximately 6,700 young people and in the South it is approximately 4,000 young people, amounting to 32% of young people in this city attending a school which is underperforming;
- (g) notes this is not good for the future prosperity of our city, or the life chances of the young people attending these schools; and
- (h) calls on the Cabinet Member for Education and Skills and Learn Sheffield to meet with the academy trusts operating these schools and work with them to develop a plan to improve these schools in the North and South/South East and other schools in similar circumstances across the city.

6. NOTICE OF MOTION REGARDING "DEVOLUTION DEAL" - GIVEN BY COUNCILLOR MAZHER IQBAL AND TO BE SECONDED BY COUNCILLOR JACK SCOTT

That this Council:-

- (a) notes that the South Yorkshire devolution deal, agreed with government in 2015 and supported by this Council in 2016, remains unimplemented, with the result that the city region does not have access to the agreed £30m/year gain-share funds, and that the powers agreed as part of the deal have not been devolved to the Mayor and Combined Authority;

- (b) further notes that, as a result of not having an implemented mayoral powers order, the Combined Authority has not been able to access other government funding streams, such as the top-sliced element of the Transforming Cities Fund that has been made available to other Mayoral Combined Authorities, and notes recent reports that not implementing the deal is costing the region up to £75 million in investment;
- (c) supports the Mayor's manifesto commitment that "any new mayoralty should begin with the implementation of the 2015 agreement";
- (d) believes that, following recent comments by the Secretary of State for Housing, Communities and Local Government, that "there is already a deal that is on the table in Sheffield in terms of seeing that Sheffield City Region with its Mayor being able to get on and deliver for that community and to unlock the funding for that part of South Yorkshire. Therefore, I think that's where our focus needs to be, obviously I will continue to look at devolution arrangements for Yorkshire but the priority needs to be getting the Sheffield City Region up and running delivering for that community and with it getting behind that deal, making it happen so we can then look at what other devolution arrangements maybe appropriate for Yorkshire", it is clearer than ever that the South Yorkshire Deal is the only deal on the table and there should be no further delay to implementing the deal; and
- (e) calls upon the Sheffield City Region Mayor to bring forward all necessary measures to implement the South Yorkshire Deal and believes that this should be done by the end of January at the latest.

7. NOTICE OF MOTION REGARDING "HUMANITARIAN CRISIS IN YEMEN" - GIVEN BY COUNCILLOR ABDUL KHAYUM AND TO BE SECONDED BY COUNCILLOR ABTISAM MOHAMED

That this Council:-

- (a) recognises the contribution that the Yemeni community has made to the city through their work, including in the steel industry;
- (b) notes that the current situation in Yemen is widely regarded as the worst humanitarian crisis in the world, and that the country is on the brink of the world's worst famine for a hundred years;
- (c) believes the horrors in Yemen cannot be underestimated:-
 - (i) 85,000 children have died as a result of starvation;

- (ii) 13 to 14 million people are at risk of starvation, including five million children;
 - (iii) 22 million people are in need of humanitarian assistance;
 - (iv) the conflict has given rise to the worst outbreak of cholera in modern times, with the World Health Organisation citing 10,000 suspected cases every week; and
 - (v) since Yemen's cholera epidemic erupted in April 2017, a total of 1.2 million suspected cases have been reported, with 2,515 deaths, and with children accounting for 30 per cent of infections;
- (d) believes that the crisis shames us all, and condemns the Saudi-led coalition for using starvation as a weapon of war, a clear breach of international law;
- (e) believes the UK government should be doing much more to resolve the crisis, and supports the United Nations' (UN) call for the cessation of hostilities, and urges all parties engaged in this conflict to immediately stop the fighting and come together around the negotiating table to end the humanitarian crisis;
- (f) asks all UK political parties to reconvene a parliamentary debate on the Yemen crisis and to endorse the UN sponsored ceasefire unreservedly, and use its influence to open direct UK level talks for the purposes of achieving peace in Yemen;
- (g) welcomes the efforts of the Special Envoy to Yemen, Martin Griffiths, and urges the Envoy and the UN to maximise their efforts to find a quick and immediate solution to prevent one of the biggest humanitarian catastrophes ever;
- (h) recognises that many Yemeni's in Sheffield will have family and friends that are affected by the humanitarian crisis, and supports efforts to raise funds for the crisis in Yemen, including the provision of food supplies, clothing, childcare products and medicines, through the support of the wider community;
- (i) supports the development of the Sheffield for Humanitarian Aid and Peace project in raising funds and sending aid to areas affected by the humanitarian crisis; and
- (j) requests that a copy of this motion is sent to all Sheffield Members of Parliament.

8. NOTICE OF MOTION REGARDING "SECURITY ARRANGEMENTS FOR SHOPPERS AT FARGATE 'CHRISTMAS' MARKET " - GIVEN BY COUNCILLOR JACK CLARKSON AND TO BE SECONDED BY COUNCILLOR KEITH DAVIS

That this Council:-

- (a) welcomes the new security arrangements put in place to protect the local people of Sheffield and visitors to the City whilst shopping at the Fargate 'Christmas' Market;
- (b) believes that this is a sensible precaution by placing large concrete blocks to prevent vehicular access, at the top and bottom of Fargate, although is saddened that these measures have had to be taken, but which are necessary in view of what has taken place at other events where crowds gather;
- (c) will do all it can to ensure that everyone can go about their business this Christmas period, feeling safe and secure, whilst enjoying the Christmas festive period; and
- (d) will do all it can to ensure that no group or individuals will try and disrupt any Christmas festivity taking place within the City of Sheffield, by putting in place the necessary security arrangements to ensure the safety of the people of Sheffield and its visitors.

9. GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES (POLICY)

Report of the Executive Director, Place.

10. THE ROLE OF THE LORD MAYOR

Report of the Overview and Scrutiny Management Committee.

11. MINUTES OF PREVIOUS COUNCIL MEETING

To receive the record of the proceedings of the meeting of the Council held on 7th November 2018 and to approve the accuracy thereof.

12. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

To consider any changes to the memberships and arrangements for meetings of Committees etc., delegated authority, and the appointment of representatives to serve on other bodies.

Chief Executive

Dated this 27 day of November 2018

The next ordinary meeting of the Council will be held on 9 January 2019 at the Town Hall

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES (POLICY)

At its meeting on 21st November 2018, the Cabinet considered a report of the Executive Director, Place setting out the details of the revised Statement of Principles (Policy) to be published under the Gambling Act 2005 and details of the consultation process that had been undertaken.

Adoption of the Statement of Principles (Policy) under the Gambling Act 2005 is a function reserved to full Council.

The resolution passed by the Cabinet is set out below:-

“RESOLVED: That Cabinet approves the Statement of Principles (Policy) for referral to Full Council on 5th December 2018.”

Recommendation

That the Council approves the Statement of Principles (Policy) under the Gambling Act 2005, as set out in the attached report.

Options

Full Council may:-

- (a) give instructions requiring Cabinet to reconsider the draft Statement of Principles (Policy) to be published under the Gambling Act 2005 submitted by Cabinet for the Authority's consideration; or
- (a) adopt (with or without modification) the draft Statement of Principles (Policy) to be published under the Gambling Act 2005.

In considering the options, Full Council must have full regard to the contents of the report to Cabinet (together with addendum) including, in particular, the implications that are highlighted in the report.

NOTE: The report submitted to the Cabinet, the overview of the responses to the public consultation, and the draft Statement of Principles (Policy), are attached for circulation to all Members of the Council, and electronic versions have been published with this agenda.

Laraine Manley
Executive Director, Place

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Author/Lead Officer of Report: *Stephen Lonnia,
Head of Service / Chief Licensing Officer for the
Licensing Service*

Tel: 0114 2734264

Report of: *Executive Director of Place*

Report to: *Cabinet*

Date of Decision: *21st November 2018*

Subject: *Gambling Act 2005 – Statement of Principles
(Policy)*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Transport and Development</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>N/A</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? <i>327</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i>		

Purpose of Report:

The report sets out the details of the revised Statement of Principles (Policy) to be published under the Gambling Act 2005 and details of the consultation process that has been undertaken.

The report seeks approval on the final version of the Statement of Principles (policy) and for it to be referred to Full Council.

Recommendations:

That Cabinet approve the Statement of Principles (Policy) for referral to Full Council on the 5th December 2018.

Background Papers:

v1.4_ Gambling Act - Statement of Principles (Policy) - LC Approved 06.11.18

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Alison Chambers</i>
		Legal: <i>David Hollis</i>
		Equalities: <i>Annemarie Johnston</i>
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission:	<i>Laraine Manley</i>
3	Cabinet Member consulted:	<i>Cllr Jack Scott</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Stephen Lonnia</i>	Job Title: <i>Head of Service / Chief Licensing Officer for the Licensing Service</i>
	Date: <i>29th October 2018</i>	

1. PROPOSAL

- 1.1 The report sets out the details of the revised Statement of Principles (Policy) to be published under the Gambling Act 2005 and details of the consultation process that has been undertaken.
- 1.2 The report seeks approval on the final version of the Statement of Principles (policy) and for it to be referred to Full Council.
- 1.3 The Licensing Authority of Sheffield City Council has a legal duty to publish a statement of principles (policy) under the Gambling Act 2005 every three years. Section 349 (1) of the 2005 Act states:

“A licensing authority shall before each successive period of three years-
(a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
(b) publish the statement.”

- 1.4 Sheffield City Council's first Statement of Principles (policy) was published on 2nd January 2007 and has then been revised every three years. The Licensing Authority has updated the policy as required under section 349 (1) of the 2005 Act and has followed the same process as it did when consulting with previous policies.
- 1.5 The document has been produced in accordance with the [Gambling Act 2005](#); the [guidance](#) issued by the Gambling Commission and the [Gambling Act 2005 \(Licensing Authority Policy Statement\) \(England and Wales\) Regulations 2006](#).
- 1.6 The policy deals with all forms of gambling that are governed by the Gambling Act 2005 these include:
- Casinos
 - Betting Shops
 - Adult Gaming Centres
 - Family Entertainment Centres
 - Gaming Machines in Licensed Premises
 - Temporary Use Notices
 - Occasional Use Notices
 - Bingo Halls
 - Tracks
 - Lotteries
 - Club Gaming Machines
- 1.7 The policy document deals with all types of applications including the grant (new), variation (change in the existing licence) and transfer of licences as well as the review of a licence.
- 1.8 The policy will guide the Licensing Committee when considering applications under the Gambling Act 2005 and aims to provide guidance to applicants, objectors. Responsible Authorities and all Interested Parties on the approach to gambling in the City and the requirements at a local level.

- 1.9 The Statement of Principles (Policy) sets the basis of decision-making under the Gambling Act 2005. It is the starting point for decisions but allows the discretion of the Council and for every application to be dealt with individually on its merits and may allow for departure where an applicant can satisfy the Council that the purpose of the Policy will not be undermined. .
- 1.10 Whilst the document assists the Licensing Authority in carrying out its functions in a socially responsible manner, the Statement of Principles (Policy) also states how it will secure the proper integration with local crime prevention, child protection, planning and any other plans introduced for the management of the city as a whole or each individual area.
- 1.11 There is a firm commitment within the document to avoid duplication with other regulatory regimes such as Planning, Health & Safety and Fire Safety Legislation.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 It is intended that the Statement of Principles (Policy) will assist the Licensing Authority in carrying out its powers (administering and enforcing the Act) in a socially responsible manner, whilst promoting the three core objectives, which are:
- preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.2 The Statement of Principles (policy) will assist the Council in achieving the priorities outlined in its Corporate Plan and focuses on helping people who live, work, learn and visit our city to enjoy what Sheffield has to offer as detailed below:
- 2.2.1 **An in touch organisation**
The Licensing Authority will listen and be responsive, and meet the increasingly diverse needs of the individuals of Sheffield by ensuring we are:
- Intelligent – making full use of information to inform decision making and drive service improvement
 - Efficient – continually strive to provide value for money improving quality and outcomes
- 2.2.2 As a Licensing Authority, we will contribute to help achieve our economic potential, be well connected, with skilled individuals and assist businesses by ensuring we have:
- Vibrant City – help get the right mix of business leisure and retail

- Distinctive cultural and sporting assets – assist in delivering and maintaining these venues
- Support and develop the licensed business sector and build relationships with businesses to encourage jobs and growth in the city

2.2.3 **Thriving Neighbourhoods and Communities**

As a Licensing Authority, we will assist people to have a good quality of life and feel proud and safe of where they live by:

- Assisting in improving community safety by reducing antisocial behaviour.
- Recognises the needs of residents within the city for a safe and healthy environment, in which people want to live, learn, work, invest and visit and ensuring the policy recognises this.
- Ensuring licensees understand the importance of safe well run premises.
- Help local businesses provide well run and appropriate licensed activity.

2.2.4 **Better Health and Wellbeing**

The Licensing Authority will promote good health, and assist in preventing and tackling ill health:

- Provide information and education around the impact of alcohol and gambling.
- Whilst promoting inclusive, vibrant, thriving neighbourhoods and communities and supporting businesses the Licensing Authority will work closely with external partners to support the improvement of better health and wellbeing.
- The document recognises the need to protect children and the vulnerable from gambling addiction and gambling related harm etc. In this respect the Licensing Authority is working closely with the Safeguarding Children Service and other relevant Authorities in doing so.

2.2.5 **Tackling inequalities**

Help invest in the most deprived communities and support individuals to help themselves

- By providing early help, listening and being responsive.
- Promote equality, diversity and inclusion
- Continue to work with Schools, Colleges and Universities to deliver education around licensing

2.3 The revision of the document means that we can improve the content and design in a way that assists us in achieving our aspiration to be ‘the best we can be – as individuals and communities, as a council and as a city’.

2.4 The outcomes we expect from the revised Statement of Principles are:

- Sheffield City Council has an up-to-date and effective gambling

policy.

- To provide applicants with a clear, consistent basis for submitting applications and notices in Sheffield.
- To provide a clear, consistent basis for determining licence applications in Sheffield.
- Ensure the relevant views of those affected by licensed premises are taken into consideration.
- To support wider strategies of the City Council.
- The policy ensures that premises are well managed and that they integrate in to the local community.
- Children are protected from the potential harms of gambling.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 The formal consultation process for the Statement of Principles commenced on the 20th August 2018, and concluded at on the 12th October 2018.

3.2 Section 349 (3) of the 2005 Act states:

“In preparing a statement or revision under this section a licensing authority shall consult –

(a) either-

(i) in England and Wales, the chief officer of police for the authority’s area, or

(ii) in Scotland, the chief constable of the police force maintained for the police area comprising that area,

(b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area, and

(c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the authority’s functions under this act.”

3.3 Approximately 3,000 letters and emails (where possible) regarding the consultation have been sent out which include those bodies listed above in paragraph 3.2.

3.4 The letters and emails have included a link to our website and Citizen Space where the draft Statement of Principles (Policy) can be viewed. Consultee’s had the option of contacting the Licensing Service for a hard copy of the Policy if they do not have internet access. Officers also attended public meetings.

3.5 The Licensing Authority has received a total of 10 responses to the public consultation.

3.6 Amendments have been made where appropriate to the draft policy in response to the comments received following legal advice.

- 3.7 A brief on the amendments made to the Statement of Principles is attached at Appendix A of this report and a summary of the responses to consultation will be made available to Cabinet.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 Overall this policy is of universal positive benefit for everyone. It should be of a particular positive benefit to young people, particularly men, members of the BME community and will support community cohesion. It will aims to protect from harm and exploitation, vulnerable people who may not be able to make informed or balanced decisions, due to a learning disability, mental health or substance misuse relating to alcohol or drugs. Areas of high poverty and financial deprivation should benefit from how the policy is applied when agreeing permission for any new betting premises. There are no negative equality impacts identified.

4.2 Financial and Commercial Implications

- 4.2.1 The work on the revision of the Statement of Principles (Policy) is a statutory duty placed upon us as the Licensing Authority and the work is undertaken within the current resources of the Licensing Service and the costs are fully recovered through licence fees under the Gambling Act 2005.
- 4.2.2 Therefore there are no additional financial and commercial implications to the Council.

4.3 Legal Implications

- 4.3.1 The Council is required by section 349 the Gambling Act 2005 to adopt and update a policy every three years. Under The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, setting the policy is a function of both the executive (Cabinet) in formulating or preparing the policy and non-executive (Full Council) in adopting the policy.
- 4.3.2 As stated above the draft policy must be consulted upon and the product of consultation must, as a matter of law, be conscientiously taken into account when finalising the decision to refer the matter to Full Council.
- A policy cannot change the legislative provisions under the Gambling Act 2005 but can set a basis on how those legislative provisions will be implemented. A policy will be the starting point and should be followed unless in an individual case there is good reason not to. In establishing a good reason the burden is on an applicant to show that the purpose behind a policy will not be undermined if it is departed from.
- 4.3.3

In approving the draft policy for consideration by Full Council, Cabinet should have regard to the Public Sector Equality Duty under s 149 of the Equality Act 2010 which has three aims. It requires public bodies to have

4.3.4 due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making; setting the Pol

4.4 Other Implications

- 4.4.1 Health impacts have been considered as part of this policy and a Health Impact Assessment screening tool has been completed in conjunction with the Equality Impact Assessment. No further implications have been identified.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No further alternative options considered.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Our recommendation is that Cabinet approve the Statement of Principles (Policy) for referral to Full Council on the 5th December 2018.
- 6.2 The reason for this recommendation is to ensure compliance with the Council's statutory obligations and in doing so promote the Council's Corporate Plan and support the Council's vision.

Appendix A

(Amendments made to the Statement of Principles)

Amendments made to the Statement of Principles:

Foreword

Minor changes to wording.

Paragraph 1.2 Scope of Licensing policy

Rewording to the aim of this policy from:

“The aim of this Policy is to promote the following Licensing Objectives:”

to:

“The aim of this document is to outline the principles we will apply when exercising our functions under the Act whilst promoting the following Licensing Objectives:”

Paragraph 1.4 The Sheffield Area

Update in population of Sheffield from 551,800 to 575,400.

Sheffield boundary map updated due to Ward changes.

Paragraph 2.2 Promotion of the Licensing Objectives

Final paragraph to include applicants to include measures listed in Part 9 of the policy to meet the licensing objectives.

Paragraph 2.6 Exchange of information

Update in legislation of the Data Protection Act to the 2018 Act.

Part 3 – Integrating Strategies

1. Update in the Equality Act 2010 and our duty to pay regard to the Act.
2. Inclusion of public health and our fair city strategies.
3. Inclusion of paragraph for applicants to take into account all relevant local and national strategies when making an application.
4. Paragraph 3.1 – update of all priorities of the Corporate Plan
5. Removal of the Sheffield City Strategy 2010-2020 – no longer in force.
6. Paragraph 3.2 – inclusion of the Sheffield City Region – Strategic Economic Plan 2015-2025
7. Paragraph 3.2 to 3.10 – updates in current strategies and plans
8. Paragraph 3.11 – Inclusion of the Director of Public Health Report for Sheffield and the Sheffield Joint Health and Wellbeing Strategy.

Part 4 – Licensing Objectives

1. Paragraph 4.2 – Policy Objective 1 – Paragraph regarding supporting strategies and schemes made clearer.
2. Paragraph 4.6 – Objective 3 – Links to Safeguarding tools updated.

Part 5 – Location, Area Profiling and Risk Assessments

1. Paragraph 5.2 – Policy – Location

- a. Second paragraph to include the 'close proximity' will be determined by the Local Authority on a case by case basis.
- b. Third bullet point in regards to 'sensitive location' to include mental health projects and facilities
- c. Areas nearing stress – first paragraph made clearer on which licensing objectives are being undermined in areas of concentrated licenced premises.
- d. Areas nearing stress – Paige Hall added as new areas of concentrated gambling licensed premises.
- e. Paragraph under list of areas updated to make clear that risk management measures may be converted into licence conditions.
- f. Links updated to assist applicants with local area profiling and their risk assessments.
- g. Final paragraph added to make clear that the Local Authority may undertake their own local area profiling and where it is determined that granting the application may lead to the licensing objectives being undermined, and where relevant conditions cannot be imposed, they may choose to refuse it.

Part 7 – Premises licences and Reviews

- 1. Paragraph 7.2 Policy – Premises – final paragraph removed due to updates in codes of practices.
- 2. Paragraph 7.9.1 Policy – FEC – determining suitability, example in first bullet point updated to include other additions other than gambling
- 3. Paragraph 7.12.4 Policy – Tracks – Update in final paragraph to show examples given in this policy section is what Sheffield City Council would expect as measures and recognise as responsible practice.
- 4. Paragraph 7.15 – Betting Machines on Track – update in circumstances considered to include:
 - a. Minimum staffing levels proposed through risk assessments
 - b. How to restrict access to under 18's including adequate signage
- 5. Paragraph 7.16.1 policy – Reviews – Applications by Responsible Authorities updated to detail: Where risk is identified and has not been managed to the satisfaction of the Responsible Authorities; an application will be submitted to review the licence.

Part 8 – Permits, Notices and Lotter Registrations

- 1. Paragraph 8.3.3 policy LPGMP – Links for safeguarding tools updated.

Part 9 – Ongoing Responsibilities of Licensed Premises

- 1. Paragraph 9.1 – Self-exclusion scheme – Second paragraph updated to show that referral to advocacy services would be recognised as good practice.

Part 11 – Enforcement

1. Paragraph 11.2 Test Purchasing – Third paragraph amended to include that results from an operator test purchasing exercises will be shared with the Licensing Authority 'on request'.

Part 13 – Useful Information and Contact Details

Updates to contact details of Responsible Authorities.

Contact details now include Public health and Local support services.

Appendix 1 – Glossary of Terms

Updated of glossary to include what 'Fixed Odd Betting Terminals' are referred to as in the policy (B2 machines).

Appendix 2 – List of Consultees

Updates in religious contacts.

Inclusion of Sheffield Problem Gambling Stakeholder Group.

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Consultation Comments Received

No.	Name	Organisation / Details		Overview of comments	Has the policy been updated following the comments?
1	Janet Marron	HM Revenue & Customs	1	Update in contact number and email for HMRC	Yes - This is updated in Part 13
2	Gosschalks Solicitors on behalf of Association of British Bookmakers	Association of British Bookmakers (ABB)	1	Comments detail that Licensing Authorities do not have a 'duty' to 'promote' the licensing objectives but to 'have regard' to the licensing objectives and references to 'promoting' the objectives should be removed.	<p>No – In line with the Gambling Commission's guidance to Licensing Authorities, Part 6 details what is required in the Statement of Principles. Paragraph 6.7 under 'Fundamental Principles' state the Licensing Authorities statement of policy should begin by stating the three licensing objectives (s1 of the Act) which the policy will promote.</p> <p>The Licensing Authority is aware that it must 'have regard' to these licensing objectives when exercising its functions under the Act, this is detailed throughout the policy document and in particular Part 2.</p>
			2	Request to amend Paragraph 1.2 as the aim of the policy is to outline the principles that the Licensing Authority will apply when exercising its function and not to promote the licensing objectives.	<p>Yes – This paragraph has been amended as follows to ensure it is clear what the intended aim of the policy is:</p> <p><i>"The aim of this document is to outline the principles we will apply when exercising our functions under the Act whilst promoting the following Licensing</i></p>

			3	It is unclear at paragraph 4.2 (Policy Objective 1) what is required/expected by applicants on the bullet point regarding 'supporting local strategies and schemes'.	<p><i>Objectives:..”</i></p> <p>Yes – The wording has been amended at that bullet point to make it clearer what is to be in applicants risk assessments:</p> <p><i>“Local supporting strategies and schemes including those listed in Part 3 of this document to be assessed:</i></p> <ul style="list-style-type: none"> <i>o Applicants will be expected to detail how these have been addressed and promoted in regards to this licensing objective in their risk assessments”</i>
			4	Paragraph 4.6 (Policy – Objective 3) contains a list of bullet points that operators “must address in Sheffield to promote this licensing objective”. There is no need for this list as everything contained within that list are matters covered by the LCCP and SR Code provisions. This is duplication and overly prescriptive.	No - Although the LCCP and SR code provisions lay out requirements to the ‘protection of children and other vulnerable persons’ this particular part of the policy covers all licence types and local control measures it would expect applicants/licensees to follow to mitigate any risks relating to this licensing objective.
			5	Paragraph 5.2 (Policy – Location) contains reference to “areas nearing stress”. It is not clear whether or not the concentration of “licensed premises” are Gambling Act 2005 premises or Licensing Act 2003 premises. It is also not clear what the effects on the licensing objectives are.	Yes - The concentration of licensed premises detailed in this section of the policy refers to gambling premises only. The effects on the licensing objectives are in particular to crime and disorder and protecting children and the vulnerable. Paragraph 5.2 has been amended to ensure this is clear for applicants/licensees to mitigate further risks.

			6	Paragraph 7.2 (Policy – Premises) should be redrafted. Specifically, the final paragraph of this policy needs to be updated to reflect changes to the Gambling Commission guidance and the SR Code provisions. As drafted, the paragraph refers to the “primary purpose” of the premises and thereafter to “ancillary gambling activities at the premises”. The current requirement (contained within SR code provision 9) is that gaming machines may be made available in licensed premises only where there are also substantive facilities for the non-remote gambling specified on the premises licence. There is no requirement with regard to “ancillary use” only that substantive facilities be required.	Yes - The final paragraph in this policy section has been deleted to reflect the changes in the Gambling Commissions guidance and SR Provision codes.
			7	Paragraph 7.12.1 (Off course betting (Betting Shops)) indicates that conditions may be applied by the licensing authority to a betting premises licence if it is felt necessary. This section should be amended to make it clear that all Gambling Act 2005 premises licences are subject to mandatory and default conditions which are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section should also state that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that the mandatory and default conditions be supplemented.	No - As each case will be dealt with on its own merit; specific conditions could be offered to applicants. Where imposed these will be proportionate to the circumstances they are intended to address.

