

Cabinet

Wednesday 21 November 2018 at 2.00 pm

**To be held at the Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillor Julie Dore	(Leader of the Council)
Councillor Olivia Blake	(Cabinet Member for Finance and Deputy Leader)
Councillor Lewis Dagnall	(Cabinet Member for Environment and Streetscene)
Councillor Jackie Drayton	(Cabinet Member for Children & Families)
Councillor Jayne Dunn	(Cabinet Member for Education & Skills)
Councillor Mazher Iqbal	(Cabinet Member for Business and Investment)
Councillor Mary Lea	(Cabinet Member for Culture, Parks and Leisure)
Councillor Chris Peace	(Cabinet Member for Health and Social Care)
Councillor Jack Scott	(Cabinet Member for Transport and Development)
Councillor Jim Steinke	(Cabinet Member for Neighbourhoods and Community Safety)

PUBLIC ACCESS TO THE MEETING

The Cabinet discusses and takes decisions on the most significant issues facing the City Council. These include issues about the direction of the Council, its policies and strategies, as well as city-wide decisions and those which affect more than one Council service. Meetings are chaired by the Leader of the Council, Councillor Julie Dore.

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. 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 Cabinet 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.

Cabinet meetings are normally open to the public but sometimes the Cabinet 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.

Cabinet decisions are effective six working days after the meeting has taken place, unless called-in for scrutiny by the relevant Scrutiny Committee or referred to the City Council meeting, in which case the matter is normally resolved within the monthly cycle of meetings.

If you require any further information please contact Simon Hughes on 0114 273 4014 or email simon.hughes@sheffield.gov.uk.

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.

**CABINET AGENDA
21 NOVEMBER 2018**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 18)
To approve the minutes of the meeting of the Cabinet held on 17 October 2018.
- 6. Public Questions and Petitions**
To receive any questions or petitions from members of the public
- 7. Items Called-In For Scrutiny** (Pages 19 - 24)
 - a) The Director of Legal and Governance will inform the Cabinet of any items called in for scrutiny since the last meeting of the Cabinet
 - b) Call-In of Cabinet Member for Transport and Development decision on Community Infrastructure Levy: Neighbourhood Portion
 - Report of the Safer and Stronger Communities Scrutiny and Policy Development Committee.
- 8. Retirement of Staff** (Pages 25 - 28)
Report of the Executive Director, Resources.
- 9. Clean Air for Sheffield** (Pages 29 - 60)
Report of the Executive Director, Place.
- 10. New Homes Delivery Plan** (Pages 61 - 104)
Report of the Executive Director, Place.
- 11. Building Better Parks Strategy** (Pages 105 - 118)

- Report of the Executive Director, Place.
12. **Ripon Street Recreation Ground - Transfer of Charitable Status to Darnall Community Park** (Pages 119 - 128)
Report of the Executive Director, Place.
 13. **Pathways to Progression - Ambition** (Pages 129 - 140)
Report of the Executive Director, People Services.
 14. **Pathways to Success** (Pages 141 - 150)
Report of the Executive Director, People Services.
 15. **Investigation of Implications for Water Fluoridation** (Pages 151 - 156)
Report of the Director of Public Health.
 16. **Revenue Budget and Capital Programme Monitoring 2018/19 Month 6** (Pages 157 - 200)
Report of the Executive Director, Resources.
 17. **Month 6 Capital Approvals** (Pages 201 - 228)
Report of the Executive Director, Resources.
 18. **Gambling Act 2005 - Statement of Principles (Policy)** (Pages 229 - 306)
Report of the Executive Director, Place.