3	Brian Minihane – National Licensing and Development Manager	William Hill	1	Paragraph 11.2 – Test Purchasing Does not feel it is necessary to submit all results to the Local Authority on any test purchasing carried out. Primary Authority scheme's already in place where results are shared and shared with the Gambling Commission who then work with operators. Would be more supportive if the policy was amended to: <i>"Results of any test purchasing conducted by the licensee should be shared with the Licensing Authority on request."</i>	Yes – It is reasonable to change the wording of this paragraph to provide this information 'on request' by the Licensing Authority. Amendment to the paragraph is as follows: <i>"Results of any test purchasing conducted by the licensee must be shared with the Licensing Authority on request including any improvement programme or measures and to demonstrate later the effectiveness of such a programme."</i>
4	Magdalena Boo	Sheffield Public Health	1	Foreword – to make stronger statements about gambling related harm and link to core strategies	Yes – Part 3 Integrating Strategies updated to link to core strategies including those of the Public Health report and Health and Wellbeing strategy
			2	Paragraph 1.4 – the Sheffield Area – request to highlight areas of deprivation.	No – Areas can change through the duration of this policy. Area profiling and risk assessments are carried out by operators which will allow them to assess risks and mitigate them by putting in place appropriate measures. Each application will be treated on it's own individual merits.
			3	Part 3 Integrating Strategies – Minor updates to the Strategies and Plans.	Yes – Corporate Plan updates to include Tackling Inequalities and Better Health and Wellbeing Sheffield Alcohol Strategy and Gamcare now linked to Part 9 of the policy regarding ongoing responsibilities of licensed

					premises.
				4	<p>Policy Objective 3 – Paragraph 4.3 – request for the objective to be more proactive on offering self-exclusion and facilitating self-exclusion through referral to advocacy.</p> <p>Concerns raised in reference to ‘vulnerable groups’ are addressed through the Licensing Objective and operators requirements to profile the area and carry out risk assessments.</p>
				5	<p>Policy – Locations – Paragraph 5.2 – request that ‘Youth’ in itself should be recognised as a risk factor.</p> <p>Yes – Although not placed in paragraph 4.3, this has been updated in paragraph 9.1 Self exclusion scheme to include that referral to advocacy services would be recognised as good practice.</p>
				6	<p>Policy – Risk – Paragraph 5.4 – request to include a proforma on risk assessments for operators.</p> <p>No – This is already covered in paragraph 5.4 Risk and operators area profiling and risk assessments which would include vulnerable groups in the area.</p>
				7	<p>Policy – Area – Paragraph 5.5 – Request to make this paragraph stronger to not have gambling</p> <p>No - The policy document contains substantive information on what should be incorporated in operators risk assessments and the onus is left with the operators to ensure all risk factors have been assessed.</p> <p>The sources of data provided to assist operator in completing their risk assessments are helpful and will be included in the policy document at paragraph 5.4.</p> <p>No - Area profiling and risk assessments would cover issues regarding vulnerable groups. As each application will be dealt</p>

				<p>establishments in sensitive locations or to phrase that operators must have strongly evidence mitigation.</p>	<p>with separately and on their own individual merits it would be for the operator to show how risks would be mitigated in their area, specific conditions could also be offered to applicants. Where conditions are imposed; these will be proportionate to the circumstances they are intended to address.</p>
			8	<p>Policy – Interested Party – Request to have a wider definition of Interest party.</p>	<p>No – The Licensing Authority has no power to change who is regarded as an Interested Party as this is defined in the legislation under section 158 of the Gambling Act 2005.</p>
			9	<p>Reviews – Paragraph 7.16 – request to reword so a review is not seen as a ‘last resort’.</p>	<p>Yes – paragraph reworded as follows: <i>“Where risk is identified and has not been managed to the satisfaction of the responsible authorities; an application will be submitted to review the licence.”</i></p>
			10	<p>Part 11 Enforcement – Paragraph 11.2 – Request for Test Purchasing to be more detailed in what would be carried out and provide feedback.</p>	<p>No – This is already covered in Paragraph 11.2. On request the Licensing Authority can explore the results of operators tests including what improvement measures have been adopted and whether they are effective. Test purchasing can also be conducted by the Gambling Commission and or jointly with the Licensing Authority where testing particular factors can be carried out.</p>
5	Magdalena Boo on behalf	Problem Gambling	1	<p>Foreword and Part 1 – Group requesting to see a summary paragraph about gambling related harm.</p>	<p>Yes - The Licensing Authority recognises and supports the importance of reducing</p>

	of Sheffield Problem Gambling Stakeholder Group	Stakeholder Group			gambling related harm in the City and in particular to those who are vulnerable and have ensured the policy is linked to core strategies to assist with this (Part 3 – Integrating Strategies).
			2	Part 3 – Integrating Strategies – Request to update Corporate Plan to include Better Health and Wellbeing and the strategies to include the Director of Public Health report.	Yes – This has been updated in Part 3 of the policy document.
			3	Policy Objective 3 – Paragraph 4.6 – Comments details concerns about specific vulnerable groups and appropriate training and safeguard measures.	Yes – Paragraph 5.2 ‘location’ will also include ‘mental health projects and facilities’. The remaining comments and concerns regarding vulnerable groups are assessed through area profiling and risk assessments of operators.
			4	Part 5 – Location – Group felt it would be useful to define ‘close proximity’.	No - ‘Close proximity’ has not been defined under this section as each application will be considered on its own individual merits; therefore ‘close proximity’ may differ from application to another.
			5	Part 6 Interested Party – Paragraph 6.3 – Request to amend definition of Interest Party to include those whose children attend school or use facilities close to the authorised premises.	No – The Licensing Authority has no power to change who is regarded as an Interested Party as this is defined in the legislation under section 158 of the Gambling Act 2005.
			6	Part 11 – Enforcement – The group would like to see a schedule of monitoring inspections/visits/test purchases.	No – A schedule is not required within this policy document as inspections/visits etc will be carried out in a risk based assessment format.

			7	Other issues – the group would like to see local support services and Krysallis the local Gamcare provider's details in the document.	Yes –Policy document updated to include local support services and Krysallis.
6	Cllr Douglas Johnson on behalf of Sheffield Green Party	Sheffield Green Party	1	Request made for Public Health Strategy and Sheffield's Joint Health and Wellbeing strategy to be included in the policy as a separate paragraph in Part 3 of the policy.	Yes – Separate paragraph included.
			2	Would like there to be the expectation that applications for licences will normally be supported by evidence of appropriate planning permission.	No - Gambling Commissions guidance states that the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents as these matters should be dealt with under relevant planning control, building and other regulations, authorities are required to determine applications on their merit.
			3	Would like the policy to address the proliferation of betting shops and requiring careful consideration of new premises around existing gambling premises.	No - The proliferation of gambling premises has been identified within this policy document at Part 5, paragraph 5.2. New planning laws require any new betting premises to require planning permission.
			4	Statement should address Fixed Odd Betting Terminals which are not currently mentioned.	Yes - 'Fixed Odd Betting Terminals (FOTBs)' are referred to as category B2 machines; B2 machines are referred to throughout the policy document and specific policy is detailed under that part or licence type. To assist on making this clear, 'Appendix 1

			5	Foreword - The statement that “The Council recognises how important this sector of the entertainment industry is within the city” is no longer appropriate in light of public health concerns and should be removed.	<p>– Glossary of Terms’ has been updated to details what a ‘Fixed Odd Betting Terminal’ is referred to in the policy document.</p> <p>Yes – This statement has been removed.</p>
7	Rev. Zaidie Orr	Central United Reformed Church	1	Policy document is clear and provides necessary guidelines. Concerns highlighted that gambling is becoming a ‘disease’ among the young and the vulnerable. Applications for low stake gambling machines to be considered carefully as the impact on the young and vulnerable are not known. Policy needs to stress that it provides a responsible approach to gambling and demonstrate how it safeguards the vulnerable.	No changes required – The policy document covers the licensing objective to protect children and other vulnerable persons from being harms or exploited by gambling. Specific tools provided by Sheffield’s Safeguarding Children’s Board, management measures and operator risk assessments ensure the mitigations of particular risks.
8	Citizen Space Respondent	Individual	1	<p>Questions and answers on Citizen Space:</p> <p><i>Q - Is the policy document easy to understand?</i> <i>A – Not answered</i></p> <p><i>Q - Is the policy document easy to understand? - If no, please explain why</i> <i>A - ok for me, but I am not everybody</i></p> <p><i>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?</i> <i>- Does the policy document provide all the information you would expect?</i></p>	No changes to the policy document

				<p>A - Yes</p> <p>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?</p> <p>- If you have answered no, please indicate what other information you would like to see included</p> <p>A – Not answered</p> <p>Q - Does the policy document include any information that you disagree with or you think needs amending?</p> <p>A - Yes</p> <p>Q - Does the policy document include any information that you disagree with or you think needs amending? - If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending.</p> <p>A – I would like to see gambling discouraged</p>	
9	Citizen Space Respondent	Individual	1	<p>Questions and answers on Citizen Space:</p> <p>Q - Is the policy document easy to understand?</p> <p>A – No</p> <p>Q - If no, please explain why</p> <p>A - Lack of plain English</p> <p>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?</p> <p>- Does the policy document provide all the</p>	No changes to the policy document

			<p>information you would expect? A - No Q - If you have answered no, please indicate what other information you would like to see included A – Not answered</p> <p>Q - Does the policy document include any information that you disagree with or you think needs amending? A - No Q - If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending. A – Not answered</p>	
10	Citizen Space Respondent	Ruskin Mill Trust	<p>Questions and answers on Citizen Space:</p> <p>Q - Is the policy document easy to understand? A – Yes Q - If no, please explain why A - Not answered</p> <p>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)? - Does the policy document provide all the information you would expect? A - Yes Q - If you have answered no, please indicate what other information you would like to see included A – Not answered</p> <p>Q - Does the policy document include any information that you disagree with or you think</p>	No changes to the policy document

				<p><i>needs amending?</i></p> <p><i>A - Yes</i></p> <p><i>Q -If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending.</i></p> <p><i>A – Not answered</i></p>	
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SHEFFIELD CITY COUNCIL'S

STATEMENT OF PRINCIPLES

Gambling Act 2005

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Foreword

The Gambling Act 2005 transferred the responsibility for granting licences for betting and gaming premises or participating in a lottery, from the courts to Councils. The responsibility for granting operating and personal licences remains with the Gambling Commission.

The Act requires all licensing authorities to draft, consult on, and publish a Statement of Gambling Policy, which must then be reviewed every three years.

We are pleased to present Sheffield City Council's reviewed Statement of Gambling Policy.

We are pleased to set out in this document how we will discharge our responsibilities under the Act and, specifically, promote the licensing objectives, which are:

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

However, we wish to go much further than just our obligations under the Act. Whilst many people enjoy gambling responsibly, we also believe it is a blight on many lives within Sheffield. The consequences of harmful gambling have a ripple effect in to our communities and causes significant hardship, despair and anguish. Sheffield requires a fully rounded approach to tackling this issue.

So whilst this document sets out our approach to specific licensing matters, it does not and cannot achieve our ambitions of making gambling fairer and safer for the whole community.

As such, we are crafting a separate Gambling Harm Reduction strategy which will set out a much more robust and comprehensive approach to minimising harm from gambling, beyond the licensing functions. Prevention of gambling harm will be at the core of this strategy.

Gambling is not a bad activity, but it can have extremely bad consequences for individuals, families and communities. This document, and the broader Gambling Harm Reduction Strategy that will follow in due course, give us the tools we need to tackle this.



Cllr Jack Scott
Labour Councillor & Cabinet Member
Sheffield City Council



Cllr Jackie Drayton
Labour Councillor and Cabinet Member
Sheffield City Council

Part 1 – Overview

1.1 Key Definitions

The following terms are used frequently throughout this Statement of Principles (Policy) document:

‘the Licensing Authority’	refers to Sheffield City Council which carries out its functions as Licensing Authority under the Gambling Act 2005 in the Sheffield City boundary.
‘the Council’	refers to Sheffield City Council.
‘Policy’	refers to this Statement of Principles (Policy) as required under section 349(1) of the Gambling Act 2005.
‘the Act’	refers to the Gambling Act 2005.
‘the Commission’	refers to the Gambling Commission.
‘Guidance to the Act’	refers to the guidance issued by the Gambling Commission as required under section 25 of the Gambling Act 2005.
‘Codes of Practice’ or ‘LCCP’	refers to Licensed Conditions and Codes of Practice issued by the Gambling Commission under section 24 of the Gambling Act 2005.

1.2 Scope of Licensing Policy

Under section 349 of the Gambling Act 2005, the Licensing Authority is required to publish a statement of principles which it proposes to apply when exercising its functions under the Act at least every three years.

The aim of this document is to outline the principles we will apply when exercising our functions under the Act whilst promoting the following Licensing Objectives: -

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

This document should be read in conjunction with the Gambling Act 2005, the guidance issued by the Gambling Commission and the three Licensing Objectives.

The purpose of the licensing policy is to:

- provide applicants with a clear, consistent basis for submitting applications and notices in Sheffield;
- provide a clear, consistent basis for determining licence applications in Sheffield;
- ensure the relevant views of those affected by licensed premises are taken into consideration;
- ensure local area issues are taken into account by licensed premises; and
- support wider strategies of the City Council and the approach to gambling in the city

This Policy is not intended to limit the power or fetter the discretion of the Licensing Committee who will listen to and determine on its own individual merits any application placed before it.

1.3 Summary of matters dealt with in this statement

This introductory section is included in accordance with Regulation 4 of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006, and as required by that provision it summarises the matters dealt with under Sheffield City Council’s Statement of Principles.

Part 1, Section 1.4 contains a description of the geographical area in respect of which this Licensing Authority exercises its functions under the Act as required under Regulation 4.

Part 1, Section 1.5 states whom the Authority has consulted in preparing this Statement of Principles and required under Regulation 4.

The remainder of Part 1 details the scope; the monitoring and review of this Statement.

Part 2, Section 2.6 details the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act. This is detailed as a separate section to comply with Regulation 5.

Part 3 details the Authority's legal obligations and how the Authority will deal with the Gambling Act whilst adopting a multi-disciplinary approach to the integration of local and national strategies.

Part 4 of this Statement details the licensing objectives in more detail.

Part 5 deals with the Council's policy on location, area profiling and risk assessments.

Part 6, Section 6.2 details the principles to be applied by the Authority in exercising the powers under section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. This is detailed as a separate section to comply with Regulation 5.

Part 6, Section 6.4 sets out the principles to be applied by the Authority in exercising the powers under section 158 of the Act to determine whether a person is an interested party in relation to a premises licence, or an application for, or in respect of a premises licence. This is detailed as a separate section to comply with Regulation 5.

Parts 7 and 8 details the authorisations available under the Gambling Act 2005 which include our local standards (policy) relevant to the specific types authorisation.

Part 11, Section 11.1 details the principles to be applied by the Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified in that section. This again is detailed as a separate section to comply with Regulation 5.

1.4 The Sheffield Area

Sheffield is one of England's largest cities and a metropolitan borough in South Yorkshire, England. The city has grown from largely industrial roots to encompass a wide economic base.

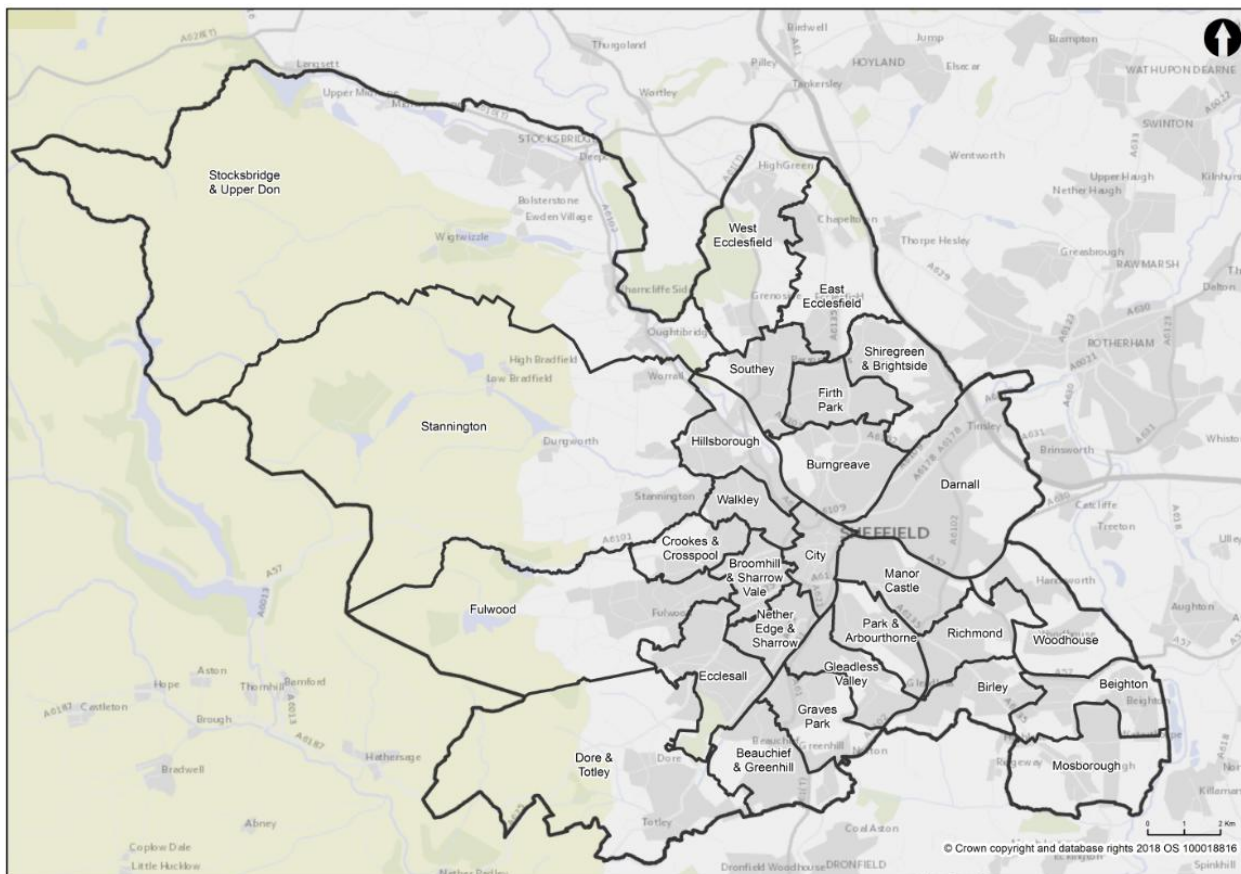
Sheffield is located fairly centrally in Britain in the metropolitan county of South Yorkshire. Lying directly to the east is Rotherham, from which it is separated by the M1 motorway. On its northern border is Barnsley Metropolitan Borough and to the south and west is the county of Derbyshire. Sheffield is the only city to include part of a national park, the Peak District, within its borders.

With a population of 575,400, the City of Sheffield is England's third largest metropolitan authority.

Sheffield benefits from a rich mix of cultural diversity and is fast becoming one of the leading cities for the provision of a wide variety of entertainment and cultural activities.

Sheffield is at the cutting edge of new technology, with two internationally renowned universities, a city of young people which continues to grow in population, a friendly place with vibrant and friendly communities, a thriving city centre, and beautiful parks and green open spaces.

The below map shows Sheffield's boundary:



1.5 Consultation

The Licensing Authority is committed to consulting with as wide and varied an audience as possible regarding this and any future Policies or any amendments in accordance with the Gambling Act 2005.

Under section 349(3) the Licensing Authority must in any case consult with the following: -

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

A list of all those persons consulted is attached at Appendix 2.

1.6 Monitoring and Review of this statement

This statement must be published at least every three years and will be reviewed and revised from time to time, subject to consultation on those parts that are revised and the statement then will be re-published.

This Statement of Principles will have effect from January 2019.

Part 2 – General Principles

2.1 A summary of process

This Licensing Authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant codes of practice issues by the Gambling Commission under section 24;
- in accordance with any relevant guidance issued by the Gambling Commission under section 25;
- reasonably consistent with the licensing objectives; and
- in accordance with this Statement of Principles (policy).

Nothing in this Statement of Policy will:

- prevent any person from applying under the Gambling Act 2005 for any of the permissions and from having that application considered on its own individual merits; and
- prevent any person or stop any person from making representations on any application or from seeking a review of a licence or certificate where the Gambling Act 2005 permits them to do so.

The Licensing Authority will regulate gambling in the public interest and cannot take into account whether there is an unfulfilled demand for gambling facilities. Each application will be considered on its own individual merits without regard to demand.

2.2 Promotion of the licensing objectives

In exercising their functions under the Gambling Act 2005, Licensing Authorities must have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are: -

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

The Licensing Authority expects applicants to offer their own measures to meet the licensing objectives which should include those detailed in Part 9 of this policy. Neither demand nor moral objections will be taken into account when determining applications. Further information regarding the licensing objectives can be found at Part 4 of this Statement of Principles.

2.3 The Functions of the Licensing Authority

‘Gambling’ is defined in the Act as either gaming, betting, or taking part in a lottery.

Licensing Authorities are required under the Gambling Act 2005 to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- issue Provisional Statements;
- regulate members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and / or Club Machine Permits;
- issue Club Machine Permits to Commercial Clubs;
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for use of two or fewer gaming machines;
- issue Licensed Premises Gaming Machine Permits for premises licensed to sell / supply alcohol for consumption on the licensed premises (under the Licensing Act 2003), where there are more than two machines;
- register small society lotteries;
- issue Prize Gaming Permits;
- receive and endorse Temporary Use Notices;

- receive Occasional Use Notices;
- provide information to the Gambling Commission regarding details of licences (see section 2.6 of this policy on “Exchange of Information”); and
- maintain registers of the permits and licences that are issued under these functions.

2.4 Applications

The Act places a duty on the Licensing Authority to aim to permit the use of premises for gambling in so far as the Authority thinks the application is in accordance with:

- the Codes of Practice,
- the Commission’s Guidance,
- this Statement of Principles; and
- where the application is reasonably in accordance with the licensing objectives.

As these are the criteria against which an application is to be assessed, representations which address these issues are more likely to be accepted and given weight.

Applicants are advised to take into account the above when applying to the Licensing Authority.

This Statement of Principles will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

Forms and notices relevant to activities within the Licensing Authority’s remit are available from the Licensing Service at the address given in at Part 13.

2.5 Fees

The Licensing Authority will set fees for premises licences from within fee bands prescribed by Regulation. Each premises type will have separate fee bands. The fees once set will be reviewed to ensure that the fees cover the costs of administering the Act.

A list of current fees can be obtained from our website www.sheffield.gov.uk/licensing or from the Licensing Service, contact details can be found at Part 13.

2.6 Exchange of information

Licensing Authorities are required to include in their Statement of Principles (Policy) the principles to be applied in exercising their functions under Sections 29 and 30 of the Act.

The principles are in respect of the exchange of information between the Licensing Authority and the Gambling Commission, and the functions under Section 350 of the Act with respect to the exchange of information between the Licensing Authority and those persons listed in Schedule 6 to the Act.

The Licensing Authority will apply the general principle of dealing with any exchange of information in accordance with the provisions of the Gambling Act 2005 and in accordance with the provisions of the Data Protection Act 2018.

Any information supplied must only be used for the purposes for which it is obtained, it must be securely retained whilst in the possession of the party that has requested it, and must be securely disposed of when no longer required. It must not be further transmitted to a third party without the consent of the original authority that supplied the information.

The Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter as well as any relevant Regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

2.7 Duplication

The Licensing Authority will so far as possible avoid duplication with other regulatory regimes.

The grant of a licence does not imply the approval of other legislative requirements.

2.8 Departure from Policy

The Licensing Authority may depart from this Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the Licensing Objectives and fairness. In the event of departure from this Policy the Licensing Authority will give full reasons for the decision to do so. (i.e. each case will be dealt with upon its own individual merits).

Any advice about this Policy and general advice about the Gambling Act 2005 can be obtained from the Licensing Service, see contact details at Part 13.

Please Note: The Licensing Service will be unable to give legal advice on the Gambling Act 2005. Any legal advice should be obtained from their own Solicitor or Legal Advisor.

Part 3 – Integrating Strategies

There are a number of statutory provisions which apply to every action the Council takes as a public authority, including the work it undertakes in its capacity as the Licensing Authority. These include, for example:

- duty to have regard to the interest of Sheffield's tax payers;
- its Human Rights Act obligations;
- in accordance with the Public Sector Equality Duty, as a public sector organisation we also have a duty to under the [Equality Act 2010](#) to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation
 - advance equality of opportunity
 - foster good relations

The Council is committed to fulfilling all of its obligations when exercising licensing functions and will consider the use of its full range of powers in order to do so.

As well as the above legal obligations, the Licensing Authority is committed to ensure proper integration of local and national strategies to promote the Licensing Objectives

Sheffield's Statement of Principles (Policy) will work alongside existing Council strategies (e.g. local crime prevention, planning, transport, tourism, culture strategy, protection of children and vulnerable persons, public health and our fair city strategies) and the Licensing Authority will ensure continuing co-ordination and integration of these policies to include the setting up of separate working groups.

Any developers and/or individuals that are looking to start a business in Sheffield that requires licensing are encouraged at the outset to consider the policies of all Council Services that are in place that may affect their business proposals. A good example of this is the many planning policies that are in place to assist you when considering investing in the City. Information about all these policies and many more can be found on the Council's website at www.sheffield.gov.uk.

It is essential that applicants are aware of and have regard in their risk assessments to these policies and strategies (including those that may not be listed) when considering making an application.

The below are a selection of plans and strategies, applicants/licensees are to take into account all relevant plans and strategies locally and nationally when making an application.

3.1 Sheffield City Councils' 'Corporate Plan 2015-2018'

The Corporate Plan sets out the overall direction and priorities of the Council for the next three years and focuses on helping people who live, work, learn and visit our city to enjoy what Sheffield has to offer.

The plan is structured around the five priorities of the administration that capture our long term ambitions for Sheffield:

1. **An in touch organisation**
2. **Strong economy**
3. **Thriving neighbourhoods and communities**
4. **Better health and wellbeing**
5. **Tackling inequalities**

An in touch organisation

"This means listening; being connected and being responsive to a range of people and organisations; ideas and developments. This includes local people, communities and Government, as well as keeping pace with technology. This means understanding the increasingly diverse needs of individuals in Sheffield, so the services we and our partners provide are designed to meet these needs. It also means understanding how to respond. This priority is also about empowering individuals to help themselves and providing opportunities to do this, so they and their communities are increasingly independent and resilient"

The Licensing Authority will listen and be responsive, and meet the increasingly diverse needs of the individuals of Sheffield by ensuring we are:

- Intelligent – making full use of information to inform decision making and drive service improvement
- Efficient – continually strive to provide value for money improving quality and outcomes
- Responsive – meet the increasingly diverse needs of the individuals of Sheffield

Strong Economy:

“A strong economy means creating the conditions for local businesses to grow and making Sheffield an attractive location to start a business. We want Sheffield to achieve our economic potential and for the pace of Sheffield’s economic growth to quicken, particularly in the private sector. This means being well-connected, both physically and digitally, building on our success as a city that supports businesses to grow and playing a full, distinctive role in the global economy. We want local people to have the skills they need to get jobs and benefit from economic growth; and to make the most of the distinctive things Sheffield has to offer, such as cultural and sporting facilities”

As a Licensing Authority, we will contribute to help achieve our economic potential, be well connected, with skilled individuals and assist businesses by ensuring we have:

- Vibrant City – help get the right mix of business leisure and retail
- Distinctive cultural and sporting assets – assist in delivering and maintaining these venues

Thriving neighbourhoods and communities

“This means neighbourhoods where people are proud to live, with communities that support each other and get on well together. We want people living in Sheffield to feel safe and will continue to join with other agencies in the city to make it easier for local people and communities to get involved, so we can spot and tackle issues early.”

As a Licensing Authority, we will assist people to have a good quality of life and feel proud and safe of where they live by:

- Assisting in improving community safety by reducing antisocial behaviour

Better Health and Wellbeing

“This means helping people to be healthy and well, by promoting and enabling good health whilst preventing and tackling ill health, particularly for those who have a higher risk of experiencing poor health, illness or dying early. Health and wellbeing matters to everyone. We will provide early help and look to do this earlier in life to give every child the opportunity to have a great start in life. This is strengthened by our other priorities that make sure the city has facilities and amenities that help people to stay healthy and well, such as leisure and culture, as well as access to green and open spaces”

The Licensing Authority will promote good health, and assist in preventing and tackling ill health:

- Provide information and education around the impact of alcohol and gambling.
- Whilst promoting inclusive, vibrant, thriving neighbourhoods and communities and supporting businesses the Licensing Authority will work closely with external partners to support the improvement of better health and wellbeing.
- The document recognises the need to protect children and the vulnerable from gambling addiction and gambling related harm etc. In this respect the Licensing Authority is working closely with the Safeguarding Children Service and other relevant Authorities in doing so.

Tackling inequalities

“This means making it easier for individuals to overcome obstacles and achieve their potential. We will invest in the most deprived communities; supporting individuals and communities to help themselves and each other, so the changes they make are resilient and long lasting. We will work, with our partners, to enable fair treatment for individuals and groups, taking account of disadvantages and obstacles that people face”

The Licensing Authority will help invest in the most deprived communities and support individuals to help themselves:

- By providing early help, listening and being responsive.
- Promote equality, diversity and inclusion
- Continue to work with Schools, Colleges and Universities to deliver education around licensing

The revision of the document means that we can improve the content and design in a way that assists us in achieving our aspiration to be 'the best we can be – as individuals and communities, as a council and as a city'.

Applicants should have regard to this plan and link it to their business so they are aware of the direction of this City.

3.2 Sheffield City Region – Strategic Economic Plan 2015 - 2025

This plan is developed by local authorities and businesses that are passionate about the Sheffield City Region and its success.

The Local Enterprise Partnership and its partners have created this Plan to grow both business activity and jobs. This plan contains a number of important initiatives, which focus on getting the existing strong supply chain of businesses to grow, as well as encouraging new businesses to start up in the City Region.

This plan presents a vision for accelerating business growth and job creation in the City Region and applicants should look to promote this plan.

3.3 Safer and Sustainable Communities Partnership Plan

This plan is written by the city's Community Safety Partnership who has statutory responsibilities established under the Crime and Disorder Act 1998.

The partnership has a legal responsibility to produce a plan to tackle crime, anti-social behaviour and drug and alcohol misuse.

This plan is linked into the Police and Crime Commissioner plan with their priorities being :

- Protecting vulnerable people
- Tackling crime and anti-social behaviour
- Enabling fair treatment

The Licensing Authority supports such plans to reduce crime and disorder in local communities and protecting the vulnerable.

3.4 Sheffield Alcohol Strategy 2016 - 2020

The Sheffield Alcohol Strategy is a strategic document to guide the city's response to alcohol use which would link to gambling licensed premises and problem gambling.

The 2016-2020 Sheffield Alcohol Strategy over-arching ambitions for Sheffield are:

- To reduce the harms related to alcohol use in Sheffield
- To promote a vibrant night time economy in Sheffield which offers something for everyone

The 2016-2020 strategy addresses five broad themes relating to alcohol in order to provide a wide reaching approach to alcohol use and misuse in the city. The five themes are:

1. Alcohol and Health
2. Alcohol, Treatment and Recovery
3. Licensing Trading Standards and the night time economy
4. Alcohol and Crime
5. Communities and vulnerable groups and individuals

The Licensing Authority supports such strategies and plans for a safe and sustainable night time economy. To assist; licence holders should encourage access to information on drug and alcohol treatment services and domestic abuse services in regards to financial abuse. Please refer to Part 9 of this policy regarding ongoing responsibilities of licenced premises.

Further information and website details for DACT can be found at Part 13 of this document.

3.5 Culture Strategy

The City Council recognises the importance of Sheffield's diverse, dynamic cultural offer which makes the city a great place to live, work and study in and visit.

Sheffield City Council has supported the Sheffield Culture Consortium in leading the city's strategic cultural direction.

Their vision is *"to celebrate the ingenuity and energy of our creative people, and use this story to make Sheffield a magnet city for a new generation of wealth creators. To give every one of our children and young people an inspiring cultural education and to harness the power of creativity to support the wellbeing of the people of Sheffield."*

3.6 Sheffield City Centre Master Plan

The City Centre Master plan outlines how the Council will take forward the regeneration of Sheffield City Centre. The Master plan sets out the vision for the city centre, with a focus on retail, economy and sustainability. It will guide future regeneration and will therefore have a large impact on the future shape of the city centre.

Applicants who wish to apply or vary their licenses are recommended to take into account the master plan.

3.7 Accessible Sheffield

Sheffield City Council are working collaboratively and in partnership with Disabled Go, Disability Sheffield and Nimbus Disability to support the ambitions of Sheffield to become an accessible and fairer city for all who live, work, study and or visit Sheffield.

The partnership is supporting the development and delivery of an exciting new city Access Guide and Access Card scheme.

Inclusive information is an integral part of tourism, disabled people nationwide are accountable for an £80billion annual spend so promoting accessibility is part of building a vibrant economy for the city and ensuring that all of the city's attractions are promoted and well used.

Through working in partnership the project aims to:

- Promote good practice in terms of access and service provision via the Credibility Quality Assurance Systems
- Encourage providers and businesses within the city to use the Access Card scheme to offer discounts via the card.

For further information, please contact 0114 253 6750.

3.8 GamCare

GamCare is the leading national provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. Their services are confidential, non-judgemental and expert.

They provide training and materials to the gambling industry to improve social responsibility and player protection. These programs provide attendees with vital insights on how to recognise the signs of problem gambling behaviour and advice on how to interact with players to achieve a positive outcome.

Gamcare support in Sheffield is offered through Krysallis, information and support can be found at <http://www.krysallis.org.uk/sheffield.html>.

Part 9 of our policy details further information which can assist licence holders in relation to problem gambling.

The Licensing Authority recommends that licence holders support and are in partnership with GamCare and the Responsible Authorities whilst taking into account Sheffield's Public Health report and the Council's joint Health and Wellbeing strategies.

3.9 Integration with Planning

The Licensing Authority recognises that there should be a clear separation of the Planning and Licensing Functions. Licensing applications will not be a re-run of the planning application.

While there is no obligation for an applicant to have planning permission before applying for a licence, it is strongly recommended that planning use be obtained first so that proper consideration can be given to the impact the use of the premises will have on the surrounding amenities, character and locality.

Licence holders, applicants and businesses should take into account local planning policies and the new Local Plan to ensure they fit into with the requirements for the plans of the city.

Businesses are also reminded to keep up to date with changes in usage and planning permission requirements (e.g. betting shop usage).

3.10 The Sheffield Local Plan

The Council is working on a new draft 'Sheffield Local Plan' which will guide the future of the city by setting out how and where development will take place up to 2034. It will be called the 'Sheffield Plan' once it has been adopted and will replace the Sheffield Core Strategy (2009) and the Sheffield Unitary Development Plan (1998).

3.11 Director of Public Health Report for Sheffield & the Sheffield Joint Health and Wellbeing Strategy

The Director of Public Health report details health issues in Sheffield and influential factors in securing good health outcomes.

The Sheffield Health and Wellbeing Strategy support the Public Health report and details a plan to improve the health and wellbeing of Sheffield people.

Operators are recommended to review and promote both the report and strategy outcomes.

Both documents can be found at the following web site:

<http://www.sheffield.gov.uk/content/sheffield/home/public-health.html>

Part 4 – Licensing Objectives

4.1 Objective 1: Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.

Anyone applying to the Licensing Authority for a premises licence will be required to hold an operating licence from the Gambling Commission before a licence can be issued. Therefore, the Licensing Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the Licensing Authority will bring those concerns to the attention of the Commission.

Sheffield City Council places considerable importance on the prevention of crime and disorder, and the Licensing Authority will fulfil its duty under the Crime and Disorder Act 1998. A high standard of control is therefore expected to be exercised over licensed premises.

4.2 Policy – Objective 1

The Licensing Authority will, when determining applications, consider whether the grant of a Premises Licence will result in an increase in crime and disorder or have any other impact in relation to this objective.

The following are considerations when determining this and would normally be expected to be in your risk assessments:

- The location of the premises (see location policy at Part 5)
- Whether the premises has a history of crime and disorder or has been associated with crime and/or disorder and whether there are potential future risks of this occurring (see location policy at Part 5).
 - The likelihood of any violence, public nuisance, public order or other crimes and policing problems if the licence was granted.
- The design, layout and fitting of the premises
 - Has it been designed to minimise conflict and opportunities of crime and disorder?
 - Physical security features installed in the premises. This may include matters such as the position of the cash registers or the standard of CCTV that is installed
- What sufficient management measures are proposed to promote this licensing objective and what other measures have been considered.
- Local supporting strategies and schemes including those listed in Part 3 of this document to be assessed:
 - Applicants will be expected to detail how these have been addressed and promoted in regards to this licensing objective in their risk assessments
 - It is recommended that applicants seek advice from South Yorkshire Police when addressing this issue as well as taking in to account local Planning and Transport Policies, Tourism, Cultural and Crime Prevention Strategies. Information relating to crime reduction is available at the South Yorkshire Police website www.southyorks.police.uk.

Conditions may be attached to Premises Licences in order to promote this licensing objective, and will, so far as possible, reflect local crime prevention strategies (also see conditions section 10.4).

All applicants will be expected to demonstrate to the satisfaction of the Licensing Authority how they intend to promote this objective

The steps to be taken to promote the objective will be a matter for each applicant to consider, depending upon the nature of the premises and the licensable activities for which a licence is sought. These steps will therefore differ from one premise to another and each application for a Premises Licence will be considered upon its own individual merits.

Determining an opposed application

The Licensing Authority considers South Yorkshire Police to be the main source of advice on crime and disorder.

Attention will be given to the consideration provided in the application on the above factors.

Where an applicant has omitted information on the above, the Licensing Committee will ask questions of the applicant on such and will consider attaching appropriate conditions.

4.3 Objective 2: Ensuring that gambling is conducted in a fair and open way

This Licensing Authority has noted that the Gambling Commission states that it generally does not expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. This is because this will usually be concerned with either the management of the gambling business (and therefore subject to the operating licence), or the suitability and actions of an individual (and therefore subject to a personal licence). These permissions both fall within the remit of the Gambling Commission.

Licensing Authorities must consider factors relevant to any of the three licensing objectives.

The exception to the above is for occupiers of tracks who do not propose to offer gambling themselves. This means there will be more of a role for Licensing Authorities in this area which is explained in more detail in the 'tracks' section at 7.12.

4.4 Policy – Objective 2

The following are considerations when determining an application and would normally be expected to be in your risk assessments:

- Whether sufficient management measures are proposed to promote this licensing objective.
- The design, layout, lighting and fitting of the premises.
 - Has it been designed to ensure gambling is conducted in a fair and open way?
 - Physical security features installed in the premises. This may include matters such as the position and standard of CCTV that is installed
 - Separation of areas and adequate supervision
- Is the management and operation of the premises open and transparent?
 - Co-operation with enforcement agencies.
 - Ensuring correct protocols and procedures are in place to promote objective.
 - Compliance with the Gambling Commissions code of practice.

4.5 Objective 3: Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Act defines children as meaning an individual who is under 16 years old (persons under the age of eighteen are 'young persons'). The objective here is specific to protecting children from being harmed or being exploited by gambling.

The Licensing Authority will expect applicants to consider the measures necessary to promote this objective which includes preventing children and vulnerable people from being enticed to gamble or to take part in inappropriate gambling and how operators intend to prevent children from entering those gambling premises which are adult only environments.

The Licensing Authority is also aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition, but states that “it will for regulatory purposes assume that this group of people includes those who gamble more than they want to; those who gamble beyond their means; and those who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”

4.6 Policy – Objective 3

The following would normally be expected to be included and addressed in your risk assessments which in turn will be used in determining your application:

- The location of the premises (see location policy at Part 5) e.g.:
 - Are the premises located close to premises frequented by children or other vulnerable persons? E.g. Schools, substance misuse treatment services, youth services, play areas; are the premises near to social housing or a treatment centre for gambling addicts, hospitals etc. (See local area profiling)
 - Is a gambling premises suitable to be located there?
 - Are there sufficient controls, procedures and conditions in place to promote this licensing objective?
- Whether any promotional materials or advertising associated with the premises could encourage the use of the premises by children or vulnerable persons.
- Whether there are sufficient management measures in place to ensure adequate training and refresher training for staff is in place to protect children, young persons and vulnerable persons who may be harmed or exploited by gambling.
- The following measures are requirements that operators must address in Sheffield to promote this licensing objective; these would include but not be limited to the following:
 - a risk assessment for safeguarding children and vulnerable people at gambling premises to be undertaken with reference to the Sheffield Safeguarding Children Board risk assessment guidance available at <https://www.safeguardingsheffieldchildren.org/sscb/children-licensed-premises/the-gambling-act-2005>.
The outcome of the risk assessment should inform staff training and the operating policy.
 - a member of staff to be designated to have lead responsibility for the operating systems relating to the protection of children and other vulnerable persons (for a description of this role refer to <https://www.safeguardingsheffieldchildren.org/sscb/children-licensed-premises/the-gambling-act-2005>);
 - a recognised Proof Of Age Scheme to be operated in all areas of the premises where alcohol is on sale and at entrances to areas of the premises which give access to adult gambling facilities;
 - staff shall receive induction and refresher training in relation to procedures and operating systems for the protection of children and vulnerable people. Staff training records shall be maintained and be available for inspection at the reasonable request of the Responsible Authorities;
 - a written record shall be maintained of all staff interventions that are made with customers for the protection of children and other vulnerable persons including: refusals of service or admission, the provision of self-help information; membership records for the self-exclusion scheme including photographic ID; records of interventions with parents/carers who fail to behave responsibly at the premises; records of persons barred.
 - signage to be displayed in areas where children are admitted
 - A customer charter promoting the principles of acceptable behaviour at the premises including that adults must supervise their children at all times;

- Self-testing procedures should be in place to identify training needs and staff competence in relation to age verification.
- Staff training should include techniques for identifying and engaging with vulnerable adults who gamble
- Staff training should include managing confrontation.
- Measures to be in place to prevent underage or vulnerable persons accessing online gambling if offered at a premises.
- areas for adult gambling must be clearly segregated and physically supervised to prevent underage admission. Signage must be displayed to promote the restrictions.
- signage displayed on age restricted games;
- bandit screens used;
- self-help notices and literature should be accessible to customers;
- staff to be trained to recognise vulnerable customers (for example, when people appear to be under duress when placing a bet or who appear to lack capacity (meaning they are unable at the time to understand the risks and likely implications of Gambling) such as becoming agitated, aggressive, attempting to breach agreed limits or self-exclusion agreements; engaging in superstitious type rituals);
- Operators are encouraged to establish links with the Sheffield Safeguarding Children Board as the Responsible Authority under the Gambling Act 2005 and with the Sheffield Adult Safeguarding Board as an advisory service regarding vulnerable adults.

The Licensing Authority will consider this licensing objective on a case by case basis and each application for a Premises Licence will be considered upon its own individual merits.

Determining an Opposed Application

The Licensing Authority will give considerable weight to representations about child protection matters in licensed premises.

It will consider the Sheffield Safeguarding Children Board as a source of advice in relation to the protection of children and vulnerable adults.

Part 5 – Location, Area Profiling and Risk Assessments

5.1 Location

In considering the location of premises, issues of demand cannot be considered. Considerations can however be made on the location of the premises in relation to promoting the licensing objectives.

The Licensing Authority sets out the following policy in relation to location.

5.2 Policy - Location

The licensing authority will pay particular attention to two of the three licensing objectives in considering location, that being: the protection of children and vulnerable persons from being harmed or exploited by gambling, and crime and disorder issues.

Whilst each application will be treated upon its own merits, applications which the authority feels is in close proximity (close proximity will be determined by the Local Authority on a case by case basis) or on route to the following sensitive locations will require applicants to provide further detailed information as to how their proposals will promote the gambling objectives (in particular protecting children and vulnerable persons from being harmed or exploited by gambling):

- a school, college, nursery or other similar premises substantially used by or for children or young persons (including children's homes and specialist units);
- a park or similar space used for children's play or young people's recreational activity;
- a Hospital, Mental Incapacity or Disability Centre, mental health projects and facilities or similar premises;
- vulnerable adult centres and community buildings (e.g. centre for gambling addicts)
- substance misuse treatment services
- youth or other children or vulnerable people specialist services.
- social housing for vulnerable adults
- locations known to attract unaccompanied vulnerable young people or criminals
- high crime and disorder hot spots

Areas Nearing Stress

In some areas of Sheffield, a concentration of gambling licensed premises maybe considered as leading to problems undermining the licensing objectives and in particular crime and disorder and protecting children and other vulnerable persons from being harmed or exploited by gambling. The following areas are causing 'stress' but are not, in the opinion of the licensing authority, at the level where we have adopted any form of a cumulative impact policy:

AREA
Fitzalan Square
Darnall Centre
Hillsborough Corner
Paige Hall

Applicants making applications for a licence in these areas are advised to carefully think about the licensing objectives and consider what measures they would take in their risk assessments to minimise the addition of any further impact. Risk management measures may be converted into licence conditions.

In considering any applications under this policy, the licensing authority will still take care to ensure the Act and guidance is applied and considers the merits of all individual cases.

5.3 Area Profiling and Risk Assessments

The Licensing Authority needs to be satisfied that there is sufficient evidence that the particular location of the premises would not be harmful to the licensing objectives.

From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

This Licensing Authority requests that these assessments are submitted from the 6th April 2016.

Licensees must review (and update as necessary) their local risk assessments:

- when applying for a variation of a premises licence;
- to take account of significant changes in local circumstance, including those identified in this policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

5.4 Policy - Risk

The Authority would normally expect applicants to consider the following in their local risk assessments:

- Whether the premises is in an area subject to high levels of crime and/or disorder
- Location of areas/buildings that attract or involve the presence of children and vulnerable people (e.g. schools, leisure centres, certain shops, children's homes, substance misuse treatment services or other specialist services for children and vulnerable people; money lending organisations etc)
- Demographics of the area and in particular to vulnerable groups (eg the location of the premises in deprived areas, level of social housing, or location in relation to money lending businesses)
- Location of services for vulnerable groups in the area
- Deprivation of local area (at the very least the Ward area)
- Local policies and strategies to assist in the promotion of the licensing objectives (see also Integrating Strategies at Part 3)

The above list is not exhaustive but shows a minimum requirement from this authority, applicants may wish to add anything additional to mitigate any risks to promote the licensing objectives.

To assist applicants with the above local area profiling and their risk assessment, the following links and information may assist:

- **Sheffield fact and figures:**
<http://www.sheffield.gov.uk/content/sheffield/home/your-city-council/population-in-sheffield.html>
- **Ward profiles:**
<http://www.sheffield.gov.uk/content/sheffield/home/your-city-council/ward-profiles.html>
This Ward Profile Tool that has been produced to provide analysis and statistics for a variety of key topics such as demographics, education, crime and the economy, as well as providing information from the census, at a local level.
- **South Yorkshire Police**
www.southyorks.police.uk
Information relating to crime reduction is available at the South Yorkshire Police website.
- **Joint Strategic Needs Assessment**
<https://www.sheffield.gov.uk/home/public-health/health-wellbeing-needs-assessment.html>
- **CDRC Data Maps**
<https://data.cdrc.ac.uk/>

5.5 Policy - Area

The licensing Authority will consider the following factors when deciding if an application is appropriate in a location:-

- the possible impact a gambling premises may have on any premises that provide services to children, young people and vulnerable persons, i.e. a place of education, play, recreation or treatment or vulnerable adult centres in the area and any mitigating factors put in place by the applicant to reduce risk
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children and any mitigating factors put in place by the applicant to reduce risks
- the size of the premises and the nature of the activities taking place
- appropriate number of staff and supervision procedures
- levels of crime in the area and the impact of the grant of the licence
- If the applicant has offered any conditions which would mitigate risks and promote the licensing objectives.
- How the premises will operate to restrict access to children, young persons and vulnerable persons
- Details of any partnership working arrangements the operator has in place with police, social care or similar agencies).
- How the risk of online gambling will be managed if offered at a premises

This list is not exhaustive, but is a number of factors that will be taken into account regarding the suitability of location.

The Local Authority may undertake their own local area profiling and where it is determined that granting the application may lead to the licensing objectives being undermined, and where relevant conditions cannot be imposed, they will choose to refuse it.

Part 6 - Responsible Authorities, Interested Parties & Representations

6.1 Responsible Authorities

The Gambling Act 2005 sets out in Section 157 a list of bodies to be treated as Responsible Authorities under the Act.

Responsible Authorities are entitled to make representations to the Licensing Authority in relation to applications for, and in relation to, Premises Licences. All representations made by Responsible Authorities are likely to be relevant representations if they relate to the Licensing Objectives.

The bodies identified as Responsible Authorities are:

- the Licensing Authority in England and Wales in whose area the premises are wholly / partly situated;
- the Gambling Commission;
- the Chief Officer of Police for the area in which the premises is wholly / partly situated;
- the Fire and Rescue Service for the same area;
- the local Planning Authority;
- the Environmental and Regulatory Services;
 - Noise Pollution; and
 - Health & Safety
- the local Safeguarding Children Board;
- HM Revenues & Customs; and
- any other person prescribed in Regulations by the Secretary of State.

6.2 Policy – Safeguarding Children Board Statement of Principles (Section 157(h) of the Act)

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

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Licensing Authority has designated Sheffield Safeguarding Children's Board of Sheffield City Council for this purpose in relation to children and vulnerable people.

The contact details of all the Responsible Authorities are set out in Part 13 and available on the Licensing Authority's website at www.sheffield.gov.uk/licensing.

6.3 Interested Party

Interested parties can make representations about licence applications, or apply for a review of an existing licence. Section 158 sets out the persons to be treated as Interested Parties under the Act.

For the purpose of this part a person is an “Interested Party” in relation to an application for, or in relation to a Premises Licence if in the opinion of the Licensing Authority issuing the licence, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph (a) or (b)

6.4 Policy – Interested Party Statement of Principles (SI2006/636)

The Licensing Authority is required by Regulations to state the principles it applies in exercising its powers under the Gambling Act 2005 to determine whether a person is an Interested Party.

The Licensing Authority will apply the following principles in determining whether a person or body is an interested party for the purposes of the Gambling Act 2005:

- a) each case will be decided upon its own merits subject to the licensing objectives and to any requirements imposed by the Gambling Act 2005;
- b) the Licensing Authority will not apply a rigid rule to its decision making.

The Licensing Authority will:

- have regard to any guidance issued by the Gambling Commission with regard to the status and interpretation of ‘Interested Parties’.
- also consider the Gambling Commissions Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has also recommended that Licensing Authorities state that ‘Interested Parties’ are to include trade associations, trade unions, and residents and tenants associations. This Authority will not, generally view these bodies as ‘Interested Parties’ unless they have a member who can be classed as an ‘Interested Party’ under the terms of the Gambling Act 2005 (i.e. lives sufficiently close to the premises to be likely to be affected by the activities applied for).

This Authority will however, require written evidence that a person / body (e.g. an advocate or relative) “represents” someone who either lives sufficiently close to the premises so that they are likely to be affected by the authorised activities and / or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillor(s) are not part of the Licensing Committee dealing with the licence application. (Note: If there is any doubt then please contact the Licensing Service, see contact details at Part 13.

6.5 Making Representations

Representations to applications or requests for a review should be based on the licensing objectives of the Gambling Act which are set out at the start of this Statement.

Representations received outside the statutory period for making such representations or which otherwise does not comply with the regulations will be invalid and will not be taken into consideration when the application is determined.

6.6 Policy - How to make a representation

The Licensing Authority expects representations to include the following:

- a) the name, address and a contact number for the person making the representation.
- b) the capacity in which the representation is made (i.e. Interested Party or Responsible Authority) and if made as a representative should indicate who is being represented with their name and address.
- c) the name and address of the premises in respect of which the representation is being made.
- d) the licensing objective(s) relevant to the representation.
- e) why it is felt that the application:
 - is not reasonably consistent with the licensing objectives; or
 - is not in accordance with this Policy, the Commission's Guidance or the relevant Codes of Practice or;
 - otherwise should not be granted or;
 - should only be granted subject to certain specified conditions
(one or more of the above reasons should be listed)
- f) details of the evidence supporting the opinion in (e).

It is in the interest of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit, or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.

The above criterion is to ensure that the representation is made by a Responsible Authority or Interested Party and that it is relevant and directly related to the premises the application refers to.

Petitions

We understand that petitions are sometimes attached as a form of representation to an application. Should you wish to submit a petition, the Licensing Authority would expect that it entails the above listed information.

The Licensing Authority would also expect that there is:

- An organiser of the petition who will be the point of contact
- A spokesperson to discuss the views and answer questions on behalf of the petitioners at any Licensing Committee hearing

Whilst representations which are not in the preferred form or which do not fully comply with the above will not automatically be rejected, they may be less likely to comply with the law relating to representations resulting in them ultimately being rejected or given little or no weight.

Where valid representations are received the Authority will hold a hearing.

Part 7 - Premises licences and Reviews

7.1 General principles

Gambling may be authorised in various ways dependant on the nature of the gambling activity involved. In general either a premises licence or permit will be needed, though certain activities may be authorised by way of notification. The involvement of Responsible Authorities, Interested Parties and the degree of control and discretion available to the Licensing Authority varies, dependent upon the type of authorisation necessary. Part 7 and 8 of this statement addresses the local standards applicable to the various types of authorisation.

The Licensing Authority is aware that in making decisions about Premises Licences it should aim to permit the use of premises for gambling as far as it thinks it is:

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant Guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives; and
- in accordance with the Authority's Statement of Principles (Policy).

7.2 Policy - Premises

When considering applications for premises licences the Licensing Authority will not take into consideration either the expected 'demand' for facilities or the likelihood of planning permission or building regulations approval being granted, except in the case of a Provisional Statement or an application to allow a track to be used for betting where other persons will provide the betting facilities.

Applicants for a premises licence will need to show to the satisfaction of the Authority that they

- have a right to occupy the premises concerned;
- hold a valid Operating Licence from the Commission or have applied for an Operating Licence and
- meet such other criteria set in this policy document.

The Premises Licence can be only issued once the Operating Licence is issued. In the case of a Provisional Statement where the applicant does not currently have a right to occupy the application premises, the Authority will require written confirmation that the applicant may reasonably expect to acquire that right within a reasonable time.

7.3 Definition of a 'Premises'

In the Act, "premises" is defined as including "any place".

Section 152 therefore prevents more than one premises licence applying to any one place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises.

This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or a shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

Particular attention will be paid if there are issues about sub-divisions of a single building or plot and licence holders should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the decision is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider

that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises”.

7.4 Policy - Divided premises

The Licensing Authority takes particular care in considering applications for multiple licences for a building, as part of the consideration, applicant must demonstrate the following:

- that the premises are genuinely separate and have not been artificially divided to what is already identifiable as a single premises;
- separation between the premises is appropriate;
- that the licensing objectives and the authorities expectations on promoting the those are taken into consideration;
- the primary use of each area to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business
- that the Licensing Authority will take into particular regard the third licensing objective which seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating;
- steps have been taken in preventing unlawful direct access by customers between licensed premises –
 - entrances and exits from parts of a building covered by one or more premises should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- That any local schemes and strategies have been assessed and promoted where ever possible (see also Integrating strategies at Part 3)

The Licensing Authority may also consider the following factors listed in the Commissions guidance:

- Do the premises have separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or public passageway?
- Can the premises only be accessed from any other gambling premises?

These and other relevant factors will be considered when making a decision, depending on all the circumstances of the case.

7.5 Premises ready for Gambling

A licence to use premises for gambling will only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready for gambling in the reasonably near future, consistent with the scale of the building or alterations required before the premises are brought into use.

If the construction of a premises is still not complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead (see below).

7.5.1 Policy – Premises ready for gambling

In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, the Licensing Authority will determine applications on their merits, applying a two stage consideration process:

- 1) whether the premises ought to be permitted to be used for gambling; and
- 2) whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

The Licensing Authority may request any other information they may feel relevant in determining the application.

Licensing Authorities are not obliged to grant a licence, where it does seem appropriate to grant a licence, it may do so by attaching conditions.

7.6 Types of Premises Licences and Provisional Statements

Premises licences are only necessary for the following types of gambling:

- Betting premises (including tracks)
- Casino premises
- Bingo premises
- Adult gaming centres
- Licensed family entertainment centres

The Gambling Act allows “Responsible Authorities” (identified in section 157 of the Act) and “Interested Parties” to make representations to applications relating to premises licences and provisional statements (see making representations at section 6.5). In the case of reviews that right is also given to the licensee. With regard to other forms of notification and permit, the right to object is restricted to specified bodies.