NOTE: The next meeting of Cabinet will be held on Wednesday 12 December 2018 at 2.00 pm

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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Cabinet

Meeting held 17 October 2018

PRESENT: Councillors Julie Dore (Chair), Olivia Blake, Lewis Dagnall, Jackie Drayton, Mazher Iqbal, Mary Lea, Chris Peace, Jack Scott and Jim Steinke

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Jayne Dunn.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 The Chair (Councillor Julie Dore) reported that Appendices 3-10 of item 12 'Future of the Revenues and Benefits Service' and Appendices 1-3 of item 13 'Care at Night Service' were not available to the public and press because they contained exempt information described in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) relating to the financial or business affairs of any particular person. Accordingly, if the contents of those appendices were to be discussed the public and press would be excluded from the meeting.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of Cabinet held on 19 September 2018 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question in respect of Gender Pay Gap

5.1.1 Christine Rose commented that the Women's Equality Party were pleased to note that the Council had a relatively small gender pay gap for its own employees. However, the Council spent millions of public money outsourcing and procuring services via private companies. Could the Council therefore give the gender pay statistics for the five largest Council contracts of 2017/18? Could these be broken down both by the financial cost of the contract and by the number of employees delivering the contract, stating the name of the company/organisation and the service they provided?

5.1.2 Christine Rose further asked could the Council also tell us whether an assessment of the gender pay gap formed part of the procurement process for evaluating bids and submissions, including renewal and extensions of contracts? If this was not currently part of the evaluation and procurement process, how was

the Council going to ensure that it was in the future?

5.1.3 In response, Councillor Olivia Blake, Cabinet Member for Finance, commented that this was a really important issue and she was happy that the gender pay gap at the Council was small. However, the Council did have a number of contracts but had recently insourced some of these. 3 of the 5 main contractors for the Council had representatives who sat on the Council's internal Equality Board where questions were asked in relation to equality.

5.1.4 Councillor Blake added that information in respect of this could be found on the gender pay gap website but she would write to Ms. Rose with the breakdown. There were significant differences in the pay gap between the 5 main contractors. Equality in respect of pay was not able to be included as part of the procurement process due to the need to follow the national procurement regulations of 2015 and the regulations would need to change for this to be considered. However, the Council did use an ethical procurement toolkit with its suppliers.

5.2 Public Question in respect of Asset of Community Value Application

5.2.1 Nigel Slack commented that there had been a great deal of comment on social media both from the Friends of Birley Spa and others about their application for an Asset of Community Value Assessment. The implication was that this had failed at the first hurdle. In Mr Slack's opinion this appeared to be another disposal where the view put forward by Cabinet was at odds with disposal practice by officers. What was the latest on Birley Spa and the Asset of Community Value application? Was there a clear and understood protocol for the disposal of heritage assets that officers should adhere to? If so, could that protocol be published for the benefit of the public and particularly for local community groups that may have had an interest?

5.2.2 Councillor Jim Steinke, Cabinet Member for Neighbourhoods and Community Safety, responded that he had not signed off the decision in respect of this as yet. He had had the relevant legal briefing and met with Councillors and Officers. However, he couldn't prejudice the decision at this stage, but when the decision was made it would be made public. There was a heritage category being developed and this would be published.

5.2.3 Councillor Olivia Blake added that the Council had a disposals framework which applied to all assets, which had been agreed in 2013 by her predecessor. This was publically available and could be made available for Mr Slack. An Informal Planning Note for applications was usually produced which took into account conservation issues.

5.3. Public Question in respect of Streets Ahead Contract

5.3.1 Nigel Slack commented that the Streets Ahead Contract had been in the news again for what appeared, to Mr Slack, to be manipulative changes of work schedules to ensure that Amey avoided penalties. Mr Slack believed that they may even have gained financially by hitting changed targets.