7.7 Provisional Statements

Developers may wish to apply for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to require the right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible Authorities and Interested Parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of the provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired.

The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow grant of a provisional statement, no further representations from Responsible Authorities or Interested Parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change to the applicant’s circumstances.

In addition, the Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Authority’s opinion reflect a change in the operators circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and the Licensing Authority notes that it can discuss any concerns it has with the applicant before making its decision.

The provisions set out below apply to provisional statements as they apply in relation to premises licences.

7.8 Adult Gaming Centres (AGC's)

These premises must be operated by persons holding a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Licensing Authority.

Section 172(1) of the Act permits the following on AGC's:

- category B machines; and
- unlimited category C and D machines.

The Category B machines are limited to B3 and B4 and the number of category B machines must not exceed 20% of the total number of gaming machines which are available for use on the premises.

Access

- No one under the age of 18 is permitted to enter an Adult Gaming Centre.
- No customer must be able to access the premises directly from any other licensed gambling premises.

7.8.1 Policy - AGC

Factors for consideration by the Licensing Authority when determining the application for an Adult Gaming Centre will include the applicants demonstrating:

- Promotion of the licensing objectives in Part 4 of this policy and the Authority's considerations under this part
- Local area profiling through risk assessments and in particular the location (see location policy at Part 5); and
- Applicants measures and procedures to minimise illegal access to the premises by under 18's

The Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant for an Adult Gaming Centre to satisfy to the Licensing Authority that there will be sufficient measures to control access to and participation in gambling by such persons.

The Authority will also expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures / licence conditions imposed by the Authority may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- change machines
- self-barring schemes
- provision of information leaflets/helpline numbers for organisations such as GamCare
- staff training
- record keeping
- signage
- publicity or advertising.

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

In addition to the mandatory conditions attached by regulations issued by the Secretary of State, conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary (see section 10.4 on conditions).

7.9 Licensed Family Entertainment Centres

There are two classes of Family Entertainment Centres (FECs) dependent upon the type of gaming machines provided on the premises:

- FECs with category C and D machines require a Premises Licence from the Licensing Authority
- Unlicensed FECs provide only category D machines and are regulated through FEC gaming machine permits (see section 8.2 of this Statement)

This section deals with FEC's, and persons operating a licensed FEC must hold a gaming machine general operating licence from the Gambling Commission and must seek a premises licence from the Licensing Authority.

Access

- No customer must be able to access an FEC premises directly from any of the following:
 - a casino;
 - an adult gaming centre; or
 - a betting premises, other than a track.
- Children and young persons are permitted to enter an FEC and may play on the Category D Machines only. There must be clear segregation between category C and D machines, to ensure children do not have access to the category C machines. Access and egress points must be monitored.

7.9.1 Policy - FEC

Factors for consideration by the Licensing Authority when determining an application for a licensed family entertainment centre will include the applicants demonstrating:

- Promotion of the licensing objectives in Part 4 of this policy and the Authority's considerations under this part
- Applicants measures and procedures to minimise illegal access to the premises by under 18's.
- Measures and procedures for any staff supervision requirements and ensuring any risk to this particular licensing objective (Objective 3) is being suitably managed.
- Suitability of the location through the applicants local area risk assessments:

In determining the suitability of the location, specific consideration will be given to the following factors:

- proximity of premises to places of education, play or recreation; specialist services for children or vulnerable adults (e.g. a centre for gambling addicts or other addictions), and community buildings;
- proximity to residential areas where there may be a high concentration of families with children; and
- whether the premises is within a shopping area centre or within the edge of one.

Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary in addition to the mandatory conditions attached by regulations issued by the Secretary of State (see section 10.4 on conditions).

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

- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-barring schemes

- provision of information leaflets / helpline numbers for organisations such as GamCare.
- measures / training for staff on how to deal with suspected truant school children on the premises
- arrangements for partnership working with relevant agencies such as social care, police or similar.

This list is neither mandatory nor exhaustive and is merely indicative of example measures.

7.10 Casinos

Sheffield City Council, as the Licensing Authority has not passed a “No Casino” resolution under Section 166 of the Gambling Act 2005, but is fully aware that it has the power to do so.

Should Sheffield City Council, as the Licensing Authority, decide to pass a “No Casino” resolution in the future it will update this statement with details of that resolution. Any such resolution will be made by the Full Council.

Sheffield City Council has a number of casinos licensed in its area. Although the authority cannot grant any new casino premises licences, existing casino premises licences can be varied to increase or decrease permitted gambling area, vary the default conditions, or any conditions imposed by the authority.

The Secretary of State has made regulations setting out both mandatory and default conditions (conditions which the Licensing Authority can choose to exclude) for attaching to casino premises licences. These conditions cover the layout, access arrangements, number of player positions and requirements concerning the display of information.

Casino premises licences will be monitored by the Licensing Authority so far as the Act, the guidance, and the codes of practice allow. Such licences are also subject to the review process.

Access

- The principle access entrance to the premises must be from a street (as defined under the Commissions guidance).
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons.
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.
- No one under the age of 18 is permitted to enter a casino (including for the purpose of working or performing/entertaining).

7.10.1 Policy – Casino Variation

Factors for consideration by the Licensing Authority when determining the application to vary a casino licence will include the applicants demonstrating:

- Promotion of the licensing objectives in Part 4 of this policy and the Authority’s considerations under this part
- Local area profiling of the applicant through their risk assessments
- Location of the premises
- Applicants measures and procedures to minimise illegal access to the premises by under 18’s

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

Local area profiling through risk assessments and in particular the location (see location policy at Part 5)

7.10.2 Casinos and competitive bidding

Where a Licensing Authority area is enabled to grant a premises licence for a new style casino (i.e. where the Secretary of State has made such regulations under section 175 of the Gambling Act 2005 applying to the particular Authority) there are likely to be a number of operators who will seek the right to run the

casino. In such situations the Local Authority will run a competition in line with any regulations / codes of practice issued under the Gambling act 2005.

7.11 Bingo Premises

Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain prescribed threshold. If the only type of bingo to be provided is prize bingo then this may be authorised by way of a permit – see the section on prize gaming permits later in this Statement of Principles.

Other types of bingo will require a bingo operating licence from the Gambling Commission and in addition a premises licence from the Licensing Authority.

The holder of a bingo premises licence may make available for the use of category B machines (restricted to B3 or B4 machines) and any number of category C or D machines. Category B gaming machines must not exceed 20% of the total number of gaming machines which are available for use on the premises.

Children and young persons are permitted on a bingo premises but are unable to participate in the bingo. If there are any category C or D machines made available for use on the premises, these must be separated from areas where children and young people are allowed. Mandatory Conditions apply in such circumstances to ensure that children cannot gain access to other types of gaming machines.

Access

- Customers must not be able to access a bingo premises directly from any of the following:
 - a casino;
 - an adult gaming centre; and
 - a betting premises, other than a track

7.11.1 Policy - Bingo

Factors for consideration by the Licensing Authority when determining an application for a bingo licence will include the applicants demonstrating:

- Promotion of the licensing objectives in Part 4 of this policy and the Authority's considerations under this part
- Local area profiling of the applicant through their risk assessments
- Location of the premises (see location policy Part 5)
- Suitability and lay out of the premises (see below description)
 - plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence
 - plans are to be marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown
- Demonstrate to the Licensing Authority that bingo can be played in any bingo premises for which a premises licence is issued.
 - This is to ensure avoidance of a situation where a premises holds a bingo premises licence primarily to benefit from the gaming machine allowance
 - This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded.

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

7.12 Betting Premises

The Act contains a single class of licence for betting though there are different types of premises within this class which require licensing.

Licensable activities include:

- off-course betting;
- on-course betting for tracks (see below);
- betting by way of betting machines; and
- up to four class B2, B3, B4, C or D category gaming machines

7.12.1 Off course betting (Betting shops)

Off course betting is betting that takes place other than at a track, typically in a betting shop and includes an entitlement to operate up to four gaming machines if category B2, B3, B4, C or D.

Conditions may be applied by the Licensing Authority in support of the licensing objectives if it is felt necessary and such licences are subject to mandatory and default conditions applied by regulations issued by the Secretary of State (see also section 10.4 on conditions).

Access

- Access must be from a street or from other premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.
- No one under the age of 18 is permitted to enter a betting premises.

7.12.2 Policy – Off course (Betting Shops)

Factors for consideration by the Licensing Authority when determining an application for a betting premises licence (other than a track) will consider how the applicant has demonstrated the:

- Promotion of the licensing objectives in Part 4 of this policy and the Authority's principles under this part
- Local area profiling of the applicant through their risk assessments
- Location of the premises in particular to young and/or vulnerable persons (see location policy Part 5)
- Procedures in place to prevent access to young people under the age of 18
- Suitability and lay out of the premises
- Size of the premise in relation to the number of betting machines
- The ability of staff to monitor the use or abuse of machines
- Self-exclusion systems
- Staff training in relation to responding to underage or vulnerable people

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

7.12.3 Tracks

The Gambling Act 2005 defines a track as “a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place”.

Tracks may be subject to one or more premises licence provided each licence relates to a specified area of the track.

Track operators are not required to hold an operator’s licence granted by the Gambling Commission unless they are operating gambling activities themselves. Therefore premises licences for tracks issued by the Authority are likely to contain requirements for premises licence holders relevant to their responsibilities in relation to the proper conduct of betting.

The Licensing Authority recognises that track operators will have an important role to play in the regulation of gambling activities and expect that they will take proactive action appropriate to that role. For example in ensuring that betting areas are properly administered and supervised.

Access

- Customer should not be able to access a track premises directly from any of the following:
 - a casino; or
 - an adult gaming centre.
- There must be clear segregation between category C and D machines. Tracks will be required to have policies to ensure under 18’s do not participate in gambling other than on category D machines.

7.12.4 Policy - Tracks

The Licensing Authority will expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) in the determination of premises licence applications for tracks and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Applicants are encouraged to offer their own measures to meet the licensing objectives. Appropriate measures/licence conditions imposed by the Authority may cover issues such as:

- proof of age schemes;
- CCTV;
- supervision of entrances / machine areas;
- physical separation of areas;
- location of entrances;
- notices / signage;
- specific opening hours;
- self-barring schemes; and
- provision of information leaflets / helpline numbers for organisations such as GamCare.
- Customer charter to promote responsible behaviour and supervision of children

This list is not mandatory, nor exhaustive, and is merely indicative of examples that Sheffield City Council would expect as measures and recognise as responsible practice.

7.12.5 Policy - Applications and plans for Tracks

Regulations set out specific requirements for applications for premises licences. In accordance with the Gambling Commission's suggestion to ensure that Licensing Authorities gains a proper understanding of what it is being asked to licence, the Authority requests the following information:

- detailed plans for the racetrack itself and the area(s) that will be used for temporary "on-course" betting facilities (often known as the "betting ring");
- in the case of dog tracks and horse racecourses, fixed and mobile pool betting facilities operated by the "Tote" or "Track Operator", as well as any other proposed gambling facilities;
- plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Licensing Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Authority can satisfy itself that the plan indicates the main areas where betting might take place.

It would be helpful to the Authority and the Responsible Authorities if the plans were marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown.

7.12.6 Policy - Rules being displayed

Licensing Authorities will attach a condition to track Premises Licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that measures are taken to ensure that they are made available to the public. For example; the rules could be printed in the race-card or made available in leaflet form from the track office.

7.13 Gaming Machines used on Tracks

Guidance from the Gambling Commission addresses where such machines may be located on tracks and any special considerations that should apply in relation, for example, the location and supervision of the machines and preventing children from playing them.

The Authority notes the Commission's Guidance that Licensing Authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

7.14 Betting Premises on Tracks

A track may hold a betting premises licence allowing betting to take place within defined areas, there may also be a number of subsidiary licences authorising other gambling activities to take place including off-course betting. Unlike betting offices (bookmakers), a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.

Pool betting may also take place on certain types of tracks and the appropriate operating licence to enable this will be required before a premises licence authorising this activity may be determined by the Authority.

In line with the Commission's Guidance the Licensing Authority will expect operators of self-contained units on tracks to seek an ordinary betting premises licence to ensure that there is clarity between the respective

responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

7.15 Betting Machines on Tracks

The Licensing Authority will take into account the size of the premises and the ability of staff to monitor the use of these machines by children and vulnerable people (it is an offence for those under 18 to bet), when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that Licensing Authorities will want to consider restricting the number and location of such machines in respect of applications for Track Betting Premises Licences.

When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things will consider:

- the potential space for the number of machines requested:
- minimum staffing levels proposed through risk assessments
- the ability of track staff to supervise the machines especially if they are scattered around the site:
- how to restrict access to under 18's including adequate signage; and
- the ability of the track operator to prevent children and vulnerable people betting on the machines.

7.16 Reviews

Requests for a review of a premises licence can be made by 'Interested Parties' or 'Responsible Authorities', which include the Licensing Authority.

7.16.1 Policy – Reviews

It is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

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

Due consideration will be given to all relevant representations unless they fit the following:-

1. the grounds are frivolous;
2. the grounds are vexatious;
3. the grounds are irrelevant;
4. the grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence (i.e. where the Licensing Authority will not have any power to effect the licence) ;
5. the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
6. the grounds are substantially the same as representations made at the time the application for a premises licence was considered.

The onus will be on the Responsible Authority/Interested Party initiating the review to provide evidence in support of the matters for concern.

Applications by Responsible Authorities

Where risk is identified and has not been managed to the satisfaction of the Responsible Authorities; an application will be submitted to review the licence.

The Licensing Authority considers the action planning approach an acceptable tool for demonstrating attempts at working together to achieve the licensing objectives.

Review applications by 'Interested Parties'

Persons other than responsible authorities can request that the licensing authority review a premises licence where activities at licensed premises are undermining one or more of the licensing objectives.

Before a review of a licence is requested, the licensing authority would expect to see evidence of:

- Talking to those who manage the premises to let them know about the problem and give them the opportunity to address the issues;
- Asking the licensing department to talk to those who manage the premises on your behalf; or
- Talking to the relevant "responsible authority" about the problem.

The Licensing Authority accepts that an application for review may be appropriate without informal measures being taken but will seek to establish that all options have been considered.

Part 8 - Permits, Notices and Lottery Registrations

8.1 Permits

Permits regulate gambling and the use of gaming machines on premises which do not require a premises licence under this Act where either the stakes are very low or gambling is not the main function of the premises.

Premises with this option include family entertainment centres, alcohol serving premises, members clubs, miners welfare institutes and those premises wishing to offer prize gaming can apply to the Licensing Authority.

Applications for permits are not required to be notified to the public in the same way as applications for premises licences and the right to make representations is limited to certain specified Responsible Authorities.

The Licensing Authority can only grant or reject an application for a permit and cannot attach conditions. Therefore the Authority will consider a number of factors before determining an application for a permit to ensure the permit holder and the premises are suitable for the proposed to carry out gambling activities.

The Licensing Authority is responsible for issuing the following permits:

- Unlicensed family entertainment centre gaming machine permits
- Alcohol licensed premises gaming machine permits
- Prize gaming permits
- Club gaming permits and club machine permits

Applicants are required to consider the licensing objectives in Part 4 of this policy and apply the general principles in Part 2 of this statement.

8.2 Unlicensed Family Entertainment Centre (UFEC) Gaming Machine Permits

Unlicensed family entertainment centres are those premises which provide category D gaming machines only and possibly other amusements such as computer games or penny pushers.

The premises are 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a 'licensed family entertainment centre' which requires a premises licence because it provide both category C and D gaming machines (please see section 7.9 for further details of licenced family entertainment centres).

8.2.1 General Principles

As per Section 238 of the Gambling Act 2005 the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use and may only offer category D machines (which can be played by a young person).

The Licensing Authority will require applicants to demonstrate:

- The premises will be used as an unlicensed FEC.
- The Police have been consulted on the application.
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's.
- That the applicant has no relevant convictions (see schedule 7 of the Act and below statement of principles regarding convictions)
- Staff are trained to have a full understanding of the maximum stakes and prizes
- A risk management plan is in place in relation to protecting children and vulnerable people

The Licensing Authority will in relation to an application for an unlicensed family entertainment centres take into account the following statement of principles when determining an application:

8.2.2 Policy – UFEC Statement of Principles (Schedule 10 paragraph 7 of the Act)

Applicants are to use the prescribed application form when applying for such permit and attach the required fee and all supporting documentation requested.

Applicants are required to obtain an enhanced disclosure from the Disclosure and Barring Service as part of the application process and regard will be given to any “Relevant Convictions” (defined by Schedule 7 of the Act) which may be revealed.

As well as the Police, Sheffield Safeguarding Children’s Board will also be consulted on the application.

The Licensing Authority has determined that regard will be given to the licensing objectives when determining such applications notwithstanding the Authority’s wide discretion when considering such matters.

In doing so, the Licensing Authority will expect applicants to demonstrate to the Authority as part of the application:

- that the applicant is over 18 years of age;
- that proper and appropriate procedures are in place to protect children and vulnerable persons from harm (harm in this context is not limited to gambling and includes wider issues around the protection of children and vulnerable others);
- that all staff have been fully trained in all the relevant issues;
- that the applicant has no relevant convictions (i.e. submit a criminal record);
- that there are measures set out to promote the Licensing Objectives (see licensing objectives policy at Part 4);
- the location of premises (in relation to schools, substance misuse or other specialist services for children and vulnerable adults etc. – see locations policy at Part 5);
- local area profiling of the applicant through their risk assessments
- that a member of staff is designated with lead responsibility for safeguarding children and vulnerable others;
- there are policies and training available for safeguarding children and vulnerable others;
- that the application has been copied to South Yorkshire Police and the Sheffield Safeguarding Children Board;
- provide details of the supplier of the machines and licence number
- the premises will be inspected before it opens by relevant authorities the Licensing Authority sees fit;
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; and
- that staff are appropriately trained to have a full understanding of the maximum stakes and prizes.

The efficiency of such policies and procedures will each be considered on their merits, however, they should include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children or vulnerable others causing perceived problems on / around the premises or children or vulnerable others perceived to be engaging in risk-taking or dangerous behaviour.

8.3 Alcohol Licensed Premises Gaming Machine Permits

8.3.1 Automatic Entitlement for up to two gaming machines

The Act provides for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D.

To rely on this automatic entitlement the person who holds the premises licence under the Licensing Act 2003 must formally notify the Licensing Authority and pay the prescribed fee.

Failure to give notification means that the gambling is unauthorised and the premises user or any person who makes the machine available for use commits an offence.

Notification must be given on the form provided for by this Authority and can be found on our website at www.sheffield.gov.uk/licensing.

Applicants are reminded to comply with the Gambling Commissions code of practice on gaming machines which can be found on the Commissions website www.gamblingcommission.gov.uk.

The applicant will be expected to ensure that persons under the age of 18 years do not have access to the adult only gaming machines. This could include positioning the machines in sight of the bar, or in sight of staff who can monitor that the machines are not used by those under 18, or in an area designated for adults only

The Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises in breach of the automatic entitlement provisions contained in Section 282 of the Act;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.

8.3.2 Permit for three or more machines

If a premises wishes to have more than two machines of category C or D they would be required to apply for a 'licensed premises gaming machine permit'.

In determining such an application, regard will be given to the licensing objectives and any guidance issued by the Gambling Commission. In particular, the applicant must satisfy the Licensing Authority that there will be sufficient measures to ensure that persons under the age of 18 years do not have access to the adult only gaming machines.

8.3.3 Policy - LPGMP

Measures which will help satisfy the Authority of the applicant's commitment to prevent persons under the age of 18 years access to adult machines will be to ensure those machines are in sight of the bar and that suitable notices and signage will be on display.

Premises are encouraged to put into effect procedures intended to prevent underage gambling. This should include procedures for:

- operating a recognised age verification scheme, including checking the age of apparently underage customers, maintaining refusal records and training staff to operate the scheme; and
- refusing access to anyone who appears to be underage, and who tries to use category B or C gaming machines and cannot produce any acceptable form of identification.

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare are available, clearly positioned and maintained at or near to gaming machines. Staff should be trained to recognise and report concerns about children and vulnerable people.

Policy - 6 Machines or more

Any applications or variations for 6 machines or more will require producing the following with the appropriate application form:

- Plan of the premises indicating where the machines will be located
- Measures and procedures put in place regarding supervision of the machines
- A risk assessment for safeguarding children and vulnerable people at gambling premises to be undertaken with reference to the Sheffield Safeguarding Children Board risk assessment guidance available at

<https://www.safeguardingsheffieldchildren.org/sscb/children-licensed-premises/the-gambling-act-2005>

The outcome of the risk assessment should inform staff training and the operating policy.

- A member of staff to be designated to have lead responsibility for the operating systems relating to the protection of children and other vulnerable persons. For a description of this role refer to <https://www.safeguardingsheffieldchildren.org/sscb/children-licensed-premises/the-gambling-act-2005>

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application will need to be dealt with under the relevant provisions of the Act and this Policy.

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

Alcohol licensed premises are able to provide some limited equal chance gaming. Licence holders are to refer to the advice and guidance issued by the Gambling Commission.

8.4 Prize Gaming Permits

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

A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for gaming on specified premises.

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

Although a Licensing Authority cannot attach conditions, Section 293 of the Gambling Act 2005 set out four conditions that permit holders must comply with to lawfully offer prize gaming. These are:

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

The Licensing Authority will also in relation to an application for prize gaming permits take into account the following statement of principles when determining an application:

8.4.1 Policy – Prize Gaming Statement of Principles (Schedule 14 para 8 of the Act)

The Licensing Authority has a prescribed form which it requires applicants to use which is available from the Licensing Service or at our website www.sheffield.gov.uk/licensing.

The Licensing Authority will expect the applicant to set out the types of gaming that they are intending to offer and be able to demonstrate:

- that the applicant is over 18 years of age;
- that proper and appropriate procedures are in place to protect children and vulnerable persons from harm;
- that all staff have been fully trained in all the relevant issues;
- that the applicant has no relevant convictions;
- that there are measures set out to promote the Licensing Objectives;

- the location of premises and a local area profile risk assessment (in relations to schools etc – see location policy at Part 5);
- that a member of staff is designated with lead responsibility for safeguarding children and other vulnerable others;
- there are policies available for safeguarding children and vulnerable others;
- that the application has been copied to South Yorkshire Police and the Sheffield Safeguarding Children Board;
- the premises will be inspected before it opens by relevant authorities the Licensing Authority sees fit;
- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law.

Applicants are required to obtain an enhanced disclosure from the Disclosure and Barring Service as part of the application process and regard will be taken to any “Relevant Convictions” (defined by Schedule 7 of the Act) which may be revealed. In addition the Safeguarding Children Board and Police will also be consulted on the application. The Licensing Authority has determined that regard will be given to the licensing objectives when determining such applications notwithstanding the Authority’s wide discretion when considering such matters.

8.5 Club Gaming Permits & Club Machine Permits

These permits are required where members clubs and Miners’ Welfare Institutes provide a gambling facility but either the stakes and prizes are low or gambling is not the main function of the premises.

Club gaming permits allow the provision of no more than three gaming machines in total. Each of the three machines must be from categories B3A, B4, C or D but only one B3A machine can be sited, by agreement, as part of this entitlement. Club gaming permits also allow equal-chance gaming (for example, poker) and games of chance (for example, pontoon, chemin-de-fer) under certain restrictions.

Club machine permits allow the holder to have no more than three gaming machines in total. Members’ clubs and miners’ welfare institutes may site up to three machines from categories B3A, B4, C or D but only one B3A machine can be sited, by agreement, as part of this entitlement. Commercial clubs may site up to three machines from categories B4, C or D (not B3A machines).

Applicants are reminded to comply with the Gambling Commissions code of practice for equal chance gaming which can be found on the Commissions website www.gamblingcommission.gov.uk.

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

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

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

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

The Authority may grant or refuse a permit, but it may not attach conditions to a permit. The Authority expects that operators will observe the Code of Practice and guidance provided by the relevant agencies in relation to this type of premise.

NOTICES

8.6 Temporary Use Notices

Temporary Use Notices allow the use of premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.

The limitations to the use of a TUN are:

- it can only be used to offer gambling of a form authorised by the operator's operating licence
- gambling under a TUN may only be made available on a maximum of 21 days in any 12 month period for any or all of a named set of premises
- it can only be used to permit the provision of facilities for equal chance gaming, and where the gaming in each tournament is intended to produce a single overall winner
- gaming machines may not be made available under a TUN.

The reference to a "set of premises" in the Act prevents large premises from having Temporary Use Notices for more than 21 days in a 12 month period by giving notification in regard to different parts of the same premises.

The definition of a "set of premises" will be a question of fact in the particular circumstances of each notice that is given. The Licensing Authority will need to consider amongst other things the ownership / occupation and control of the premises.

Key points for operators:

- A Temporary Use Notice (TUN) can only be used to provide facilities for equal chance gaming, and the gaming must be intended to produce a single overall winner
- Cash games are not permitted under a Temporary Use Notice (TUN)
- The Gambling Commission-licensed operator which notifies the Temporary Use Notice (TUN) bears full responsibility for the compliance of any event run under that TUN
- All relevant licence conditions and code of practice provisions, that apply to the Gambling Commission-licensed operator responsible for the TUN, apply to the temporary premises just as if they were the operator's usual licensed premises

8.6.1 Policy - TUN

The Licensing Authority in considering Temporary Use Notices, will consider whether gambling should take place or should only take place with modification under the TUN.

In doing so, the Licensing Authority will consider:

- Promotion of the licensing objectives (see Part 4)
- Suitability of the premises (see Part 5)
- Suitability of the location (see Part 5)
- Measures put in place for safeguarding
- Any guidance issued by the Gambling Commission or relevant authorities

8.7 Occasional Use Notices

Betting may be permitted by an occasional use notice without the need of a full premises licences for up to 8 days in a calendar year by the occupier of the track or the person responsible for the administration of the event.

The Licensing Authority has very little discretion as regards these notices apart from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Licensing authority will though need to consider the definition of a "track" and whether the applicant is permitted to avail themselves of the notice.

8.8 Travelling Fairs

Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit, provided that certain conditions are met.

It is the duty of the Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit are made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will carefully consider whether an operator falls within the statutory definition of a travelling fair (provided by section 286 of the Act) and be 'wholly or principally' providing amusements.

It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that this applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority shall endeavour to work with neighbouring authorities to ensure that land which crosses their boundaries is monitored so that the statutory limits are not exceeded.

8.9 Registration of Small Society Lotteries

The purpose of permitted lotteries is to raise money for causes that are non-commercial and therefore the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery.

Small society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.

Small society lotteries are required to be registered with the Local Authority in the area where their principal office is located. A society with its principle office within Sheffield must register with the Authority if it is a 'non-commercial' lottery; for example, if it is established and conducted:

- for charitable purposes;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- below the permitted maximum financial limits; or
- for any other non-commercial purpose other than for private gain.

Application forms are available from the Licensing Service or from our website at:
www.sheffield.gov.uk/licensing.

Refusal of registration shall be in accordance with the Act and Guidance and in particular a registration may be refused or revoked if it is believed that:

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

8.9.1 Policy – Small society lottery application

As part of the application the Authority will ask applicants to set out the purposes for which the society is established in order to ensure that they represent a bona fide non-commercial society and have no relevant convictions.

The Authority will also request the following additional information:

- A copy of the society's constitution

- Names, address and date of birth of all committee members and any other person promoting the society
- Details of any relevant convictions from committee members including any other person promoting the society

Where the Authority feels it appropriate on the circumstances of each case it will consider whether there are factors which suggest that further enquiry is needed before registration occurs.

The Authority will only refuse an application to register after the society has had the opportunity to make representations. The Authority will inform the society of the reasons why it is minded to refuse registration and the evidence on which it has reached that preliminary conclusion. Persons wishing to make representation about an application for registration may request a copy of the procedures that will be followed by contacting the Licensing Service. A copy will also be on the Licensing Service web site at www.sheffield.gov.uk/licensing.

A registration may be revoked if the Authority would have been entitled to refuse an application for registration had it been made at that time. No revocation can take place unless the society has had the opportunity to make representations.

Schedule 11 of the Act details the information that must be returned to the Authority no later than 3 months after the lottery. The returns required to be made must be sent to the Licensing Authority. Operators are recommended to send these by recorded delivery to ensure receipt. Statements submitted over the previous 18 months must be available for inspection. Failure to provide a statement is an offence (see below).

The Commission recommends that operators maintain written records of unsold and returned tickets for a period of one year. The Licensing Authority is permitted to inspect the records of the lottery for any purpose related to the lottery and expect operators to maintain the aforementioned written records.

The Act sets out a number of offences that apply to lotteries, as follows:

Section of the Act	Offence
s.258	Promoting a non-exempt lottery without a licence
s. 259	Facilitating a non-exempt lottery without a licence
s.260	Misusing the profits of a lottery
s.261	Misusing the profits of an exempt lottery
s.262	Purporting to operate a small society lottery when not registered, or failing to make the required, or making false or misleading returns in respect of such lotteries
S.326	Without reasonable excuse, obstructing or failing to co-operate with an authorised person exercising his/hers powers
s.342	Without reasonable excuse, giving false or misleading information to the Commission or a licensing authority

If a registered society fails to comply with any of the other conditions of a small society lottery, laid down in Part 4 of Schedule 11, it will be operating in an illegal manner. Under these circumstances the society may be prosecuted by the Commission, the Police or the Licensing Authority.

Part 9 - Ongoing Responsibilities of Licensed Premises

The responsibility to promote the licensing objectives does not stop when an authorisation is granted. In fact it is only just beginning. Operators must continue to tackle the risks associated with the activities they provide.

We expect all customer-facing and management staff in licensed premises to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling.

Amongst other elements, staff knowledge should include (where appropriate):

1. The importance of social responsibility (premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility);
2. Partnership engagement with local agencies (for example, police, local safeguarding children board) so that staff are familiar with the necessary services, are furnished with contact details and know how to report concerns.
3. Causes and consequences of problem gambling;
4. Identifying and communicating with vulnerable persons; primary intervention and escalation;
5. Dealing with problem gamblers; exclusion (mandatory and voluntary) and escalating for advice / treatment;
6. The importance of maintaining records (refusals, self-exclusion, incident logs including under 18's interventions etc)
7. Refusal of entry (alcohol and drugs);
8. Age verification procedures and need to return stakes / withdraw winnings if underage persons found gambling;
9. Importance and enforcement of time / spend limits;
10. The conditions of the licence;
11. Offences under the Gambling Act;
12. Categories of gaming machines and the stakes and odds associated with each machine;
13. Types of gaming and the stakes and odds associated with each;
14. Staff exclusions from gambling at the premises where they are employed and reasons for restriction;
15. Ability to signpost customers to support services with respect of problem gambling, financial management, debt advice etc;
16. Safe cash-handling / payment of winnings;
17. How to identify forged ID and report it and procedures in relation to the offender (for example, report to police; bar those using forged ID from the premises;
18. Knowledge of a problem gambling helpline number (for their own use as well as that of customers); and
19. The importance of not encouraging customers to:
 - increase the amount of money they have decided to gamble;
 - enter into continuous gambling for a prolonged period;
 - continue gambling when they have expressed a wish to stop;
 - re-gamble winnings; or
 - chase losses.

Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling.

9.1 Self-exclusion scheme

Following updates in the Gambling Commissions Licence Conditions and Codes of Practice, the Licensing Authority expect all premises to operate a voluntary exclusion scheme. This means that wherever a customer requests to be excluded from the premises, they are excluded for an agreed time-frame taking into account the LCCP minimum requirements.

A self-exclusion facility should be supported by a written agreement drawn up in accordance with the relevant Codes of Practice and trade association advice. The premises take responsibility for ensuring the person who requests voluntary exclusion is not readmitted during the agreed period. Referral to advocacy services would be recognised as good practice.

Licensees are encouraged to share information with other operators and encourage customers to consider extending their self-exclusion to other licensed premises.

The Licensing Authority would request licensee's to share this information/records with them to assist with tackling issues in a particular area.

Part 10 – Hearings, Conditions and Appeals

10.1 Delegation of Functions

The Licensing Authority has established a Licensing Committee to administer the wide range of licensing decisions and functions which the Council will be involved in.

The Licensing Committee has delegated certain decisions and functions to a number of sub-committees. However, where no representations are received in respect of an application; officers will deal with the application under delegated authority without the need for a hearing.

The table below sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers.

Matter to be dealt with	Licensing Committee	Sub Committee	Officers
Three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee setting (when appropriate)	✓		
Application for Premises Licences		If a relevant representation made and not withdrawn	If no relevant representation made / representations have been withdrawn
Application to vary a licence		If a relevant representation made and not withdrawn	If no relevant representation made / representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the commission	Where no representations have been received from the Commission
Application for a provisional statement		If a relevant representation made and not withdrawn	If no relevant representation made / representations have been withdrawn
Review of a Premises Licence		✓	
Applications for club gaming / club machine permits		Where objections have been made and not withdrawn	Where no objections made / objections have been withdrawn
Cancellation of club gaming / club machine Permits		✓	
Applications for other permits			✓
Cancellation of licensed gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give counter notice to a temporary use notice		✓	

10.2 Rights of the Applicant

This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence. Each application will be considered on its own individual merits in accordance with the requirements of the Gambling Act 2005.

10.3 Hearings

If representations are received in respect of an application, a hearing will be scheduled before a Committee of elected Councillors to consider the application and the representations.

Each case will be considered on its own individual merits.

A person may request a third party, such as a friend or a local ward councillor, on their behalf to make a written representation, and attend to present their concerns at a sub-committee hearing.

Every determination of a Licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable.

All other licensing applications where either no representation has been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary, will be dealt with by the Council's Licensing Officers under delegated powers.

Sheffield City Council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant.

Where we receive an application for a gambling premises licence, the Licensing Committee will aim to permit the use of premises for gambling where it is considered:

- a) in accordance with any relevant code of practice issued by the Gambling Commission;
- b) in accordance with any relevant guidance issued by the Gambling Commission;
- c) reasonably consistent with the licensing objectives (subject to (a) and (b)); and
- d) in accordance with this policy (subject to (a) – (c)).

Please note: The Licensing Committee has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the Committee cannot reject applications on moral grounds.

10.4 Conditions

The majority of premises licences will have mandatory and / or default conditions attached to the licence. These conditions are detailed in the Gambling Act 2005 (Mandatory and Default conditions) Regulations 2007.

The Act provides that conditions may be attached to premises licences in a number of ways:

- automatically by the Act;
- through regulations made by the Secretary of State;
- by the Commission through operating and personal licences; or
- by Licensing Authorities.

Conditions may be general in nature and attached to all licences or all licences of a particular class, or they may be specific to a particular licence.

10.4.1 Policy – Imposing Conditions

The Authority will not normally interfere with default conditions which apply by reason of regulations unless an applicant can demonstrate that alternative controls will be operated by him that achieve the same or similar effect or where the Authority is of the opinion that a more stringent condition should be imposed.

In both cases the Authority will give notice of its reasons for departing from the default conditions to the applicants and all parties making representation on the matter.

The Authority will not generally impose conditions that limit the use of premises for gambling unless it is considered necessary as a result of the requirement to act in accordance with the Codes of Practice,

Gambling Commission's guidance, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.

Conditions imposed by the Authority will be proportionate to the circumstances they are intended to address and:

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

The Authority will not consider imposing conditions:

- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission.
- relating to gaming machine categories or method of operation.
- which specify that membership of a club or other body is required.
- in relation to stakes, fees, winnings or prizes.

Duplication with other statutory or regulatory regimes will be avoided as far as possible. Each application will be determined on its own merits

10.5 Appeals against Licensing Authority decisions

Appeals against Licensing Authority decisions must be made within 21 days of notice of the decision being received by the appellant (with the exception of appeals in relation to Temporary Use Notices which must be made within 14 days) and will be heard by the Magistrates Courts.

Part 11 - Enforcement

Licensing Authorities are required by Regulation under the Gambling Act 2005 to state the principles to be applied by the Authority in exercising its functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of offences specified.

11.1 Policy – Enforcement - Statement of Principles (Section 346 and Part 15 of the Act)

The Licensing Authorities principles are that:

- It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:

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

- It will adopt a risk based inspection programme, and endeavour to avoid duplication with other regulatory regimes so far as possible.
- It will ensure compliance with the premises licences and other permissions which it authorises.
- It will be guided by complaints from Responsible Authorities and Interested Parties in establishing the level of risk from any premises in the City.
- It will investigate complaints about licensed premises where appropriate. In the case of a valid representation the Licensing Authority where appropriate will endeavour to seek a resolution through mediation.

Where considered appropriate, the Licensing Authority may pass a complaint on for investigation to any other statutory agent under whose enforcement responsibility the complaint falls.

The Licensing Authority recognises that certain operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Licensing Authority a single named point of contact, who should be a senior individual and whom the authority will contact first should any compliance queries or issues arise.

11.2 Test Purchasing

It is the responsibility of operators to manage risks to the licensing objectives that their activities may present.

Test purchasing is a method which can measure the effectiveness of licensee's efforts to control risks to the licensing objectives. Examples could include the effectiveness of self-exclusion procedures, controls on underage gambling and anti-laundering policies and procedures.

Licence holders are encouraged to conduct their own test purchasing to manage their risks. Results of any test purchasing conducted by the licensee must be shared with the Licensing Authority on request including

any improvement programme or measures and to demonstrate later the effectiveness of such a programme.

Test purchasing may also be operated by the Gambling Commission or jointly with the Licensing Authority. Any such operations will be in accordance with the *Better Regulation Delivery Office's (BRDO) Code of Practice on age Restricted Products*.

Part 12 – Equality, Diversity and Inclusion

Sheffield is a multi-racial, multi-cultural and multi-faith city. We value and celebrate the diversity that exists amongst both the citizens of Sheffield and our workforce. As a Council we want to ensure that everyone can fully participate in the social, cultural, political and economic life of the city.

Below lists some of the statutory requirements under this part, applicants/licensees and businesses are reminded of the below and we strongly recommend everyone works towards compliance with relevant legislation.

12.1 The Equality Act 2010

The Equality Act 2010 and Section 149, the Public Sector Equality Duty, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with the following protected characteristics: - age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Licensing Authority will at all times have regard to the Equality Act 2010 and Sheffield City Council's Equality, Diversity and Inclusion Policy Statement 2017.

For further information, please see details on the following link:

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/organisations-and-businesses/businesses>

12.2 Equality Impact Assessment (EIA)

An EIA is the chosen vehicle for Sheffield City Council to assess equality impacts. It is a systematic way of assessing the effects that a proposed policy or project is likely to have on different groups within the city. Policies will affect different people in different ways and it is possible that they have the potential to discriminate against certain groups, even if this is not an intention.

In Sheffield, our EIAs go beyond our statutory duty under the Equality Act 2010. We also assess the impact on the Voluntary and Community and faith Sector (VCFS), poverty and financial exclusion, carers, armed forces and cohesion. We believe that this gives us a wider understanding than the statutory framework would without these additions.

EIA's are carried out within the licensing service to consider the equality impacts of any proposed projects, new and revised policies, strategies and budget proposals.

An EIA has been carried out throughout the formulation of this policy (number 327). If you are interested in viewing this document, please contact the licensing service.

Part 13 - Useful Information and Contact Details

RESPONSIBLE AUTHORITIES:

Licensing Authority		
Licensing Service Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD	Telephone	0114 2734264
	Email	licensing@sheffield.gov.uk
	Website	www.sheffield.gov.uk/licensing

Gambling Commission		
Victoria Square Birmingham B2 4BP	Telephone	0121 230 6666
	Email	info@gamblingcommission.gov.uk
	Website	www.gamblingcommission.gov.uk

South Yorkshire Police		
South Yorkshire Police Licensing Dept Force Headquarters Carbrook House 5 Carbrook Hall Road Sheffield S9 2EH	Telephone	0114 252 3617
	Email	Sheffield.liquor-licensing@southyorks.pnn.police.uk
	Website	www.southyorks.police.uk

South Yorkshire Fire and Rescue		
Sheffield Fire Safety Office (Licensing) 197 Eyre Street Sheffield S1 3FG	Telephone	0114 272 7202
	Email	comments@syfire.gov.uk
	Website	www.syfire.gov.uk

The Planning Authority		
Head of Planning Services Licensing Applications Sheffield City Council Howden House Sheffield S1 2SH	Telephone	0114 273 4218
	Email	planningdc@sheffield.gov.uk
	Website	www.sheffield.gov.uk/planning

Health Protection (Health & Safety)		
The Information Officer Sheffield City Council Floor 5 (North), Howden House 1 Union Street, Sheffield S1 2SH	Telephone	0114 273 4415
	Email	healthprotection@sheffield.gov.uk
	Website	www.sheffield.gov.uk

Environmental Protection Service		
The Information Officer Sheffield City Council Floor 5 (North), Howden House 1 Union Street, Sheffield S1 2SH	Telephone	0114 273 4609
	Email	epsadmin@sheffield.gov.uk
	Website	www.sheffield.gov.uk

Sheffield Safeguarding Children Board		
Sheffield City Council Floor 3 South, Howden House Union Street Sheffield S1 2SH	Telephone	0114 273 4450
	Email	sscb@sheffield.gov.uk
	Website	www.safeguardingsheffieldchildren.org.uk

HM Revenue & Customs		
HM Revenue and Customs Excise Processing Teams BX9 1GL United Kingdom	Telephone	0300 322 7072 Option 7
	Email	nrubetting&gaming@hmrc.gsi.gov.uk
	Website	

The Navigation Authority		
Association of Inland Navigation Authorities Middle Level Office 85 Whittlesey Road March, Cambridgeshire PE15 0AH	Telephone	0844 335 1650
	Email	info@aina.org.uk
	Website	www.aina.org.uk

Canal and River Trust		
Head Office First Floor North Station House 500 Elder Gate Milton Keynes MK9 1BB	Telephone	0303 040 4040
	Email	
	Website	www.canalrivertrust.org.uk

OTHER USEFUL CONTACTS:

Business Sheffield		
Business Sheffield's Gateway provides a point of contact for all business needs. Working with a key advisor you will be directed to the services that are appropriate to your needs, such as Planning, Licensing, Building Standards, and Business Rates amongst others.		
	Telephone	0800 043 5522 or 0114 224 5000
	Email	
	Website	http://www.welcometosheffield.co.uk/business

GamCare		
GamCare provides support, information and advice to anyone suffering from a gambling problem.		
Head Office 2 nd Floor 7-11 St John's Hill London SW11 1TR	Telephone	020 7801 7000
	Email	info@gamcare.org.uk
	Website	www.gamcare.org.uk

Gamble Aware		
Gamble Aware provides a gateway to information about gambling in the UK encompassing regulation, social responsibility and industry funding of research education and treatment. It also explains how to get advice for gambling related problems.		
C/O Responsible Gambling Trust 35 Piccadilly London W1J 0DW	Telephone	020 7287 1994
	Email	info@gambleaware.co.uk
	Website	www.gambleaware.co.uk/

Ward Councillors		
Councillors are democratically accountable to the residents of their ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.		
	Telephone	0114 273 4096
	Email	
	Website	www.sheffield.gov.uk/councillors

Sheffield Drugs and Alcohol / Domestic Abuse Co-ordination Team (DACT)		
Sheffield DACT is a strategic team responsible for commissioning drug and alcohol treatment services in Sheffield.		
Sheffield DACT Sheffield City Council Moorfoot Building (level 9 East) Sheffield S1 4PL	Telephone	Drug misuse: 0114 272 1481
		Alcohol misuse: 0114 226 3000
		Domestic abuse: 0808 808 2241
	Email	help@sheffielddact.org.uk
	Website	www.sheffielddact.org.uk

Public Health		
Sheffield's Public Health team		
1 Union Street Howden House Sheffield S1 2SH	Telephone	0114 273 4567
	Email	
	Website	http://www.sheffield.gov.uk/content/sheffield/home/public-health.html

LOCAL SUPPORT SERVICES:

Krysallis – Local GamCare support

www.krysallis.org.uk

Sheffield CCG

<http://www.sheffieldccg.nhs.uk/Your-Health/gambling-addiction.htm>

NHS

<https://www.nhs.uk/live-well/healthy-body/gambling-addiction/>

Sheffield Mental Health Guide

<https://www.sheffieldmentalhealth.co.uk/support/gamblers-anonymous/>

Psychology today

<https://www.psychologytoday.com/gb/counselling/gambling/eng/sheffield>

Sheffield Gamblers Anonymous - <https://www.gamblersanonymous.org.uk/index.php/meetings/sheffield>

University of Sheffield

<https://www.sheffield.ac.uk/ssid/sos/gambling>

Gamcare

<https://www.gamcare.org.uk/support-and-treatment>

Appendix 1 – Glossary Of Terms

This section explains the key terms used in the Statement of Principles (Policy). These terms are all defined in the Act and the Guidance to the Act.

This glossary is only intended to clarify the general meaning of each of the terms. The list is not exhaustive, nor is the definitions legally comprehensive. The Act stands as the legal reference for the terms.

Adult Gaming Centre

The holder of an adult gaming centre premises licence may make available for use category B machines; any number of category C machines; and any number of category D machines. In regulations, the Secretary of State will specify that the category B machines should be restricted to subcategory B3 and B4 machines (category B gaming machines must not exceed 20% of the total number of gaming machines which are available for use on the premises). They require an operating licence and a premises licence. No one under the age of 18 years is permitted to enter an Adult Gaming Centre.

Authorisation

Refers to all licences, permits, notices and registrations under the Gambling Act 2005.

B2 Machines

B2 machines are also known as Fixed Odd Betting Terminals (FOBTs). B2 machines can only be made available in casino, betting shops or at tracks with pool betting.

Betting

Making or accepting a bet on the outcome of a race, competition, or any other event or process; the likelihood of anything occurring or not occurring; or whether anything is true or not.

Betting machines

Means a machine designed or adapted for use to bet on future real events.

Betting Premises

Betting premises are premises for off-course betting. They will be able to make category B2, B3, C or D gaming machines (a maximum of 4) available to their customers. They will also be able to provide betting machines for use to bet on live or future events.

Bingo Premises

Bingo premises are premises that will be able to offer both cash and prize bingo. They will also be able to make category B3 or B4, C or D gaming machines available to their customers. (Category B machines must not exceed 20% of the total number of gaming machines which are available for uses on the premises). Children are allowed to enter premises licensed for bingo but not allowed access to areas where category C or above gaming machines are situated.

Casino

Casinos are premises where people can participate in one or more casino games. These are games of chance which are not equal chance gaming (i.e. they may involve playing or staking against a bank and the chances may not be equally favourable to all participants. Casinos can also make category B, C or D machines available to their customers.

Children

Section 45(1) defines a 'child' as an individual who is less than 16 years old.

Christmas Day Period

The period of 24 hours from midnight on 24 December.

Club Gaming Permit

A permit to enable the premises to provide gaming machines (three machines of Categories B C or D), equal chance gaming and games of chance.

Club Gaming Machine Permit

A permit to enable the premises to provide gaming machines (three machines of Categories B, C or D)

Codes of Practice

Any relevant Codes of Practice issued by the Gambling Commission under section 24 of the Gambling Act 2005.

Default Condition

A specified condition provided by Regulations to be attached to a licence, unless excluded by Sheffield City Council.

Equal Chance Gaming

Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants

Family Entertainment Centre

The Act creates two classes of Family Entertainment Centres –

- Licensed: which provide category C and D gaming machines and require a premises licence
- Unlicensed: which provide category D gaming machines in reliance on a Gaming machine Permit
No one under the age of 18 is permitted to enter areas where category C machines are being used.

Fixed Off Betting Terminals (FOBTs)

Please see B2 machines above.

Gaming

Playing a game of chance for a prize

Gaming Machine

A machine which is designed or adapted for use by individuals to gamble as defined by Section 235 of the Gambling Act

Guidance

Guidance issued to Licensing Authorities by the Gambling Commission as required by section 25 of the Gambling Act.

Interested Party

For the purpose of the Gambling Act 2005 a person is an Interested Party in relation to an application for, or in relation to a Premises Licence if in the opinion of the Licensing Authority issuing the licence, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph (a) or (b)

Licensed Premises Gaming Machine Permit

The Licensing Authority can issue such permits for any number of category 'C' or 'D' machines in licensed premises. There is an automatic entitlement for alcohol on-licence holders to make available 2 gaming machines of category 'C' or 'D' for use in alcohol licensed premises.

Licensing Authority

Refers to Sheffield City Council which carries out its functions as Licensing Authority under the Gambling Act 2005 in the Sheffield City boundary

Licensing Committee

A committee of 10 to 15 Councillors appointed by the Council to represent the Licensing Authority.

Licensing Sub-Committee

A sub-committee of members appointed from the Licensing Committee to whom the functions of the Licensing Committee can be delegated under the Act to determine applications.

Lottery

Where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

Mandatory Conditions

Conditions that must be attached to a licence. This may apply to all premises licences, to a class of premises licences or licences for specified circumstances.

Members Club

A club that must:

- Have at least 25 members;
- Be established and conducted “wholly or mainly” for purposes other than gaming;
- Be permanent in nature;
- Not established to make commercial profit; and
- Controlled by its members equally.

Notification

Notifications of temporary and occasional use notices

Occasional Use Notice

Provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Licensing Authorities and track operators and occupiers should note that the processes set out in the Act for applying for an occasional use notices are different to those for temporary use notices.

Off Course Betting

Betting that takes place other than at a track, i.e. at a licensed betting shop.

Off Course Betting – Tracks

Betting that takes place in self-contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate only on race days.

On Course Betting - Tracks

Betting that takes place on a track while races are taking place

Operating Licence

Authorises individuals or companies to provide facilities for certain types of remote or non-remote gambling. These licences are issued by the Gambling Commission and generally cover the principal commercial forms of gambling operation. A single licence cannot authorise both remote and non-remote activities; separate operating licences are needed for this. Conditions may be attached.

Personal Licence

Except for small scale operations, each operating licence, at least one person who holds a specified management office must hold a personal licence. These licences are issued by the Gambling Commission with the aim of ensuring that individuals who control facilities for gambling or are able to influence the outcome of gambling are suitable to carry out those functions. These licences are not transferable and cannot be held by companies but companies are likely to want their key staff to hold a personal licence.

Pool Betting – Tracks

Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track.

Premises

Any place, including a vehicle, vessel or moveable structure.

Premises Licence

Authorises the provision of facilities for gambling on premises for casinos, bingo, betting including tracks, adult gaming centres and family entertainment centres. The premises licence may also include details of conditions. These licenses will be valid for the life of the premises, subject to any review that may be triggered and lapse in certain circumstances, with no annual renewal required, although there is an annual fee. These licences are transferable to someone else holding a valid operating licence.

Prize Gaming

Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.

Prize Gaming Permit

This permit allows the provision of facilities for gaming with prizes on specified premises.

Provisional Statement

Where an applicant can make an application to the Licensing Authority in respect of premises that he:

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

Regulations

Regulations made under the Gambling Act 2005

Remote Gambling

Gambling in which persons participate by the use of remote communication as defined by Section 4 of the Gambling Act

Representation

Representations that relate to the Gambling Licensing Objectives, or that raise issues under the Licensing Policy or the Gambling Commissions Guidance or Codes of Practice.

Responsible Authorities

The bodies identified as Responsible Authorities are:

- the Licensing Authority in England and Wales in whose area the premises are wholly / partly situated;
- the Gambling Commission;
- the Chief Officer of Police for the area in which the premises is wholly / partly situated;
- the Fire and Rescue Service for the same area;
- the local Planning Authority;
- the Environmental and Regulatory Services;
 - Noise Pollution; and
 - Health & Safety
- the local Safeguarding Children Board;
- HM Revenues & Customs; and
- Any other person prescribed in Regulations by the Secretary of State

SIA (Security Industry Authority)

The Security Industry Authority was set up by the Private Security Industry Act 2001. The key role for the SIA involves the managing and issuing of licences for people working in particular areas of the private security business. Another crucial area for the future is developing an approved contractor scheme. More details are available at www.the-sia.org.uk.

Small Lottery

Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.

Small Society Lottery

A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.

Statement of Licensing Principles

Policy statement issued by the Licensing Authority which indicate those matters which will be taken into account when considering an application for a licence or permit.

Temporary Use Notice

These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres, and sporting venues.

Tracks

Tracks are sites, including horse racecourses and dog tracks, where races or other sporting events take place. There is no automatic entitlement to provide gaming machines but if the track operator holding the premises licence also holds a pool betting operator's licence up to 4 gaming machines in categories B2,B3,B4, C or D may be provided.

Travelling Fair

A fair wholly or principally providing amusements and that has been provided wholly or principally by persons who travel from place to place for the purpose of providing fairs, and On a site used for fairs for no more than 27 days per calendar year.

Unlicensed Family Entertainment Centre

These allow the use of category „D“ gaming machines in these premises to a person who occupies or plans to occupy the premises to be used as an unlicensed family entertainment centre. An application for this permit cannot be made where a premises licence is in effect on the same premises.

Vessel

Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.

Vulnerable Person

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition, but states that “it will for regulatory purposes assume that this group of people includes those who gamble more than they want to; those who gamble beyond their means; and those who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”

Young Person

Section 45(2) of the Gambling Act 2005 defines a young person as an individual who is not a child but who is less than 18 years old, i.e. 16 or 17 years old.

Appendix 2 – List of Consultees

Responsible Authorities

Licensing Authority
The Gambling Commission
South Yorkshire Police
South Yorkshire Fire and Rescue
The Planning Authority
Health Protection Service (Health & Safety)
Environmental Protection Service (Noise Nuisance)
Sheffield Safeguarding Children Board
HM Revenue & Customs
The Navigation Authority
Canal and River Trust

Local Authorities

Barnsley Metropolitan Borough Council
Doncaster Metropolitan Borough Council
Rotherham Metropolitan Borough Council

Solicitors

DLA Piper Rudnick Gray Cary UK LLP
John Gaunt and Partners
Poppleston Allen
Ford and Warren
Gosschalks
Law Society
Maitland Walker
Irwin Mitchell
Parker Rhodes Hickmotts
HLW Keeble Hawson LLP

Sheffield City Council Contacts

Brian Messider, Access Officer
Sheffield Schools
Jayne Ludlam, Executive Director, Children and Young People
Sheffield City Council Councillors
Locality Management Team
Business Sheffield
First Point for Business
Local Members of Parliament
Angela Smith
Paul Blomfield
Gill Furniss
Louise Haigh
Clive Betts
Jared O'Mara

Religious Contacts

Central United Reformed Church
Father D Sexton, Cathedral Church of St. Marie
Diocesan Secretary, Diocesan Church House
The Right Reverend Dr Pete Wilcox, Bishop of Sheffield
The Very Reverend Peter Bradley, The Cathedral Church of St. Peter and St. Paul
St John The Baptist C Of E Church

Gambling Industry Contacts

Amusement Caterers (Sheffield) Limited
British Association of Leisure Park, Piers and Attractions
Casino Machines Manufacturers Group (CMMG)
Gamblers Anonymous
Independent Bookmakers Association (IBA)
Racecourse Promoters Association (RCPA)
Rails Bookmakers Association Ltd
BBPA Midland Counties
Northern Bookmakers Protection Association
Association of British Bookmakers
Betting Exchange Trade Association
Bingo Association
British Amusement Catering Trades Association (BACTA)
British Beer and Pub Association
British Casino Association
Casino Operators Association (COA)
GamCare
National Association of Bookmakers
British Beer and Pub Association
Scottish Beer and Pub Association

Others

CIU
BBPA North
British Beer and Pub Association
Scottish Beer and Pub Association
Scouts Association
Sheffield Chamber of Commerce
DACT
Sheffield First Partnership
Sheffield Licence Watch
Sheffield Primary Care Trust
South East Sheffield Citizens Advice Bureau
Institute of Licensing
NALEO
The Scouts Association
Yorkshire Forward
Accessible Sheffield
Bradfield Parish Council
Ecclesfield Parish Council
Stocksbridge Town Council
SCCRAG
Casinos / Operators
Betting Offices / Operators
Tracks / Pool Betting Licence Holders
Bingo Hall / Operators
Premises Licence Holders
Club Premises Certificate Holders
Holders of Small Lotteries Registrations
Problem Gambling Stakeholder Group (Sheffield)

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Report to Council

5th December 2018

Report of: Overview and Scrutiny Management Committee

Date: 5th December 2018

Subject: The Role of the Lord Mayor

Author of Report: Emily Standbrook-Shaw, Policy & Improvement Officer
Emily.standbrook-shaw@sheffield.gov.uk
0114 27 35065

Summary:

This report sets out the recommendation of the Overview and Scrutiny Management Committee to Full Council following its consideration of the role of the Lord Mayor.