- 5.3.2 Mr Slack commented that two quotes from the article which he had provided Cabinet with a link to were particularly relevant: “Initially, it was believed by some Councillors, Amey would resurface 100 per cent of the roads in the first five years. They then said they would finish 70 per cent in that time period. Nick Hetherington, network asset manager at Amey, had since confirmed they had only done 65 per cent to date.” Nigel Slack commented that this descending target was also confirmed to him in answers to public questions by the previous Cabinet Member for Environment.
- 5.3.3 The article further stated that “Mr Hetherington denied the team being behind schedule but admitted to changing their programme to meet targets.” Mr Slack therefore asked what information could the Council share about this practice and whether Council contract management facilitated such changes? Could the Council confirm whether Amey received penalties or rewards for their work in their ‘core investment period’?
- 5.3.4 Councillor Lewis Dagnall, Cabinet Member for Environment and Streetscene, responded that the truth was less sensational than the quotes referred to by Mr Slack suggested. There had never been a prescribed target for the percentage number of roads completed in a fixed time. There was an average condition score awarded in terms of resurfacing and it was estimated that 65-70% of roads would be improved within that core investment period.
- 5.3.5 Councillor Dagnall added that Amey carried out a condition survey each year to assess whether roads had deteriorated or improved. This was necessary as it ensured Amey focused on roads that had deteriorated. Microsurfacing brought roads up to standard before a full resurfacing took place. The Council also took samples from roads to ensure the condition was acceptable.
- 5.3.6 Councillor Dagnall added that Amey had met all of their targets within the core investment period and had received a contract uplift. This would have worked the other way round if Amey had not met their targets. Streets Ahead was a 25 year programme which will have a long term impact and would get roads up to a standard and be maintained at a standard not previously seen in the City. Councillor Dagnall was satisfied with the way the programme operated to deliver a sustainable operative network for the Council and concluded by commenting that he could not be held responsible for misunderstandings of the way the contract operated.
- 5.4 Public Question in respect of Community Infrastructure Levy (CIL)
- 5.4.1 Nigel Slack commented that he had spoken with the relevant Cabinet Member about concerns over consultations falling short of their target audiences recently and he had identified that there had been issues with both Council blogs and the consultation hub website, probably due to General Data Protection Regulation (GDPR) issues. Mr Slack had been told that these would be addressed.
- 5.4.2 Mr Slack then stated that he would also like to focus on the issue of some consultations seeming to lack sufficient information for the Cabinet to take the best decision. For example, the consultation with respect to the Community

Infrastructure Levy, item 9 on the agenda for today's meeting. Mr Slack understood and applauded the proposal to make this a redistributive approach, even if he might disagree about how this was applied. However, if he were making a decision on this today he would want some additional information.

5.4.3 Mr Slack therefore asked as more 'Neighbourhood Plans' were developed what will be the impact of this on the redistribution aspect of the scheme? What information was there about the money collected through CIL on different areas or Local Area Partnership (LAP) areas and therefore what 10% of that CIL neighbourhood portion (being the minimum local retention) actually amounts to? Finally, with recent contention over the existence or otherwise of actual Equality Impact Assessments, could a copy of EIA report 286 be available at the meeting?

5.4.4 Councillor Jack Scott, Cabinet Member for Transport and Development, responded that there was a risk with Neighbourhood Plans that some neighbourhoods could approve plans that would allow them to retain a higher amount of money. There was the further risk of more affluent areas being able to develop neighbourhood plans and poorer areas not able to which would widen inequality. Information in respect of Ward distribution had not been made available as the policy decision had not yet been made. Within the next two-three weeks more information would come forward and be made available. However, things changed on a daily basis. The Equality Impact Assessment was circulated to Cabinet and made available to Mr Slack.

5.5 Public Question in respect of Community Infrastructure Levy

5.5.1 Mike Hodson, representing Carter Knowle & Millhouses Community Group, asked was the Cabinet Member aware that the high rate of response to the consultation that is cited in the CIL report, in answer to criticisms of the poor publicity etc., is largely due to the last minute publicity given to the consultation by local community groups? The top 6 Wards accounted for virtually 50% of the responses despite the fact that:-

(a) information about the consultation only reached many of these groups a few days before it was scheduled to close, owing to failures in the system of notifications by Citizen Space and Local Area Partnership Blogs;

(b) the publicity was largely confined to social media; and

(c) responses to the consultation were only possible online, thus disenfranchising a substantial minority of citizens who lacked either the means or the confidence to make use of electronic communications?

5.5.2 Mr Hodson further asked if the Cabinet Member was satisfied that the consultation was entirely in accord with the Council's own guidelines for such consultations in that:-

(a) the proposals were not clearly at a formative stage – as they included detailed principles and evolved proposals for all three of its aims;

(b) sufficient reasons (and background information) were not included – e.g. there were no figures or examples of how alternative methods of distribution might impact on different areas of the City;

(c) adequate time was clearly not given - as the consultation period was only four weeks, as against the usual, and recommended six weeks; as it started in the middle of August when many people were likely to be away; and for those who had only heard about it days before the response period ended, it was merely a few days; and

(d) the product of the consultation did not appear to have been conscientiously taken into account – in that on the key proposition of adopting a distribution model across the whole City using the Index of Multiple Deprivation, only 45% supported it, with 53% feeling unable to do so?

Mr Hodson asked, as a follow up, would the Cabinet Member not agree that were the Council to make more use of local community groups plus other more traditional methods as additional channels of communication, their aim to involve and empower local communities – as expressed in aim number 3 of the consultation – might be better achieved?

- 5.5.3 Councillor Jack Scott stated that he was encouraged by the response rate to the consultation and this compared well to similar consultations. He accepted the point about GDPR in that, as a result of the new regulations, the Council had to delete a database of email addresses that it had built up and was now having to rebuild that. This consultation was the first to take place since that had been done. The only mitigation possible was to extend the deadline to respond to the consultation which the Council had done.
- 5.5.4 Councillor Scott added that it was not uncommon to receive last minute responses and differences in the responses between areas. However, there was a correlation of support for the proposals. Councillor Scott was confident that the consultation was adequate in this instance and took into account the more deprived areas in the City. The proposals outlined in the consultation had not been decided and it was agreed that a further discussion would be held at the end of the consultation. As a result of the consultation the Council had gained good qualitative and quantitative information.
- 5.5.5 Councillor Scott recognised that CIL was a complicated process and the questions posed in the consultation contained background information to allow people to make a judgement. It would not be fair to say that 30% neither agreeing nor disagreeing means the Council should not proceed with the proposals, as these people were not disagreeing with the proposals. Councillor Scott thanked Mr Hodson for the work he did with the Carter Knowle and Millhouses Community Group and agreed that such organisations were a vital part of how the Council engaged with local people.
- 5.5.6 Councillor Scott acknowledged that CIL was a contentious issue but was confident in the consultation that had taken place. He welcomed the input from the Carter Knowle and Millhouses Community Group and would welcome similar input from

other community groups. He respected people who had a different view, but believed implementing the proposals was important if the Council wanted to tackle significant inequality in the City.

5.5.7 Councillor Jim Steinke thanked Mr Hodson and other community groups who encouraged last minute responses to the consultation. Many of the responses were supportive of the Council's proposals, especially in areas where people may not appear to benefit from them.

5.5.8 The Leader of the Council, Councillor Julie Dore, commented that she was not surprised to see support from people in areas who may not appear to benefit from the proposals as she believed that Sheffield people understand the importance of fairness and redistribution was a part of that. However, she recognised that in some localities further work needed to be done to address some issues with developments and this could be done through the planning process. The Council was always looking to improve engagement with communities and individuals who didn't engage with the public service, and the democratic process. If anyone had any suggestions as to how to increase dialogue with these people she would be happy to hear them.

6. ITEMS CALLED-IN FOR SCRUTINY

6.1 There were no items called-in for Scrutiny since the last meeting of the Cabinet.

7. RETIREMENT OF STAFF

7.1 The Executive Director, Resources submitted a report on Council staff retirements.

7.2 **RESOLVED:** That this Cabinet :-

(a) places on record its appreciation of the valuable services rendered to the City Council by the following staff of the People Services Portfolio:-

<u>Name</u>	<u>Post</u>	<u>Years' Service</u>
Karen Barker	Senior Teaching Assistant Level 3, Norfolk Park School	23
Anne Broadhead	SENCO Teacher, Ecclesall Infant School	37
Marjorie Reilly	Supervisory Assistant, Malin Bridge Primary School	20

(b) extends to them its best wishes for the future and a long and happy retirement;
and

(c) directs that an appropriate extract of this resolution under the Common Seal of the Council be forwarded to them.

8. COMMUNITY INFRASTRUCTURE LEVY NEIGHBOURHOOD PORTION

8.1 The Executive Director, People Services submitted a report seeking (a) approval for the process for allocating the “Neighbourhood Portion” (currently 15%) of the Community Infrastructure Levy (CIL) receipts within Wards that are not within a Parish Council boundary or an area in which a neighbourhood plan is in place; and (b) delegated authority for decisions on the spending to be granted to the Head of Libraries, Community Services & Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety.