Recommendation:

The Overview and Scrutiny Management Committee recommends that Full Council asks the Director of Legal and Governance, in consultation with the current and former Lord Mayors, to produce revised guidance for the role of the Lord Mayor, and draft a Lord Mayor's Code of Conduct for consideration by the Audit and Standards Committee before being presented to Full Council for approval.

Background Papers:

Minutes of the meeting of the Council held on 3rd October 2018

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
YES– Cleared by Gill Duckworth
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
NO
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
Relevant Scrutiny Committee if decision called in
Is the item a matter which is reserved for approval by the City Council?
YES/NO
Press release
YES/NO

1. **Introduction**

- 1.1 This report sets out the recommendations of the Overview and Scrutiny Management Committee to Full Council on the role of the Lord Mayor.

2. **Background**

- 2.1 Following receipt at Full Council in October of two petitions relating to the role of the Lord Mayor in Sheffield, the Leader of the Council “proposed that the matter was referred to the Overview and Scrutiny Management Committee, with a request that the Committee examines how to raise the profile of the role of Lord Mayor and how to improve understanding of the role. As part of this exercise she said that it may be appropriate to examine and revisit relevant protocols which had developed over time and on a cross party basis.”
- 2.2 The Overview and Scrutiny Management Committee considered this at its meeting on the 15th November 2018 – report attached at appendix a. A summary of the discussion is set out below:
- The Committee heard that specific guidance is provided to the Lord Mayor and that Lord Mayors are subject to the same Code of Conduct as all sitting Councillors.
 - Current guidance emphasises the traditional elements of the role of Lord Mayor. The Committee felt that this guidance could be slimmed down and reviewed to reflect the 21st Century environment that Lord Mayors are operating in.
 - The Committee felt that as First Citizen of Sheffield , it is important that the Lord Mayor remains non- political during their term of office.
 - The Committee felt that there is a need for a firmer understanding and codification of the Council’s expectation of a Lord Mayor, including issues such as remaining non-political, attending certain events deemed important to the city, and respecting tradition whilst having the flexibility to ‘put your own stamp’ on the role.

In light of this, the Committee agreed that there should be revised guidance for the role of the Lord Mayor, and that a Lord Mayors Code of Conduct should be included in the Council’s Constitution. These should be developed in consultation with current and former Lord Mayors.

3. Legal Implications

- 3.1 The Localism Act 2011 enables Local Authorities to set their own local codes of conduct based on the seven principles of public life. A supplementary code to cover the additional requirements of the role of the Lord mayor would come within the scope of the legislation. The Code once adopted by Full Council will form part of the Council's Constitution.

4. Financial Implications

- 4.1 None

5. Reasons for recommendations

- 5.1 To ensure the Lord Mayor has a clear understanding of the role and that certain traditional elements of the role are clearly defined as essential by including these elements within the constitution in a specific code of conduct that supplements the Councillor's code of conduct and thereby is brought within the jurisdiction of the Standards regime.

6. Recommendations

- 6.1 The Overview and Scrutiny Management Committee recommends that Full Council asks the Director of Legal and Governance, in consultation with the current and former Lord Mayors, to produce revised guidance for the role of the Lord Mayor, and draft a Lord Mayor's Code of Conduct for consideration by the Audit and Standards Committee before being presented to Full Council for approval.

Councillor Denise Fox
Chair, Overview and Scrutiny Management Committee



Report to Overview and Scrutiny Management Committee 15 November 2018

Report of: Director of Legal and Governance

Subject: The role of the Lord Mayor

Author of Report: Gillian Duckworth, Director of Legal & Governance

Summary:

Full Council has asked Scrutiny Committee to consider the profile of the role of Lord Mayor, the extent of the role (civic, elected, regional), is the Lord Mayor accessible to all and are the protocols fit for purpose.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	x
Other	

The Scrutiny Committee is being asked to:

Consider what is a 21st Century Lord Mayor for Sheffield and report its findings back to Full Council.

Background Papers:

List any background documents (e.g. research studies, reports) used to write the report. Remember that by listing documents people could request a copy.

Category of Report: OPEN

Report of the Director of Legal & Governance

The role of the Lord Mayor

1 Introduction

- 1.1 There is clear distinction between the role of a civic mayor and a directly elected mayor and the legal basis for them. A civic mayor or chairman of a Council may carry out community and ceremonial activities and chair meetings, but they cannot make decisions about council business, whereas an elected mayor is responsible for the day-to-day running of local services.
- 1.2 The Lord Mayor of Sheffield (and the role that is the subject of this paper) is a civic mayor not an elected mayor. Sheffield City Region has a directly elected Mayor. Dan Jarvis was elected to that role in May 2018. It is necessary to distinguish the two roles clearly to avoid confusion.
- 1.3 There are functions of the Lord Mayor which are statutory and much of the role is embedded in tradition. Nevertheless, there are also some aspects of the role which could be reviewed and possibly done differently.
- 1.4 The report seeks to set out the history and the current practice relating to the role of the Lord Mayor in Sheffield to help the Scrutiny Committee consider the following issues and questions as part of its discussion:
 - To enhance guidance available to the Lord Mayor, such as relates to protocol and precedence
 - To consider how we might the enhance the extent to which the Lord Mayor is accessible to individuals and organisations in Sheffield
 - Working with the media and social media to raise the profile of the Lord Mayor and their work with the community
 - How the Lord Mayor might contribute to the promotion of the Council's corporate objectives
 - Being a role model and playing a part in promoting democracy and participation and public involvement in Council activities which reflects the diverse communities within our city.
 - Promoting the city and being an ambassador in relation to partnerships, tourism, business and international relationships
 - Look at criteria for 'quality' engagements and priorities and the balance of engagements (ceremonial/traditional and community/other)
 - How does the office of Lord Mayor integrate with and compliment the Council as an organisation.
 - Is the process of deciding the forthcoming Lord Mayors still fit for

purpose

- Make improvements to training and induction, so there is a more systematic programme that each Deputy Lord Mayor would follow in the year, prior to their installation as Lord Mayor.
- Planning the year ahead and understanding what the incoming Lord Mayor's priorities will be

2 History

- 2.1 Sheffield had its first Council formed following an Act of Incorporation on 31 August 1843. The Council then comprised 56 members with William Jeffcock as the first Mayor of Sheffield.
- 2.2 In 1893 the style and title of City was given by Royal Charter. The building of the present Town Hall was started in 1891 and opened by Queen Victoria on 21 May 1897. By Royal 'Grant of the Title' dated 12 July 1897, the title and dignity of Lord Mayor was conferred on the Chief Magistrate of the City, the Duke of Norfolk.
- 2.3 In the past, the office of Mayor or Lord Mayor had very considerable authority, and carried with it executive powers over the finances and affairs of the Corporation. The Mayor carried out many of the duties later attached to the office of Town Clerk, and as well as presiding over the meetings of the Corporation, the Mayor or Lord Mayor also presided over the Bench of Magistrates as Chief Magistrate of the Borough Court.

3 Chairman of Full Council

- 3.1 The Local Government Act 1972 requires principal councils to appoint a chairman, who must be a member of the Council but not a member of the Council's executive. The Lord Mayor as First Citizen of the district is elected by the Council each year, at its Annual Meeting as the chairman. The term of office is for one year and during their term of office they continue to be a member of the Council.
- 3.2 The Lord Mayor as chairman has precedence in the district, but not so as prejudicially to affect Her Majesty's royal prerogative.
- 3.3 A principal council may pay the mayor ('the chairman') for the purpose of enabling them to meet the expenses of office such allowance as it thinks reasonable.
- 3.4 The main duty of the mayor as chairman is to preside over meetings of the Council.
- 3.5 The mayor is also the Returning Officer for UK Parliamentary Elections in a borough constituency contained in a district. This is largely a ceremonial position with most duties being discharged by the (Acting) Returning Officer who is normally a senior officer of the local authority.

4 **The role of the Lord Mayor**

- 4.1 The role and function of the Lord Mayor is set out in Article 5 of the Council's Constitution (see Appendix 1). This sets out the Lord Mayor's role as the 'First Citizen'.
- 4.2 The political groups on the Council have agreed to operate a points system and protocol for determining which political group on the Council nominates the next Deputy Lord Mayor. The system, which is based on political composition of the Council, has been operating since 2002. The basis of the system is the awarding, on 1st January each year, of 84 points (the number of Members of the Council), with each political group receiving one point per Member of the group at that date. These newly allocated points are added to each group's balance carried forward from the previous year. Following the addition of these new points, the group with the highest number of points shall nominate the Deputy Lord Mayor for the next municipal year, and 84 points will be deducted from that group's total. Each group's points balance will then be carried over to the next year.
- 4.3 The election of the Lord Mayor and appointment of a Deputy is a function of Full Council. Once appointed, they can only be removed from office if they were disqualified as a councillor.
- 4.4 The Deputy Lord Mayor undertakes a range of engagements during the year to enable them to learn more about the job of being Lord Mayor and to plan their own year in office and consider their own priorities for the year.
- 4.5 Guidance is provided to each Lord Mayor as a point of reference. This is used as part of the induction for the Lord Mayor and Deputy Lord Mayor. A copy is appended to this report at Appendix 2. It covers various subjects, including:
- | | |
|----------------------------------|--|
| • Team roles | • Major annual events and Ceremonial Occasions |
| • Appropriate Dress and Insignia | • Precedence |
| • Chairing the Council Meeting | • Honorary Offices |
| • Badges of office | • Links with the Services |
| • Charity Fund | • History and features of the Town Hall |
| • Deputy Lord Mayor | |
- 4.6 Each Lord Mayor and Deputy is also provided with an induction on the chairing of Full Council meetings and the various procedure rules which govern the way in which the meeting is run.
- 4.7 In summary, the Lord Mayor might perform functions in the following categories, which are currently considered to be essential to the role:
- Act as First Citizen
 - Lead the community and community engagement and participation
 - Preside over civic functions

- Attend a range of engagements
- Promotion of place and support corporate objectives and partnerships
- Help fundraising
- Observe civic protocols
- Personal choice

4.8 It is important to successive Lord Mayors that they are given a certain amount of freedom to stamp their own identity onto the role of Lord Mayor, therefore the protocols and guidance help to steer the path and are explicit on essential requirements of the role but a degree of flexibility has always been adopted to allow the role to be personalised. For example, the Lord Mayor may choose their own charities and decide how to fundraise. They can choose how to spend the allocated budget not reserved for essential functions (although this is a very limited sum and therefore, in reality does not afford much discretion). They can choose which community events to attend.

5. **Financial implications**

5.1 To provide some context, the budget for the activities of the Lord Mayor in 2018/19 is £58K. Reductions to the budget available to the Lord Mayor have been made over time to reflect the changing financial circumstances of the Council. The resource and budget implications of any proposed changes would need to be considered as part of the Council's overall budget and would be part of the business planning process.

5.2 This activity budget includes transport (vehicle and Chauffeurs), hospitality provided by the Lord Mayor for receptions and functions, the annual allowances paid to the Lord Mayor and Deputy Lord Mayor and the expenses of running the Lord Mayor's office, such as cleaning and repairs to clothing and equipment, materials, printing and stationery. The activity budget does not include the cost of employees working in the Lord Mayor's team.

6. **Legal implications**

6.1 There is no legal requirement for the Local Authority to appoint a Lord mayor. It is an honour bestowed on the City by the Queen that originated in a time when freedoms for cities held greater importance than they currently do.

There are specific functions outlined in the Local Government Acts and Representation of the People Acts that may be carried out by a mayor or lord mayor

7 **Equality of Opportunity Implications**

7.1 The Equality Act came into force from October 2010 providing a modern, single legal framework with clear law to better tackle disadvantage and discrimination. The Act includes the public sector equality duty, which is set out in section 149.

7.2 The Equality Act covers those with 'relevant protected characteristics', these

are age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. Everyone has at least one protected characteristic, so the act protects everyone.

7.3 The public sector equality duty covers councils and other public sector organisations. In summary, those subject to the “general equality duty” must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

7.4 As first Citizen, the Lord Mayor is a potential role model and has an important role to play in promoting diversity in the City. The Lord Mayor is also expected to “promote public involvement in the Council’s activities” and to attend civic and ceremonial functions as deemed appropriate.

7.5 The role can therefore potentially contribute to the councils statutory duties in terms of equalities, in particular the need to “foster good relations” between different groups.

7.6 The committee is asked to consider how we might promote awareness and fair access to the Lord Mayor for individuals and organisations. And how the role can promote public involvement in council activities which reflects the diverse communities within our city.

8. What does this mean for the people of Sheffield?

8.1 The office of Lord Mayor is an asset for Sheffield and we want to make sure that it works for the benefit of and on behalf of the City and its citizens. This report asks the Committee to look at the role of Lord Mayor and to consider any changes which would help support them as first citizen and ambassador for the City.

9. Recommendation

9.1 The Scrutiny Committee is asked to consider and report back to Full Council on:

- the operation of the current role and discussion points in this report
- whether any changes should be made to the protocols, guidance or practice

.

The Council's Constitution

Article 5 – Chairing the Council

5.01 Role and Function of the Lord Mayor

The Lord Mayor and Deputy Lord Mayor will be elected by the Council annually at its Annual Meeting. The Lord Mayor and in his or her absence, the Deputy Lord Mayor, will have the roles and functions set out below.

5.02 Ceremonial Role

The Lord Mayor will act as the City's First Citizen and will discharge ceremonial duties on behalf of the Council so as to:

- (a) uphold and promote the purposes of the Constitution, and interpret the Constitution when necessary;
- (b) promote public involvement in the Council's activities;
- (c) be the conscience of the Council and Councillors; and
- (d) attend such civic and ceremonial functions as the Council and he/she determines appropriate.

5.03 Chairing the Council Meeting

The Lord Mayor (or in his or her absence the Deputy Lord Mayor) will chair meetings of the Council, so as to:

- (a) uphold and promote the purposes of the Constitution, and interpret the Constitution when necessary;
- (b) ensure its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community; and
- (c) ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Executive are able to hold the Executive to account.

Minutes of the Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 7 November 2018, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

PRESENT

THE LORD MAYOR (Councillor Magid Magid)
THE DEPUTY LORD MAYOR (Councillor Tony Downing)

- | | | |
|--|--|---|
| 1 <i>Beauchief & Greenhill Ward</i>
Simon Clement-Jones
Bob Pullin
Richard Shaw | 10 <i>East Ecclesfield Ward</i>
Andy Bainbridge
Moya O'Rourke
Steve Wilson | 19 <i>Nether Edge & Sharrow Ward</i>
Mohammad Maroof
Jim Steinke
Alison Teal |
| 2 <i>Beighton Ward</i>
Ian Saunders | 11 <i>Ecclesall Ward</i>
Roger Davison
Shaffaq Mohammed
Paul Scriven | 20 <i>Park & Arbourthorne</i>
Julie Dore
Ben Miskell
Jack Scott |
| 3 <i>Birley Ward</i>
Denise Fox
Bryan Lodge
Karen McGowan | 12 <i>Firth Park Ward</i>
Abdul Khayum
Alan Law
Abtisam Mohamed | 21 <i>Richmond Ward</i>
Mike Drabble
Dianne Hurst
Peter Rippon |
| 4 <i>Broomhill & Sharrow Vale Ward</i>
Michelle Cook
Magid Magid
Kaltum Rivers | 13 <i>Fulwood Ward</i>
Sue Alston
Andrew Sangar
Cliff Woodcraft | 22 <i>Shiregreen & Brightside Ward</i>
Dawn Dale
Peter Price
Garry Weatherall |
| 5 <i>Burngreave Ward</i>
Jackie Drayton
Talib Hussain
Mark Jones | 14 <i>Gleadless Valley Ward</i>
Lewis Dagnall
Cate McDonald
Chris Peace | 23 <i>Southey Ward</i>
Mike Chaplin
Jayne Dunn |
| 6 <i>City Ward</i>
Douglas Johnson
Robert Murphy
Martin Phipps | 15 <i>Graves Park Ward</i>
Ian Auckland
Sue Auckland
Steve Ayriss | 24 <i>Stannington Ward</i>
David Baker
Penny Baker
Vickie Priestley |
| 7 <i>Crookes & Crosspool Ward</i>
Adam Hanrahan
Mohammed Mahroof
Anne Murphy | 16 <i>Hillsborough Ward</i>
Bob Johnson
George Lindars-Hammond
Josie Paszek | 25 <i>Stocksbridge & Upper Don Ward</i>
Jack Clarkson
Keith Davis
Francyne Johnson |
| 8 <i>Darnall Ward</i>
Mazher Iqbal
Mary Lea | 17 <i>Manor Castle Ward</i>
Lisa Banes
Terry Fox
Pat Midgley | 26 <i>Walkley Ward</i>
Olivia Blake
Ben Curran
Neale Gibson |
| 9 <i>Dore & Totley Ward</i>
Colin Ross
Martin Smith | 18 <i>Mosborough Ward</i>
David Barker
Tony Downing
Gail Smith | 27 <i>West Ecclesfield Ward</i>
John Booker
Adam Hurst
Mike Levery |
| | | 28 <i>Woodhouse Ward</i>
Mick Rooney
Jackie Satur
Paul Wood |

1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Tony Damms, Zahira Naz, Joe Otten and Chris Rosling-Josephs.

2. DECLARATIONS OF INTEREST

- 2.1 Councillor Abtisam Mohamed declared a personal interest in the petition, organised by Burngreave Football Club, objecting to the proposed closure of Woodburn Road Football PowerLeague (PITZ), which was to be presented to the Council under agenda item 3 (Public Questions and Petitions and Other Communications), on the grounds that she works closely with the Club and its members.

3. ORDER OF BUSINESS

- 3.1 RESOLVED: On the motion of Councillor Peter Rippon and seconded by Councillor David Baker, that, in accordance with Council Procedure Rule 9.1, the order of business as published on the Council Summons be altered by taking item 8 on the agenda (Notice of Motion regarding "Commemorating 100 Years Since the First World War Ended"), followed by item 6 on the agenda (Notice of Motion regarding "Bus Franchising"), as the next items of business after item 3 on the agenda (Public Questions and Petitions and Other Communications).

4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

4.1 Petitions

4.1.1 Petition Requesting the Council to Welcome More Child Refugees to the City

The Council received a joint electronic and paper petition containing 695 signatures, requesting the Council to welcome more child refugees to the City.

Representations on behalf of the petitioners were received by Sue Pearson and three young people from the Sheffield Young People's Equality Group.

Sue Pearson stated that the petitioners were aware of the financial constraints for the Council and also recognised the City's record of welcoming refugees and asylum seekers to Sheffield as a City of Sanctuary. She made reference to her own story of having been welcomed to the City as a Kindertransport child, which brought many Jewish children to safety in Britain and to having enjoyed the City's warmth and hospitality at that time. She noted that November 2018 marked the eightieth anniversary of the Kindertransport.

She said that Lord Alf Dubs had called upon the Government to start a scheme for 10,000 child refugees to be settled in the UK in the next 10 years. She

asked the Council to support the campaign by pledging places for children, together with other local authorities.

Children from the Sheffield Young Peoples Equality Group then addressed the Council.

The Council referred the petition to Councillor Jackie Drayton, Cabinet Member for Children and Families. Councillor Drayton thanked the petitioners and notably Sue Pearson for sharing her own story and the young people, for their moving contributions.

Councillor Drayton said she was proud that Sheffield was the first City of Sanctuary and had been part of the Government Refugee Gateway scheme since its inception. For many years, Sheffield had given a home to many refugees and asylum seekers, including Unaccompanied Asylum Seeking Children (UASC) and young people. Also, following receiving a letter from Kent County Council appealing for other local authorities to help them by accepting children, Sheffield City Council had been one of only seven local authorities to respond positively and take children from Kent. The Council also accepted children from the Calais camp and supported UASC with relatives in Sheffield. It also looked after any unaccompanied children who presented in the City. She stated that over forty UASC had been accepted in the past year and a half.

She explained that more children and young people were coming into care both nationally and in Sheffield, and this had placed a considerable strain on the children's social care budget. She also stated that Sheffield needed more homes for children in care and that was why the Council had run a campaign to recruit more foster carers. As when there were no places available in Sheffield, children and young people had to be placed outside the City, which was not what the Council wanted.

She said she welcomed this campaign and was glad that Lord Dubs, whilst asking local authorities to sign the petition and take unaccompanied asylum seeking children, also acknowledged that extra funding was needed and was also calling on the Government to give financial assistance to Local Authorities to help them receive children and young people.

Councillor Drayton said she was happy to accept the petition on behalf of the Council, support the campaign and sign Lord Dubs' scheme and would continue to welcome unaccompanied asylum seeker children and young people to the City.

4.1.2 Petition Requesting the Council to Install a Plaque Commemorating the Service Given by the People of Sheffield During the Conflict of War

The Council received a petition containing 2,039 signatures, requesting the Council to install a plaque to commemorate the service given by all the people of Sheffield during the conflict of war, and which also specifically remembered, on this 100th year since the end of World War 1, the Sheffield Pals along with

other Sheffield servicemen who paid the ultimate sacrifice for us.

Representations on behalf of the petitioners were made by Pat Davey, who stated that the Frechville branch of the Royal British Legion had begun the petition and had received over 2000 signatures in about one week. The petition requested that a plaque was installed in the Council Chamber or the Town Hall to mark the important historical position of the Town Hall where the first of the Sheffield City Battalion 'Pals' signed up to serve. The City Battalion was formed because of the need for more volunteers. She said that it was most important to remember what took place in the Council Chamber in 1914 and the important role of women in war. The petitioners hoped that the Council would remember and recognise the bravery of all those who gave their lives and those who returned.

The Council referred the petition to the Leader of the Council, Councillor Julie Dore who thanked Pat Davey and the petitioners. She referred to the many events taking place to commemorate the First World War, which she would ask Councillor Mary Lea to outline. A notice of motion on the agenda for this meeting of Council also addressed the matter of the installation of a plaque and the honouring of the Sheffield Pals in particular.

Councillor Dore said that the petition presented to Council went beyond the installation of a plaque for the Sheffield Battalion Pals and requested a memorial to everyone in Sheffield who contributed to the First World War. She said that it would be helpful to have discussions with representatives of the petitioners about what might be done in addition to a plaque commemorating the Sheffield Pals.

Councillor Mary Lea, the Cabinet Member for Culture, Parks and Leisure outlined the various events which were taking place to commemorate the centenary of the First World War. These included: the planting of commemorative trees in parks; the installation of six Tommy figures in various locations in the City; a charity dinner and lighting of beacon at the Town Hall; memorial events on 11 November; a centenary concert on 17 November; events in libraries and the showing of a documentary film to commemorate the battle of Ancre. There would also be displays in the period prior to the anniversary of the Treaty of Versailles. Schools were being asked to participate and there was a website with further information.

4.1.3 Petition Objecting to the Proposed Closure of Woodburn Road Football PowerLeague (PITZ)

The Council received an electronic petition containing 617 signatures objecting to the proposed closure of Woodburn Road Football PowerLeague (PITZ).

Representations on behalf of the petitioners were made by Yasar Mohammed and Mohamed Ali. They stated that the Powerleague at Woodburn Stadium was due to be closed in January 2019. Young people had had access to affordable training activities and PITZ had helped to keep young people off the streets and such facilities for young people should not be closed. Members of

the Council were invited to attend the facility, which it was important to retain, especially given the increase in gang related activity and crime. The Council was urged to help to keep the facility open for young people.

The Council referred the petition to Councillor Mary Lea, Cabinet Member for Culture, Parks and Leisure. Councillor Lea said that the Powerleague had wanted to quit from PITZ and they were expected to leave at the end of January. The facility was well-used by both Darnall and Burngreave football academies and by young people across the City and was very important to the City. As regards the operation of the facility, another provider would operate the pavilion in the short to medium term, which would give time for a more permanent solution to be found.

4.2 Public Questions

4.2.1 Public Question Concerning Libraries

Nigel Slack made reference to the creation of 'associate libraries' in 2014. He said that the Walkley Carnegie library was one of these and great acclaim was given to the approach of mixing business with community services. However, he said that the partnership had fallen apart with the business partner of the project walking away. There had been a recent award of £90,000 from HLF (the Heritage Lottery Fund) and an upcoming £1.3M bid for renovations. This was all causing considerable concern for local businesses hoping for a boost from the project. He asked the following questions:

1. What is the Council's understanding of the circumstances behind this failed project?
2. What support, if any, did Council provide to help this project succeed?
3. What is the current level of support this library receives from Council?
4. What are the prospects for the future funding of all the 'associate libraries' in the city?

Councillor Mary Lea, the Cabinet Member for Culture, Parks and Leisure, stated that it was her understanding that the True North and the Carnegie Library groups came to a decision that they no longer wanted to work together on the project. The Council provided officer support and expertise from the Library Service and Property Services and the Library received the same package of support as other associate libraries received. This included a grant from the Council, access to the library management system, training for volunteers and support from a volunteer coordinator. The library would receive advice and support on any future plans it might have as regards the delivery of a library service in that community.

Councillor Lea explained that funding for the associate libraries was in place until next year and as it was tapered funding, it would reduce each year. Funding would be in place for next year and there would then be a decision concerning the future. The associate libraries did a fantastic job for their respective communities and there was learning to be gained from them.

4.2.2 Public Question Concerning the Streets Ahead Contract

Nigel Slack made reference to news in April that Amey was planning to divest their UK PFI contracts (at least in part) and the more recent rumours that Ferrovial planned to sell off the whole of their services segment (including Amey) now being followed by both the main UK political parties committing to ceasing PFI deals in the UK. He commented that the prospects for the 'Streets Ahead' PFI (Private Finance Initiative) seemed limited.

He commented that, immaterial of concerns over the management, quality and performance of the contract, this suggested that Council should be in conversation about the future of this contract and the potential for bringing it to a close to their own timetable and desired solution, rather than waiting for some external decision to force a solution upon them.

He asked what was the current position of the Council on this contract and the likelihood of it lasting the full 25 years.