8.2 **RESOLVED:** That Cabinet:-

- (i) agrees that where there is no Parish Council or neighbourhood plan in place in the Ward where a chargeable development has taken place, the Neighbourhood Portion is collected into a single Local CIL pot and redistributed using the process set out in the report;
- (ii) delegates authority to the Head of Libraries, Community Services & Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, to determine: (A) how the CIL Neighbourhood Portion allocated to each Ward is spent, following engagement with local communities and Ward Councillors, subject to the proviso that monies are spent in accordance with agreed Ward Priorities and (B) to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation; and
- (iii) delegates authority to the Head of Libraries, Community Services & Learning & Skills to produce a Guidance Note for Councillors and Officers, setting out how decisions on spending the CIL Neighbourhood Portion will be made, based on the details set out in the report.

8.3 Reasons for Decision

8.3.1 The recommendations made in this report are considered to be in line with the CIL Regulations and have been made with regard to the National Planning Policy Guidance (NPPG).

8.3.2 The proposals that were consulted upon received broad support and so form the basis of the recommendations.

8.3.3 The allocation of some of the Neighbourhood Portion based on Indices of Multiple Deprivation provides an opportunity to close the gap between richer and poorer areas of the city.

8.3.4 The existing Ward based approach to community engagement and funding is an efficient mechanism for these decisions. Adopting a similar approach for decisions on the spending of the Neighbourhood Portion would enable better coordination with other Ward based funding.

8.4 **Alternatives Considered and Rejected**

- 8.4.1 The Council must ensure the Neighbourhood Portion is spent appropriately in accordance with the CIL Regulations and have regard to the NPPG. The options available are alternative methods of allocating neighbourhood CIL, such as different governance mechanisms and/or different geographies.
- 8.4.2 The entirety of the Neighbourhood Portion could be retained in the Ward where the development has taken place but this would remove the opportunity to close the gap between the richer and poorer parts of the city.
- 8.4.3 Delegations to other officers were considered but the recommendation that the Head of Libraries, Community Services and Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, is authorised to make these decisions is considered the most appropriate option and would align the Neighbourhood Portion with other Ward based funding.

9. **ASSISTIVE TECHNOLOGY AND CALL HANDLING SERVICES TO SUPPORT PEOPLE IN THEIR HOMES (CITY WIDE CARE ALARMS - KIT/CALLS PROJECT)**

- 9.1 The Executive Director, People Services submitted a report outlining the methodology for re-tendering kit/calls contracts and seeking permission to proceed. Two key contracts are due to expire at the end of April 2019. The first is for the provision of assistive technology (kit) in people's homes. The second is for the provision of call handling services (calls) connecting people using assistive technology to a call centre. Both contracts (kit and calls) are key pillars of the Council's Social Care provision.
- 9.2 **RESOLVED:** That Cabinet:-
- (a) agrees that ESPO (Procurement Services for the Public Sector) be utilised to procure both contracts to commence in May 2019, based upon the current delivery model and in line with the report;
 - (b) delegates authority to the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services, to award such contracts, and thereafter to enter into such agreements to secure such services, detailed and in line with the report; and
 - (c) delegates authority to the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services, to carry out such activities, where no existing authority exists, in order to meet the aims and objectives of the report.

9.3 **Reasons for Decision**

- 9.3.1 This proposal is the preferred option because the delivery model is tried and tested with the lowest cost/risk factors and the proposed procurement of the

service will enable increased flexibility and innovation and at the same time allow integration opportunities and rationalisation of services to be explored.

9.3.2 The outcome will be new assistive technology and call handling (kit/calls) contracts that are:

- More flexible and sustainable
- Innovative and up to date
- Customer focused and responsive
- Providing the right kit, to the right people at the right time
- Empowering - enabling greater independent living
- Supportive - helping vulnerable people and their carers
- Preventative - preventing falls and social isolation
- Investing to save - enabling future savings via prevention

9.4 **Alternatives Considered and Rejected**

9.4.1 Two further options were considered for both the call handling and equipment contracts:-

- Extension of existing contracts for a set period of time was considered. However, this option was rejected because it is not commercially or legally compliant. In addition it fails to provide the flexibility and innovation required of the contracts moving forward.
- Open tenders for both contracts. This option was rejected because even though it would offer greater flexibility, it would not allow for further market testing to take place, or testing to understand the actual cost of provision. It would also prevent any opportunity to integrate the current services with other activities and other strategic partners.