Councillor Lewis Dagnall, the Cabinet Member for Environment and Streetscene, stated that the Council was committed to the Streets Ahead investment to improve the highways and footways and had seen significant increased satisfaction with regards to highways. The Council wished to see the Streets Ahead investment for the full 25 years. As part of putting the programme on a more sustainable footing, the Council was responding to residents' concerns and trying to reach a compromise about the tree replacement programme, which would allow the Council to achieve the investment it had committed to deliver. Amey had given reassurance that it was committed to the delivery of the contract and would have substantial benefits to offer and were part of the solution as regards street trees.

As regards PFI deals, it was recognised by political parties across the political spectrum that the PFI model was not the best model for achieving public investment. However, that did not mean that having local authorities crash out of deals at huge cost to the taxpayer and cost to services and to local people and the lack of investment opportunity would be a desirable solution to anyone, regardless of whether they wished to see the programme delivered in-house or with a private partner. Recent research had pointed to intervention by the UK government being the only way that local authorities and public bodies could seek to renegotiate PFIs to a model which offered more sustainable public finance.

4.2.3 Public Question Concerning Local Providers and Contracts

Nigel Slack stated that Preston City Council had received plaudits and awards for its localism approach to economics and the alternative models of ownership that play a part in that success. He made reference to a visit to Sheffield by Ted Howard, one of the key advisors in the Preston Model, some time ago and commented that things were moving slowly in the City.

He asked, with upcoming reviews of the Capita contract for IT and the Veolia

contract for waste disposal, what steps had Council taken to ensure that the potential for truly local providers to be a part of the next solution for these services is embedded in the process?

Councillor Julie Dore, the Leader of the Council stated that the Council would strive for local businesses and organisations, including social enterprises and cooperatives to be successful in delivering public services for people on behalf of the Council. However and more broadly, it was also important to have ethical procurement policies. Wherever possible, the Council had sought to bring services back in-house.

Councillor Olivia Blake, the Cabinet Member for Finance and Deputy Leader of the Council, said that it was incredible to see what had happened in Preston and there had been some strong outcomes. However, Preston was a different sort of Council to Sheffield, with Sheffield also having responsibility for social care and the pressure on Councils in relation to social care had been well documented in the press. The Council was a living wage employer and had been for a number of years. She said that she was pleased to announce in national living wage week that Sheffield City Council had gained Living Wage Foundation accreditation for its work throughout its supply chain in making sure the foundation living wage was becoming the norm in all of its contracts.

In reference to other models of ownership, Councillor Blake said that the Council was working with the Co-operative Party and the Council had recently signed the Cooperative Party's Anti-Slavery Charter. She had recently been invited to speak at a conference about what the Council was doing in relation to ethical procurement as Sheffield was seen to be leading the way in this regard.

It was important that the Council had an ethical supply chain no matter where it did business. In relation to local procurement, the Council required one local bid in everything which went through its sourcing desk and had increased the level at which the sourcing desk could work. In April 2018, some analysis was undertaken, which showed that the Council had, in the last year, received invoices from every Sheffield postcode. This represented 59 percent of the invoices to the Council. The Council was committed to spending locally where possible and would also seek to ensure ethical standards in the supply chain as well.

4.2.4 Public Question Concerning Governance

Ruth Hubbard made reference to the recent decision regarding Weston Road trees. She said that campaigners would be informing residents about the leader and cabinet model and the alternatives that were available and said that signatures would continue to be collected for the petition to change governance arrangements. She asked whether the Cabinet would reconsider its decision and be able to make a change in governance as other councils had done cost neutral and would it collaboratively work with other members and with communities to design a modern committee system fit for Sheffield, its diverse communities and the difficulties faced in austerity.

Councillor Julie Dore, the Leader of the Council responded to the questions and said that when Ruth Hubbard last spoke at Council, she had made a statement saying that a petition was to be set up and was going to be submitted which would achieve the number of signatures required for a referendum and that there was awareness as to the cost to the Council associated with that outcome. Councillor Dore referred to the substantial cost of having a referendum, which the campaigners were requesting.

Councillor Dore said that she would, of course, be prepared to talk about this issue and find out what outcomes the campaign wanted to achieve in order to find some solutions and which might achieve them. She said that she did not believe that moving to a committee system would give the outcomes which the campaign sought. She said she would be prepared to discuss with any groups or organisations which thought that there were better ways of doing democracy, consultation and engagement and the outcomes which the campaign wished to achieve.

4.2.5 Public Questions Concerning Knife Crime

Nick Simmonite referred to the night time economy board, which he chaired and spoke of the damaging effect of knife crime and perception of such crime on businesses, trade and goodwill in the City Centre. He said that the industry contributed significantly to the city economy and employment and was also part of the voluntary levy through the Business Improvement District (BID), which had funded a police sergeant. However, there were perceptions as to the risk to people in City centre. He offered a commitment to discuss what businesses could do and asked for the council's commitment to work together to also recognise the hard work of the private sector in this regard.

Will Mason stated that the knife crime strategy recently published by South Yorkshire Police framed youth violence as a public health problem. He asked if and how the Council's response to serious youth violence would reflect a public health approach.

Jon Cowley asked what the Council was doing to invest in youth provision and community groups working with young people to tackle the increase in knife crime. He said that it was known that investing in community based youth work was successful in tackling crime and that a coherent and co-ordinated approach was required. He also spoke about school exclusions and the increased risk of young people becoming involved in criminality.

Saeed Brasab referred to discussions with young people and to the concerns of young people which he said should be considered in any solution. These included the need to invest in community based organisations which had a track record of positive and trusted relationships with young people; the importance of having clear pathways, particular around support for those affected by a knife crime or violent incident or experience; proportionate stop and search practices; the value of safe spaces. It was vital that the concerns of young people were heard and looked at as part of solutions to issues. He

asked what the Council would do to take on the concerns that young people had in tackling knife crime and youth violence.

Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety responded to the questions. He said that some of the matters raised may be covered at greater length by the upcoming presentation concerning gun and knife crime which was on the agenda for this Council meeting. He appreciated that people may not be able to stay for that item of business and said that he would also provide written responses to the questions, if necessary. There were examples of things having changed by organisations including the Council, the police, the voluntary and commercial sector and other agencies working together.

What had been happening in relation to the night-time economy was a good example of where there had been changes. He referred to the Best Bar None awards, which demonstrated the efforts of pubs and clubs to make improvements and it was right to point out that recent occurrences of knife crime were not connected with what might have traditionally been seen as dangerous places. It was important for a thriving night time economy that peoples' apprehensions were addressed. Those businesses also brought clear economic benefits.

He said that the 'public health' label was something which was originally applied by the Metropolitan Police and it had been adopted in Sheffield but in a more sophisticated way, which recognised that knife crime affected a relatively small number of people but it had a massive effect. Whilst it was not like other public health issues such as inequality, poverty and smoking; the approach to knife crime had to be broadly preventative and focussed on child and community issues and not being purely crime led but addressed using a broad approach. It was also important that the approach to knife crime was based on evidence, data and intelligence which was an approach akin to the best public health discipline and developments; and did not automatically assume that a particular solution would work.

Councillor Steinke said that there were four community events to focus upon the issue of knife crime in four specific areas of the city and this might be done elsewhere. Part of that was looking at investment but also recognising that perhaps some traditional youth services had not been working so effectively. There was a youth services review, led by Councillor Julie Dore, which would be reporting to Scrutiny. The Council would be looking at changing needs to which it had to respond. With regard to exclusions, there was a clear effect on the young people concerned. However, it should not be assumed that anyone excluded would go to prison, be subject to knife crime or commit such a crime. It was important not to stigmatise young people that had been excluded.

The Unity Gym was a great example of a new type of youth service in which there might be investment and consideration should be given to the form that might take in Sheffield and recognise that such provision was a safe space and boxing gyms may provide that in future. Stop and search was a difficult and sensitive issue and there was a need for more intelligent approaches to

stop and search and which were more effective. There were examples in recent months of stop and search by the police having resulted in a lot of weapons that had been found and prosecutions.

Councillor Mazher Iqbal, the Cabinet Member for Business and Investment, stated that he was pleased that Nick Simmonite had attended the Council meeting and championed work done with regard to the night time economy, together with the City Centre Manager, Richard Eyre, whom he had spoken to with regard to increasing footfall in the City Centre. He referred to publicity in the Observer food monthly, which had awarded best place to drink in the country to the Sheffield bar Public.

Councillor Iqbal stated that, as well as Best Bar None, the Purple Flag was awarded which reinforced safety for people on nights out in the City. There were also initiatives of the BID including the 'Alive after Five' initiative. He said that Sheffield was a very safe city. It was also good to report the successes and the work of private businesses, the Council and the BID team to ensure the night time economy in the City Centre flourished.

4.2.6 Public Question Concerning Protest and Human Rights

Calvin Payne asked for confirmation of the Council's support for the right to peaceful protest under sections 10 and 11 of the Human Rights Act and support to any citizen having been found to have had that right breached by South Yorkshire Police.

Councillor Julie Dore, the Leader of the Council, stated that she fully and absolutely supported the right of people to peaceful protest and she had participated in peaceful protest. She said that she also supported the justice system, and where it found an organisation to be at fault and she would also accept that.

4.2.7 Public Questions Concerning Accommodation for Asylum Seekers and Refugees

John Grayson stated that following a recent petition in July 2018 and despite a statement that no new families with children would be placed in the Earl Marshall guest house, SYMAAG (South Yorkshire Migration and Asylum Action Group) was aware of at least four families, two with leave to remain and no recourse to public funds, one that came to Sheffield for a family reunion and one family with four children with refugee status that had been placed there. He asked how many other families with children the Council had placed in the Earl Marshall since July. He also said that another family were to be placed in the Earl Marshall but that had been prevented following intervention by SYMAAG yesterday.

Hero Salih Ahmed asked when the Council would be able to house her and her two disabled children in Sheffield, them having been brought to the UK in July and granted the right to remain.

Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety said that he would congratulate the questioner on gaining leave to remain. He hoped that her situation could be resolved. It was, however part of a broader problem of when Asylum Seekers were granted the leave to remain and become refugees and the Council and other agencies needed to make sure this process was done as smoothly as possible.

He said that in relation to the use of all bed and breakfast accommodation and specific issues relating to the Earl Marshall, meetings had been held with SYMAAG and with a view to resolving the issues. Matters relating to families housed at the Earl Marshall previously had also been investigated. The best option for the Council would be to stop the use of bed and breakfast accommodation but this might not always be possible. There were specific issues relating to the Earl Marshall that the Council was examining, including whether other bed and breakfast accommodation was used in addition. It was key to only have people in bed and breakfast accommodation for as short a time as possible, for possibly one or two nights and then to have process in place to re-house them.

(Manuchehr Maleki Dizayi had also submitted a question in relation to this subject and was content that the matters he had raised had been addressed above.)

4.2.8 Public Question Concerning Road Safety in Oughtibridge

Mr C Hansell referred to an exercise by members of the local community to inform consultation about road safety in Oughtibridge. Leaflets and an online questionnaire resulted in 811 responses. Six percent of responses thought the Council's proposal would be helpful and 74 percent supported an alternative proposal by the community. He asked if the Cabinet Member would give a commitment to take account of the exercise; hold meaningful discussion with local people and work with the organisers of this significant local initiative.

Councillor Jack Scott, the Cabinet Member for Transport and Development, stated that he would write to Mr Hansell with a full response.

4.3 Petitions (2)

Petition Requesting a Pedestrian Crossing at the Junction of Stannington Road, Acorn Drive and Nook Lane

The Council received an electronic petition containing 138 signatures, requesting a pedestrian crossing at the junction of Stannington Road, Acorn Drive and Nook Lane.

There was no speaker to the petition.

The Council referred to the petition Councillor Jack Scott, Cabinet Member for Transport and Development.

5. NOTICE OF MOTION REGARDING "COMMEMORATING 100 YEARS SINCE THE FIRST WORLD WAR ENDED" - GIVEN BY COUNCILLOR TERRY FOX AND TO BE SECONDED BY COUNCILLOR STEVE WILSON

5.1 It was moved by Councillor Terry Fox, and seconded by Councillor Steve Wilson, that this Council:-

- (a) notes that on 11 November 2018 it will be one hundred years since the First World War ended;
- (b) notes that an estimated nine million combatants and seven million civilians died as a direct result of the war, while it is also considered a contributory factor in a number of genocides and the 1918 influenza epidemic, which caused between 50 and 100 million deaths worldwide;
- (c) notes with great loss the senselessness of war, which kills people and animals indiscriminately, and believes that everything should be done to ensure that mankind's past mistakes are not repeated;
- (d) notes with great sadness that as well as the many millions killed during the First World War throughout the world, it is estimated that upwards of 50,000 men went from Sheffield to the various 'Fronts' during this period, many of whom never returned home;
- (e) notes that the Sheffield City Battalion comprised of men who had enlisted together in local recruiting drives, with the promise that they would be able to serve alongside their friends, neighbours and colleagues ("Pals"), rather than being arbitrarily allocated to battalions;
- (f) further notes that the Sheffield Pals trained for two years before being sent to what became known as the Battle of the Somme and that many of the Sheffield Pals were killed in the very first day of fighting, many in just the first 10 minutes, and that by the end of the four-month long battle, 90% of the Sheffield Pals were gone;
- (g) notes that a permanent overseas memorial to the Sheffield Pals, and all of the 31st Division, stands on the Somme Battlefields and that the Sheffield Memorial Park, as it is named, is an important and fitting tribute to all of those from Sheffield who lost their life there;
- (h) notes that, as many of the Sheffield Pals signed themselves up to the War inside Sheffield's Town Hall, it would, therefore, be fitting to honour them, and the ultimate sacrifice they paid, with a specific memorial at the Town Hall and this Administration is looking into how this can best be achieved;
- (i) notes the remembrance events in the city to commemorate one hundred years since the First World War ended including:-
 - (i) Weston Park being designated as a Fields in Trust Centenary

Field, and to feature in the Centenary Fields Legacy Programme, to remember those who served and lost their lives during conflict; the commemoration event is a “Thank You” to those who fought and fell in the First World War, including hundreds of Sheffield Pals;

- (ii) the planting of three hundred memorial trees throughout the city’s parks; and
- (iii) school programmes throughout Sheffield acknowledging the 100 year anniversary;
- (j) places on record our thanks to all of those who took part in the cycle ride to the Somme earlier this year to raise funds for the remembrance works now being implemented in our parks and open spaces; and
- (k) believes that this centenary reminds us once again of the tragic consequences of war, and as well as honouring all of those killed or injured in battle, it is important to give thanks and gratitude to all service personnel, past and present, whom work so hard and sacrifice so much to keep us safe.

5.1.1 (NOTE: With the agreement of the Council and at the request of the mover of the Motion (Councillor Terry Fox), the Motion as published in the Summons was altered by the substitution, in paragraph (i)(ii), of the word “three” for the word “one”.)

5.2 After contributions from eight other Members, and following a right of reply from Councillor Terry Fox, the Motion, as altered, was put to the vote and carried as follows:-

RESOLVED: That this Council:-

- (a) notes that on 11 November 2018 it will be one hundred years since the First World War ended;
- (b) notes that an estimated nine million combatants and seven million civilians died as a direct result of the war, while it is also considered a contributory factor in a number of genocides and the 1918 influenza epidemic, which caused between 50 and 100 million deaths worldwide;
- (c) notes with great loss the senselessness of war, which kills people and animals indiscriminately, and believes that everything should be done to ensure that mankind’s past mistakes are not repeated;
- (d) notes with great sadness that as well as the many millions killed during the First World War throughout the world, it is estimated that upwards of 50,000 men went from Sheffield to the various ‘Fronts’ during this period, many of whom never returned home;

- (e) notes that the Sheffield City Battalion comprised of men who had enlisted together in local recruiting drives, with the promise that they would be able to serve alongside their friends, neighbours and colleagues ("Pals"), rather than being arbitrarily allocated to battalions;
- (f) further notes that the Sheffield Pals trained for two years before being sent to what became known as the Battle of the Somme and that many of the Sheffield Pals were killed in the very first day of fighting, many in just the first 10 minutes, and that by the end of the four-month long battle, 90% of the Sheffield Pals were gone;
- (g) notes that a permanent overseas memorial to the Sheffield Pals, and all of the 31st Division, stands on the Somme Battlefields and that the Sheffield Memorial Park, as it is named, is an important and fitting tribute to all of those from Sheffield who lost their life there;
- (h) notes that, as many of the Sheffield Pals signed themselves up to the War inside Sheffield's Town Hall, it would, therefore, be fitting to honour them, and the ultimate sacrifice they paid, with a specific memorial at the Town Hall and this Administration is looking into how this can best be achieved;
- (i) notes the remembrance events in the city to commemorate one hundred years since the First World War ended including:-
 - (i) Weston Park being designated as a Fields in Trust Centenary Field, and to feature in the Centenary Fields Legacy Programme, to remember those who served and lost their lives during conflict; the commemoration event is a "Thank You" to those who fought and fell in the First World War, including hundreds of Sheffield Pals;
 - (ii) the planting of three hundred memorial trees throughout the city's parks; and
 - (iii) school programmes throughout Sheffield acknowledging the 100 year anniversary;
- (j) places on record our thanks to all of those who took part in the cycle ride to the Somme earlier this year to raise funds for the remembrance works now being implemented in our parks and open spaces; and
- (k) believes that this centenary reminds us once again of the tragic consequences of war, and as well as honouring all of those killed or injured in battle, it is important to give thanks and gratitude to all service personnel, past and present, whom work so hard and sacrifice so much to keep us safe.

6. NOTICE OF MOTION REGARDING "BUS FRANCHISING" - GIVEN BY COUNCILLOR ROBERT MURPHY AND TO BE SECONDED BY COUNCILLOR DOUGLAS JOHNSON

6.1 It was moved by Councillor Rob Murphy, and seconded by Councillor Douglas Johnson, that this Council:-

- (a) believes that the Sheffield Bus Partnership has failed on its own terms, noting the loss of patronage of approximately 10% (5 million passenger journeys per year) since 2012 and a loss of capacity since 2015;
- (b) notes the commitments of the Sheffield City Region Mayor in his 2017 manifesto to:-
 - (i) use regulatory powers, and eventually franchising, to improve bus services; and
 - (ii) consult on re-regulating bus services;
- (c) notes that control of the bus service is one of the very few actual powers available to South Yorkshire's regional mayor;
- (d) notes that the regional mayor has been in post for 6 months but believes the public has seen no progress or action towards bus regulation;
- (e) believes a comprehensive, efficient, regular and low-carbon bus service is vital to a successful and sustainable city; and
- (f) calls on the regional mayor to begin moves towards greater public control of Sheffield's bus network, including an immediate review of current services and public consultation on future provision.

6.2 Whereupon, it was moved by Councillor Jack Scott, seconded by Councillor Neale Gibson, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:-

- (a) notes that it is Labour Party policy to give greater freedom to empower local authorities to decide which bus service best suits local needs – by giving councils the power to form their own bus companies by removing the Government's ban, and extending the powers to re-regulate local bus services - and require all new buses to meet stringent low-emission requirements;
- (b) recognises that when signing the Sheffield Bus Partnership agreement in 2012, it was the only realistic option on the table and was better than the alternative of doing nothing, however, acknowledges that the Bus Partnership does not give control over bus services in the same way that re-regulation does;

- (c) therefore welcomes the fact that the Council voted to support the Sheffield City Region Devolution Deal in 2016 which was necessary to secure bus re-regulation;
- (d) recognises that control of the bus service is one of the powers available to the Sheffield City Region Mayor, and recalls that the opportunity to re-regulate bus services in the city was one of the reasons why this Council agreed to support the devolution deal;
- (e) therefore calls on the Sheffield City Region Mayor to bring forward re-regulation of the bus service; and
- (f) notes, however, the success of the Partnership, even in the absence of re-regulation, including, but not limited to:-
 - (i) the introduction of 117 greener and low emission buses;
 - (ii) successful work on cross ticketing;
 - (iii) the introduction of a new service to the advanced manufacturing park from the north of the city;
 - (iv) the cost of city bus day and weekly tickets being lower today in 2018 than they were in 2015; and
 - (v) investment in modern technology, such as contactless ticket technology, USB ports and Wi-Fi.

6.3 It was then moved by Councillor Ian Auckland, seconded by Councillor Penny Baker, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (g) to (r) as follows:-

- (g) notes that the Sheffield Bus Partnership is a voluntary agreement between South Yorkshire Passenger Transport Executive (SYLTE), Sheffield City Council and the bus operators First South Yorkshire, Stagecoach Sheffield, TM Travel and Sheffield Community Transport;
- (h) notes it aims to provide a better coordinated network of buses and trams in Sheffield, making it easier to travel around the city;
- (i) notes that in the presentation to the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee in October 2018, SYLTE's future steps do not include a commitment to increase passenger numbers;
- (j) notes the Partnership has failed in its central purpose to grow bus passenger numbers;
- (k) believes that the extent of cuts to concessionary travel and service

support have proved to be un-necessary;

- (l) notes the recent Sheffield Bus Partnership report that stated that passenger numbers were down due to changes in employment patterns, reduced need to travel and an increase in online shopping;
- (m) believes that this is not the case and that passenger numbers are down due to:-
 - (i) service cuts and the lack of services available to the general public;
 - (ii) recent extortionate fare increases, which are forcing people to use their cars over public transport as a cheaper and more accessible option; and
 - (iii) a lack of public confidence in the reliability of the bus service, which is also contributing to decreasing passenger numbers; noting that punctuality of bus services has reduced, down to 84% from 87% over the past three years;
- (n) is concerned that increased car use will add to air pollution in the city centre if fewer people are using more energy efficient bus services;
- (o) is also concerned that cuts to bus services are preventing people from getting to work, school, run errands and attend medical appointments;
- (p) is dismayed that elderly residents in Wincobank are being forced to climb up and down one of Sheffield's steepest streets to get to their nearest bus stop after their usual accessible service was cut;
- (q) notes that under the Bus Services Act 2017, automatic access to bus franchising powers is given to the Sheffield City Region Mayor, as a directly elected mayor of a combined authority, and could be used to improve bus services; and
- (r) resolves to:-
 - (i) support the introduction of a statutory bus quality contract in Sheffield;
 - (ii) at the earliest practicable time, give notice to terminate Sheffield City Council's membership of the Sheffield Bus Partnership; and
 - (iii) send copies of this motion to all the other parties to the Bus Partnership Agreement.

6.4 It was then moved by Councillor John Booker, seconded by Councillor Jack Clarkson, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (g) to (j) as follows:-

- (g) notes there are twelve local authority-run bus companies in the UK and they provide some of the best bus services in the country, with local authority-run bus companies, like Reading Buses and Nottingham City Transport, having won bus operator of the year many times over the last seven years, and believes that, looking at the stated objectives of the Bus Services Bill, of increasing passenger numbers and improving quality, it is clear that council-run bus companies are more than able to help achieve these objectives;
 - (h) also notes that Nottingham and Reading have the second and third highest journey per head of population outside London;
 - (i) contends that the Government has a commitment to localism and devolution, which is enshrined in the 2011 Localism Act which gave more power to councils to provide services; and
 - (j) further contends that government legislation, which this Council believes to be obtuse and ideological, should not get in the way of effective service provision, and believes that a municipal bus service and integrated ticketing system that allows transfers between different transport modes with a single ticket valid for the complete journey would give Sheffield's commuters an efficient bus service they can be proud of.
- 6.5 After a contribution from one other Member, it was RESOLVED: On the motion of Councillor Peter Rippon, and seconded by Councillor Julie Dore, that, in accordance with Council Procedure Rule 17.14, the question be now put.
- 6.6 Following a right of reply from Councillor Rob Murphy, the amendment moved by Councillor Jack Scott was put to the vote and was carried.
- 6.7 The amendment moved by Councillor Ian Auckland was then put to the vote and was negated.
- 6.8 The amendment moved by Councillor John Booker was then put to the vote and was carried.
- 6.9 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) notes that it is Labour Party policy to give greater freedom to empower local authorities to decide which bus service best suits local needs – by giving councils the power to form their own bus companies by removing the Government's ban, and extending the powers to re-regulate local bus services - and require all new buses to meet stringent low-emission requirements;

- (b) recognises that when signing the Sheffield Bus Partnership agreement in 2012, it was the only realistic option on the table and was better than the alternative of doing nothing, however, acknowledges that the Bus Partnership does not give control over bus services in the same way that re-regulation does;
- (c) therefore welcomes the fact that the Council voted to support the Sheffield City Region Devolution Deal in 2016 which was necessary to secure bus re-regulation;
- (d) recognises that control of the bus service is one of the powers available to the Sheffield City Region Mayor, and recalls that the opportunity to re-regulate bus services in the city was one of the reasons why this Council agreed to support the devolution deal;
- (e) therefore calls on the Sheffield City Region Mayor to bring forward re-regulation of the bus service;
- (f) notes, however, the success of the Partnership, even in the absence of re-regulation, including, but not limited to:-
 - (i) the introduction of 117 greener and low emission buses;
 - (ii) successful work on cross ticketing;
 - (iii) the introduction of a new service to the advanced manufacturing park from the north of the city;
 - (iv) the cost of city bus day and weekly tickets being lower today in 2018 than they were in 2015; and
 - (v) investment in modern technology, such as contactless ticket technology, USB ports and Wi-Fi;
- (g) notes there are twelve local authority-run bus companies in the UK and they provide some of the best bus services in the country, with local authority-run bus companies, like Reading Buses and Nottingham City Transport, having won bus operator of the year many times over the last seven years, and believes that, looking at the stated objectives of the Bus Services Bill, of increasing passenger numbers and improving quality, it is clear that council-run bus companies are more than able to help achieve these objectives;
- (h) also notes that Nottingham and Reading have the second and third highest journey per head of population outside London;
- (i) contends that the Government has a commitment to localism and devolution, which is enshrined in the 2011 Localism Act which gave more power to councils to provide services; and

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| (j) further contends that government legislation, which this Council believes to be obtuse and ideological, should not get in the way of effective service provision, and believes that a municipal bus service and integrated ticketing system that allows transfers between different transport modes with a single ticket valid for the complete journey would give Sheffield's commuters an efficient bus service they can be proud of. |
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6.9.1 (NOTE: 1. Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Mohammed Mahroof, Colin Ross, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (c) to (e) and (g) to (j), against paragraphs (a) and (b), and abstained from voting on paragraph (f) of the Substantive Motion, and asked for this to be recorded; and

2. Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraphs (e) and (g) to (j) and abstained from voting on paragraphs (a) to (d) and (f) of the Substantive Motion, and asked for this to be recorded.)

7. GUN AND KNIFE CRIME

7.1 RESOLVED: On the motion of Councillor Peter Rippon and seconded by Councillor Julie Dore, that the provisions of Council Procedure Rule 5.5 be suspended and the termination of the meeting be extended by a period of up to 30 minutes, to 6.00 p.m. maximum.

7.2 The Council received a briefing concerning gun and knife crime in Sheffield from the Chief Executive, John Mothersole, Detective Superintendent Una Jennings (South Yorkshire Police), Director of Housing and Neighbourhoods Services, Janet Sharpe and Director of Children and Families, Carly Speechley.

7.3 The briefing presentation comprised the following areas:

- Commentary on Police recorded crime trends for violence with injury and without injury, homicide, sexual offences, robbery and possession of weapons offences; and hospital admissions following assault with a sharp object.
- An outline of Operation Fortify and the approach to dealing with current and emerging challenges and building resilient communities.
- Partnership structures and community safety priorities.
- Support for young people and prevention.
- Neighbourhoods: challenges, intervention, resilience and dialogue.

7.4 Members of the Council asked questions and made comments and responses were given as summarised below:

Q How might the various agencies be brought together; how might people working at the ground level in voluntary and community organisations be engaged in the process; and how might we know what success looks like and outcomes?

A Operation Fortify included Sheffield Futures and voluntary community and faith organisations and whilst this might not be people working on the ground in those organisations, there was a connection through that structure. There was also a neighbourhood community dialogue approach, which would commence in some parts of the city. It was important not to burden or view certain communities with the impression of criminality. Nevertheless, there were some parts of the city where the roots of problems were more prevalent and it was in those places that the dialogue would begin.

A It was important to use the police officers that were in place intelligently and there had been investment back into neighbourhood policing and this was the bedrock of a good policing model. It was also critical to moving to a more proactive model with a focus on prevention. It could be argued that the statistics shown in the presentation concerning possession offenses was evidence of intelligence-led policing and that the right people were being stopped and, in Sheffield, there was a higher chance of someone carrying a knife being caught than in other core cities.

There were a range of outcomes in the strategy documents, both quantitative ones, including reductions in some core types of crime and qualitative outcomes which could be measured and used as relevant performance indicators. The outcomes across different agencies were clear and could be measured. Agencies would be held to account and, if results were not being achieved, they would look at what could be done differently to improve, change, listen and adapt and in response to dialogue with communities and grassroots workers, listen to what would work best and adapt accordingly.

Q A comment was made concerning the effect of diversionary activities such as those provided by boxing gyms and football on reducing crime in communities and detection of weapons in schools.

A There were some activities and events which happened quite separately from the Council and other agencies and because of good people, which it was important to see as much of as possible. This approach of solving issues together was effective and it would be problematic to make such activities reliant on the Council, which was partly due to resources or at least the issue of shifting resource from another area of need. As regards the De Hood boxing gym, the Council would continue to work to find a sustainable location for the future of that organisation.

A As regards knife arches in schools and such like, whilst nothing could be ruled out it was also important not to put in place effort and measures if the problem

was not present and also to be mindful of displacement. The prevention approach led to an objective of having fewer people who believed it was right or necessary to carry a knife.

Q A comment was made that it would be helpful to understand how the community organisations in the identified areas would be involved and able to contribute. Similarly, the work needed to be tailored to different demographics. A question was asked as to how different groups of young people, including primary and secondary school councils, colleges, technical colleges and universities, might be engaged in the process of prevention and intervention. Reference was also made to the Council's Apprentice programme and to making opportunities in the business sector for young people.

A Young people were being involved but this might be further enhanced.

Q A comment was made that it was better to involve communities which were systematically part of these issues and experienced other problems such as deprivation and lack of resources. Operation Fortify was to be welcomed. There were also significant psychological issues for some young people and particularly for refugees which needed to be recognised along with family mental health and wellbeing.

A For clarity, it was important not to burden some communities by stigmatising them as somehow being the cause and the root of criminality.

Q A comment was made that boxing and training played a positive role for young people in some deprived communities and with certain social issues and in reducing gang related and violent crime and helped them to learn and develop skills such as discipline and self-belief. Setting up boxing clubs and community hubs would help young people.

Q A comment was made that public meetings in some communities might not be the best way of engaging communities, in some parts of the city perhaps due to the fear of possible reprisals. It was also thought to be frightening that sometimes the first response might be physical or verbal violence of some kind.

A question was asked as to whether social landlords in the city had signed up to the programme; in conjunction with operation Fortify, was there to be re-education within the prison system so that a person would not be released and re-offend; and was there a legal equivalent of a kind of social prescribing as there was in the health system?

A The forthcoming meetings in communities were not planned as big public meetings and consideration would be given to what infrastructure was already in place, such as neighbourhood policing, operational housing and neighbourhood structures, MASTs (Multi-Agency Support Teams), health and voluntary and community services. In this way, connections could be made into what was already in place. The meetings would be to inform how we could better organise and how we work better together; and what were the key

things that would make the greatest difference. In that way, it was hoped to obtain local intelligence.

There would also be other drop in sessions and communications in various ways for people to share local issues and things that might work better in a particular community. As neighbourhoods were very different, so solutions may need to vary according to the neighbourhood.

Offender management services were part of the Gold round table grouping. The extent to which offender management services might alter things remained to be seen but the other agencies were quite demanding of them. Social landlords were not structurally engaged with this process but this was an element of work to be done through the Strategic Landlords Forum. In relation to social prescribing, some people were engaged with agencies and there was a referral point out but this was not institutionalised. The challenge was in those cases where people did not present and what could be done in such cases. There was also a point to consider as to whether there could be a system in the city for referring people into activities which might help with self-esteem.

Q It was commented upon that decisions affecting a young person, such as regards exclusion from school or housing related decisions would affect their circumstances. A question was asked as to whether there was a link between a series of decisions made by the Council and partner agencies and a young person's particular situation, such as being subject to a custodial sentence.

A There were contextual factors which affected young people and which might include house moves and living in chaotic circumstances or moving as necessary for survival. It was necessary to consider other contextual factors, including in relation to circumstances such as child protection and school exclusion and to take action to deal with the context whilst recognising that trying to deal with the immediate problem (e.g. exclusion) may cause deeper problems. The Council was challenging schools in respect of high rates of exclusion and related demographics. However, exclusion from school would not necessarily set a young person on a path to criminality. All agencies needed to understand the consequences of what they were doing along with the immediate issue they might be dealing with. Whilst circumstances were often more complex, if services joined up more, it was more likely that issues affecting an individual would be dealt with sooner.

Q A comment was made that domestic violence should be addressed as a priority. If domestic violence was common in a young person's life, it was a problem, including in relation to their potential role models and experiences.

Q Poor health and poverty were also issues to consider in relation to violent crime, so how might this be linked with the poverty strategy and the strategy in relation to violent crime and how might priorities of organisations result in integrated management of these issues.

A It was a priority to effectively tackle domestic violence. If we wished to deal

with violent crime, the problem of violence against women had to be dealt with first. A child's early years were most important in terms of the development of cognitive behaviour, empathy and problem solving and this shaped and defined the individual.

The situation at present was fragmented and headteachers had been engaged in order that there was commitment from them to help roll out a prevention programme to all year 7 students. There was support from Sheffield Hallam University to evaluate the prevention programme. The focus was upstream and upon outcomes.

In relation to organisational buy-in to the operation Fortify initiative, a gold, silver, bronze model was being used. 'Gold' level included political and executive involvement and it was designed to have a vertical integration through organisations and cross over membership, for example Superintendent Jennings attended the Gold (Strategic level) and Silver meetings in the Operation Fortify structure. Some twenty agencies were involved sitting round the table.

Q A comment was made that the fragmentation of the school system was problematic and it was good to know that the headteachers were involved in the prevention programme. There was a desire for schools to be put back at the heart of communities. Rates of school exclusion were also too high and work was being done in this regard.

Q A comment was made that, in certain cases, exclusion of a student might be the only course of action available to a school.

A If a school exclusion does occur then we have to recognise that services had failed. It was necessary to look upstream and to identify when there were better and more effective choices to be made regarding a child.

7.5 The Council noted the information now reported concerning gun and knife crime and thanked the Chief Executive, John Mothersole, Detective Superintendent Una Jennings (South Yorkshire Police), Director of Housing and Neighbourhoods Services, Janet Sharpe and Director of Children and Families, Carly Speechley for their contributions.

8. MEMBERS' QUESTIONS

8.1 A schedule of questions to Cabinet Members, submitted in accordance with Council Procedure Rule 16, and which contained written answers, was circulated.

8.2 Supplementary questions (under the provisions of Council Procedure Rule 16.4), questions relating to urgent business (under the provisions of Council Procedure Rule 16.6ii) and questions relating to the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions (under the provisions of Council Procedure Rule 16.6i), were not able to be

asked before the meeting terminated (as agreed earlier at the meeting, when suspending the provisions of Council Procedure Rule 5.5) at 6.00 p.m..

9. NOTICE OF MOTION REGARDING "UNIVERSAL CREDIT" - GIVEN BY COUNCILLOR JULIE DORE AND TO BE SECONDED BY COUNCILLOR OLIVIA BLAKE

9.1 It was formally moved by Councillor Julie Dore, and formally seconded by Councillor Olivia Blake, that this Council:-

- (a) believes that Universal Credit's callous and chaotic roll-out will push families into poverty in Sheffield, which is unacceptable, and that the roll-out of Universal Credit must be stopped immediately;
- (b) notes that the Secretary of State for Work and Pensions, the Rt. Hon. Esther McVey MP, has conceded that some of the poorest families will be £200 a week worse off and that, when asked in Parliament, the Minister could not guarantee that no one in Sheffield will be worse off;
- (c) believes that the Government are using Universal Credit as a vehicle for cuts - leaving people in debt, rent arrears or forced to turn to food banks to survive – and that claimants are still experiencing delays to initial payments, with the Department for Work and Pensions estimating in June that 40% of claimants were still experiencing financial difficulties even 9 months in to their claim;
- (d) notes research from the Trussell Trust which shows moving on to Universal Credit from existing benefits is the fastest growing cause of referrals to food banks and that, on average, food bank demand in areas where Universal Credit has been in place for at least 12 months increased by 52%, compared with 13% in areas where the new benefit had been in place for three months or less;
- (e) notes that a wide range of organisations, including Citizens Advice, the Child Poverty Action Group and over 80 disability organisations, have warned that the Government's plans still risk thousands of people losing support either temporarily or falling out of the system altogether;
- (f) confirms that £17 billion of social security cuts have already taken place since 2010, much of which took place under the coalition government, such as the introduction of the Bedroom Tax and cuts to council tax support, which have already had a damaging impact;
- (g) recalls the 2014 report commissioned by the Council and published by Sheffield Hallam University, about the impact of welfare reform on Sheffield under the coalition government, which highlighted that:-
 - (i) some local communities were hit by welfare reform five times harder than others;

- (ii) just under half of the financial loss from welfare reform fell on working households;
 - (iii) couples with children lost an average of nearly £1,700 a year;
 - (iv) lone parents lost over £2,000 a year; and
 - (v) men and women with health problems or disabilities were significantly disadvantaged;
- (h) believes Universal Credit is not just a vehicle for cuts, its design is also deeply flawed; and
- (i) believes Universal Credit isn't working and cannot continue in its current form and that the roll-out in Sheffield should be stopped and a genuinely comprehensive system in which no one is worse off should be introduced.

9.2 Whereupon, it was formally moved by Councillor Penny Baker, and formally seconded by Councillor Richard Shaw, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (j) to (o) as follows:-

- (j) notes the Joseph Rowntree Foundation analysis that Universal Credit in its current form is likely to push around 300,000 people into poverty by 2020;
- (k) agrees with the Liberal Democrat leader, the Rt. Hon. Sir Vince Cable, MP, that the implementation of Universal Credit is wrong and the further roll out of Universal Credit should be paused to take time to fix the damaging design flaws which are pushing thousands of families into poverty;
- (l) notes that since 2015, £3 billion a year has been taken out of Universal Credit and that the recent announcement in the Chancellor's budget goes nowhere near addressing this shortfall and calls for all of the money to be put back;
- (m) believes that the Government are refusing to fix Universal Credit for "ideological reasons";
- (n) calls for three specific changes to Universal Credit:-
 - (i) a reversal of the cuts to the work allowance, worth around £3bn a year, which the Joseph Rowntree Foundation analysis suggests would boost the budgets of 9.6 million parents and children, 4.9 million of them in working poverty, and take 300,000 people out of poverty;

- (ii) improvements to Universal Credit for the 800,000 self-employed who will eventually claim the benefit; by extending the period before the “minimum income floor” cap kicks in, from 12 to 24 months; and averaging income over several months so that people are not penalised for fluctuating incomes (all at a cost of around £400m); and
 - (iii) ending the benefits freeze a year early so that benefits are inflation proofed again (at an estimated annual cost of £1.6bn in 2019/20); and
 - (o) calls for Labour to join the Liberal Democrats in campaigning for the reform of Universal Credit, as the principles are right but the current system is wrong.
- 9.3 It was then formally moved by Councillor Martin Phipps, and formally seconded by Councillor Alison Teal, as an amendment, that the Motion now submitted be amended by the deletion of paragraph (i) and the addition of new paragraphs (i) to (k) as follows:-
- (i) believes Universal Credit isn’t working and cannot continue in its current form and that:-
 - (i) Universal Credit should be scrapped; and
 - (ii) Universal Basic Income should be trialled;
 - (j) resolves to act compassionately to avoid punishing claimants who are awaiting Universal Credit payments, which unacceptably take at least five weeks; and
 - (k) resolves to send a copy of this Motion to the Secretary of State for Work and Pensions, and the Prime Minister.
- 9.4 The amendment moved by Councillor Penny Baker was put to the vote and was negated.
- 9.4.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraphs (j) to (n), and against paragraph (o) of the amendment, and asked for this to be recorded.)
- 9.5 The amendment moved by Councillor Martin Phipps was then put to the vote and was carried, except for paragraph (i) of the amendment, which was negated.
- 9.6 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) believes that Universal Credit's callous and chaotic roll-out will push families into poverty in Sheffield, which is unacceptable, and that the roll-out of Universal Credit must be stopped immediately;
- (b) notes that the Secretary of State for Work and Pensions, the Rt. Hon. Esther McVey MP, has conceded that some of the poorest families will be £200 a week worse off and that, when asked in Parliament, the Minister could not guarantee that no one in Sheffield will be worse off;
- (c) believes that the Government are using Universal Credit as a vehicle for cuts - leaving people in debt, rent arrears or forced to turn to food banks to survive – and that claimants are still experiencing delays to initial payments, with the Department for Work and Pensions estimating in June that 40% of claimants were still experiencing financial difficulties even 9 months in to their claim;
- (d) notes research from the Trussell Trust which shows moving on to Universal Credit from existing benefits is the fastest growing cause of referrals to food banks and that, on average, food bank demand in areas where Universal Credit has been in place for at least 12 months increased by 52%, compared with 13% in areas where the new benefit had been in place for three months or less;
- (e) notes that a wide range of organisations, including Citizens Advice, the Child Poverty Action Group and over 80 disability organisations, have warned that the Government's plans still risk thousands of people losing support either temporarily or falling out of the system altogether;
- (f) confirms that £17 billion of social security cuts have already taken place since 2010, much of which took place under the coalition government, such as the introduction of the Bedroom Tax and cuts to council tax support, which have already had a damaging impact;
- (g) recalls the 2014 report commissioned by the Council and published by Sheffield Hallam University, about the impact of welfare reform on Sheffield under the coalition government, which highlighted that:-
 - (i) some local communities were hit by welfare reform five times harder than others;
 - (ii) just under half of the financial loss from welfare reform fell on working households;
 - (iii) couples with children lost an average of nearly £1,700 a year;
 - (iv) lone parents lost over £2,000 a year; and

- (v) men and women with health problems or disabilities were significantly disadvantaged;
- (h) believes Universal Credit is not just a vehicle for cuts, its design is also deeply flawed;
- (i) believes Universal Credit isn't working and cannot continue in its current form and that the roll-out in Sheffield should be stopped and a genuinely comprehensive system in which no one is worse off should be introduced;
- (j) resolves to act compassionately to avoid punishing claimants who are awaiting Universal Credit payments, which unacceptably take at least five weeks; and
- (k) resolves to send a copy of this Motion to the Secretary of State for Work and Pensions, and the Prime Minister.

10. NOTICE OF MOTION REGARDING "DELIVERING A BETTER BUS SERVICE FOR SHEFFIELD RESIDENTS" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR PENNY BAKER

10.1 It was formally moved by Councillor Ian Auckland, and formally seconded by Councillor Penny Baker, that this Council:-

- (a) notes that the Sheffield Bus Partnership is a voluntary agreement between South Yorkshire Passenger Transport Executive (SYLTE), Sheffield City Council and the bus operators First South Yorkshire, Stagecoach Sheffield, TM Travel and Sheffield Community Transport;
- (b) notes it aims to provide a better coordinated network of buses and trams in Sheffield, making it easier to travel around the city;
- (c) notes that in the presentation to the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee in October 2018, SYLTE's future steps do not include a commitment to increase passenger numbers;
- (d) notes the Partnership has failed in its central purpose to grow bus passenger numbers;
- (e) believes that the extent of cuts to concessionary travel and service support have proved to be un-necessary;
- (f) notes the recent Sheffield Bus Partnership report that stated that passenger numbers were down due to changes in employment patterns, reduced need to travel and an increase in online shopping;

- (g) believes that this is not the case and that passenger numbers are down due to:-
 - (i) service cuts and the lack of services available to the general public;
 - (ii) recent extortionate fare increases, which are forcing people to use their cars over public transport as a cheaper and more accessible option; and
 - (iii) a lack of public confidence in the reliability of the bus service, which is also contributing to decreasing passenger numbers; noting that punctuality of bus services has reduced, down to 84% from 87% over the past three years;
- (h) is concerned that increased car use will add to air pollution in the city centre if fewer people are using more energy efficient bus services;
- (i) is also concerned that cuts to bus services are preventing people from getting to work, school, run errands and attend medical appointments;
- (j) is dismayed that elderly residents in Wincobank are being forced to climb up and down one of Sheffield's steepest streets to get to their nearest bus stop after their usual accessible service was cut;
- (k) notes that under the Bus Services Act 2017, automatic access to bus franchising powers is given to the Sheffield City Region Mayor, as a directly elected mayor of a combined authority, and could be used to improve bus services; and
- (l) resolves to:-
 - (i) support the introduction of a statutory bus quality contract in Sheffield;
 - (ii) at the earliest practicable time, give notice to terminate Sheffield City Council's membership of the Sheffield Bus Partnership; and
 - (iii) send copies of this motion to all the other parties to the Bus Partnership Agreement.

10.2 Whereupon, it was formally moved by Councillor George Lindars-Hammond, and formally seconded by Councillor Jackie Satur, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:-

- (a) agrees with comments from former Liberal Democrat Minister for Transport, the Rt. Hon. Norman Baker, that the Sheffield Bus Partnership Agreement was, at the time, "good news for the City"; and

that the partnership directly led to the exclusive Better Bus Area grant of £18.3 million to further improve Sheffield's bus offer just a year later;

- (b) notes that the recent Bus in Crises report found that, nationally, bus services are under sustained pressure, with council funding almost halved since 2010;
- (c) further notes that budgets to subsidise routes were reduced by another £20m last year and 188 services were cut, according to the Campaign for Better Transport, and that local authorities across England and Wales had taken £182m away from supported bus services over the decade, affecting more than 3,000 bus routes;
- (d) believes that councils had been put in an impossible position due to actions from successive governments since 2010 and the resulting funding squeeze;
- (e) notes that South Yorkshire transport activity is principally resourced through a Levy contributed by the four districts and that, as partners' budgets have come under increasing pressure, the Levy has been reduced, noting that since April 2010, the Levy across South Yorkshire has fallen by £38.9m (41% down) from £94.7m to £55.8m for the financial year 2018/19, and further notes that Sheffield Liberal Democrat councillors supported these reductions;
- (f) recalls the formation of the Coalition Government in 2010 and the onslaught of cuts that Sheffield has suffered from, which were wholly unopposed by the local Liberal Democrat Group, despite all the evidence that showed the damage they were doing to Sheffield;
- (g) notes that despite these unprecedented cuts, which this Council believes were politically motivated, the Partnership has helped to ensure that city bus day and weekly tickets are still lower today in 2018 than they were in 2015, and that operators have invested heavily in modern technology, such as contactless ticket technology on almost every bus, free wifi, and USB ports in the new vehicles and the introduction of 117 greener and low emission buses;
- (h) recognises that control of the bus service is one of the powers available to the Sheffield City Region Mayor, and recalls that the opportunity to re-regulate bus services in the city was one of the reasons why this Council agreed to support the devolution deal; and
- (i) therefore calls on the Sheffield City Region Mayor to bring forward re regulation of the bus service.

10.3 On being put to the vote, the amendment was carried.

10.4 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) agrees with comments from former Liberal Democrat Minister for Transport, the Rt. Hon. Norman Baker, that the Sheffield Bus Partnership Agreement was, at the time, “good news for the City”; and that the partnership directly led to the exclusive Better Bus Area grant of £18.3 million to further improve Sheffield’s bus offer just a year later;
- (b) notes that the recent Bus in Crises report found that, nationally, bus services are under sustained pressure, with council funding almost halved since 2010;
- (c) further notes that budgets to subsidise routes were reduced by another £20m last year and 188 services were cut, according to the Campaign for Better Transport, and that local authorities across England and Wales had taken £182m away from supported bus services over the decade, affecting more than 3,000 bus routes;
- (d) believes that councils had been put in an impossible position due to actions from successive governments since 2010 and the resulting funding squeeze;
- (e) notes that South Yorkshire transport activity is principally resourced through a Levy contributed by the four districts and that, as partners’ budgets have come under increasing pressure, the Levy has been reduced, noting that since April 2010, the Levy across South Yorkshire has fallen by £38.9m (41% down) from £94.7m to £55.8m for the financial year 2018/19, and further notes that Sheffield Liberal Democrat councillors supported these reductions;
- (f) recalls the formation of the Coalition Government in 2010 and the onslaught of cuts that Sheffield has suffered from, which were wholly unopposed by the local Liberal Democrat Group, despite all the evidence that showed the damage they were doing to Sheffield;
- (g) notes that despite these unprecedented cuts, which this Council believes were politically motivated, the Partnership has helped to ensure that city bus day and weekly tickets are still lower today in 2018 than they were in 2015, and that operators have invested heavily in modern technology, such as contactless ticket technology on almost every bus, free wifi, and USB ports in the new vehicles and the introduction of 117 greener and low emission buses;
- (h) recognises that control of the bus service is one of the powers available to the Sheffield City Region Mayor, and recalls that the opportunity to re-regulate bus services in the city was one of the reasons why this Council agreed to support the devolution deal; and
- (i) therefore calls on the Sheffield City Region Mayor to bring forward re regulation of the bus service.

10.4.1 The votes on the Substantive Motion were ordered to be recorded and were as follows:-

- | | | |
|---|---|--|
| For paragraphs (a) and (d) of the Substantive Motion (46) | - | The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Ian Saunders, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Jackie Drayton, Talib Hussain, Mark Jones, Anne Murphy, Mazher Iqbal, Mary Lea, Moya O'Rourke, Steve Wilson, Abdul Khayum, Alan Law, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Chris Peace, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood. |
| Against paragraphs (a) and (d) of the Substantive Motion (25) | - | Councillors Simon Clement-Jones, Richard Shaw, Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps, Mohammed Mahroof, Colin Ross, Martin Smith, Roger Davison, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Steve Ayris, Gail Smith, Alison Teal, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Keith Davis, John Booker and Mike Levery. |
| Abstained from voting on paragraphs (a) and (d) of the Substantive Motion (1) | - | The Lord Mayor (Councillor Magid Magid) |
| For paragraphs (b), (c) and (e) of the Substantive Motion (51) | - | The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Ian Saunders, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Kaltum Rivers, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Robert Murphy, Martin Phipps, Anne Murphy, Mazher Iqbal, Mary Lea, Moya O'Rourke, Steve Wilson, Abdul Khayum, Alan Law, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Chris Peace, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Mohammad Maroof, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Peter Rippon, Dawn Dale, Peter |

- Price, Garry Weatherall, Mike Chaplin, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood.
- Against paragraphs (b), (c) and (e) of the Substantive Motion (20) - Councillors Simon Clement-Jones, Richard Shaw, Mohammed Mahroof, Colin Ross, Martin Smith, Roger Davison, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Keith Davis, John Booker and Mike Levery.
- Abstained from voting on paragraphs (b), (c) and (e) of the Substantive Motion (1) - The Lord Mayor (Councillor Magid Magid)
- For paragraphs (f) and (g) of the Substantive Motion (46) - The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Ian Saunders, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Jackie Drayton, Talib Hussain, Mark Jones, Anne Murphy, Mazher Iqbal, Mary Lea, Moya O'Rourke, Steve Wilson, Abdul Khayum, Alan Law, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Chris Peace, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood.
- Against paragraphs (f) and (g) of the Substantive Motion (20) - Councillors Simon Clement-Jones, Richard Shaw, Mohammed Mahroof, Colin Ross, Martin Smith, Roger Davison, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Keith Davis, John Booker and Mike Levery.
- Abstained from voting on paragraphs (f) and (g) of the Substantive Motion (6) - The Lord Mayor (Councillor Magid Magid) and Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal.

- | | | |
|--|---|--|
| For paragraph (h) of the Substantive Motion (63) | - | The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Simon Clement-Jones, Richard Shaw, Ian Saunders, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Jackie Drayton, Talib Hussain, Mark Jones, Mohammed Mahroof, Anne Murphy, Mazher Iqbal, Mary Lea, Colin Ross, Martin Smith, Moya O'Rourke, Steve Wilson, Roger Davison, Paul Scriven, Abdul Khayum, Alan Law, Abtisam Mohamed, Sue Alston, Andrew Sangar, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Chris Peace, Ian Auckland, Steve Ayris, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Gail Smith, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, David Baker, Penny Baker, Vickie Priestley, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, Adam Hurst, Mike Levery, Mick Rooney, Jackie Satur and Paul Wood. |
| Against paragraph (h) of the Substantive Motion (3) | - | Councillors Jack Clarkson, Keith Davis and John Booker. |
| Abstained from voting on paragraph (h) of the Substantive Motion (6) | - | The Lord Mayor (Councillor Magid Magid) and Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal. |
| For paragraph (i) of the Substantive Motion (68) | - | The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Simon Clement-Jones, Richard Shaw, Ian Saunders, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Kaltum Rivers, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Robert Murphy, Martin Phipps, Mohammed Mahroof, Anne Murphy, Mazher Iqbal, Mary Lea, Colin Ross, Martin Smith, Moya O'Rourke, Steve Wilson, Roger Davison, Paul Scriven, Abdul Khayum, Alan Law, Abtisam Mohamed, Sue Alston, Andrew Sangar, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Chris Peace, Ian Auckland, Steve Ayris, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Gail Smith, Mohammad Maroof, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Jack Scott, Mike |

Drabble, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, David Baker, Penny Baker, Vickie Priestley, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, Adam Hurst, Mike Levery, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraph (i) of the Substantive Motion (3) - Councillors Jack Clarkson, Keith Davis and John Booker.

Abstained from voting on paragraph (i) of the Substantive Motion (1) - The Lord Mayor (Councillor Magid Magid)

11. CHANGES TO THE CONSTITUTION : PART 4 - FINANCIAL PROCEDURE RULES (FINANCIAL REGULATIONS)

- 11.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Julie Dore, that this Council approves the changes to the Financial Procedure Rules (Financial Regulations) in Part 4 of the Council's Constitution, as set out in the report of the Chief Executive now submitted, and its appendices.

12. MINUTES OF PREVIOUS COUNCIL MEETING

- 12.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Jackie Drayton, that the minutes of the meeting of the Council held on 3rd October 2018, be approved as a true and accurate record.

13. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

- 13.1 On the Motion of Councillor Peter Rippon, seconded by Councillor Julie Dore, that:-

(a) approval be given to the following changes to the memberships of Committees, Boards, etc.:-

Children, Young People and Family Support Scrutiny and Policy Development Committee - Remove Councillor Bryan Lodge and create a vacancy

Safer and Stronger Communities Scrutiny and Policy Development Committee - Councillor Roger Davison to replace Councillor Joe Otten

(b) the following resignations of Parent Governor Representatives on the Children, Young People and Family Support Scrutiny and Policy Development Committee, be noted:- (i) Ms. Joanna Heery, with effect from 3rd September 2018, as she is no longer a parent governor and (ii) Ms. Waheeda Din, with effect from 29th October 2018, due to work commitments.

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