10. **MONTH 5 CAPITAL APPROVALS**

10.1 The Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 05 2018/19.

10.2 **RESOLVED:** That Cabinet:-

- (a) approves the proposed additions and variations to the Capital Programme listed in Appendix 1 of the report, including the procurement strategies and delegates authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts;
- (b) gives authorisation to accept the grants from the Environment Agency as detailed in Appendix 2 of the report;
- (c) gives authorisation to accept the grant from the Marine Management

Organisation (MMO)/European Maritime Fisheries Fund if the key features of the grant are as outlined in Appendix 2 of the report; and

- (d) delegates authority to the Director of City Growth, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance, to decide whether or not to accept the Marine Management Organisation (MMO)/European Maritime Fisheries Fund grant in the event that the key features of the grant are not as outlined in Appendix 2 of the report.

10.3 **Reasons for Decision**

- 10.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.
- 10.3.2 To formally record changes to the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the Capital Programme in line with latest information.
- 10.3.3 Obtain the relevant delegations to allow projects to proceed.

10.4 **Alternatives Considered and Rejected**

- 10.4.1 A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Revenue Budget and the Capital Programme.

11. **FUTURE OF THE REVENUE AND BENEFITS AND FINANCIAL BUSINESS TRANSACTIONS SERVICES**

- 11.1 The Executive Director, Resources submitted a report containing proposals in relation to the future delivery of the Revenue and Benefits and Financial Business Transactions (FBT) services.

11.2 **RESOLVED:** That Cabinet:-

- (a) notes and approves the proposal for the future delivery of the Revenues & Benefits & FBT services outlined in this report and in particular that:

- these proposals would move the Council towards the delivery of those functions through an in-house service;

- this will necessitate early termination of the Revenues & Benefits

and FBT elements of the Programme Agreement with Capita Business Services Ltd (Capita); and

- there may be a transfer of staff from Capita into the Council that will require a formal consultation with staff affected and the Trade Unions.

- (b) to the extent not covered by existing delegations, grants delegated authority to the Executive Director of Resources, in consultation with the Cabinet Member for Finance, the Director of Finance & Commercial Services and the Director of Legal and Governance, as necessary, to:
- approve the procurement strategies and contract awards for the various procurements required to deliver transfer and ongoing delivery of the services;
 - utilise the appropriate contractual mechanisms to give notice to Capita to terminate the Revenues and Benefits and FBT services and Partnership elements of the Programme Agreement; and
 - take such other steps as he feels necessary to achieve the outcomes in the report.
- (c) gives approval for the budget required to cover the costs of delivering the transfer of the Revenues & Benefits and FBT services to the Council, including the one-off implementation and set-up costs, as set out in the financial implications of the report; and
- (d) notes that a further report will be presented to Cabinet in due course setting out the strategy for the future delivery of the services in more detail once the proposals have been fully worked up.

11.3 Reasons for Decision

11.3.1 The detailed rationale for the recommendations is set out in the report. Insourcing the services will give the Council direct control over the delivery of Revenues, Benefits and FBT services, especially given the changing political and legal factors around Welfare Reform and Universal Credit. It will enable the Council to implement the necessary changes to transform the services to adapt to these environmental demands in the most effective way we see fit and deliver these changes more quickly and more cost-effectively than if the services were managed by a strategic partner. This option gives us the opportunity to take back control over the future direction of the services and continue to deliver high performance through our own workforce.

11.4 Alternatives Considered and Rejected

11.4.1 Four other options were shortlisted for detailed analysis:

- 'Do nothing' and allow the contract to run until 2022.

- Reprourement of all services.
- Hybrid Delivery
- Renegotiation

12. CARE AT NIGHT SERVICE

12.1 The Executive Director, People Services, submitted a report requesting authority and approval for Sheffield City Council (“SCC”) to jointly commission with Sheffield Clinical Commissioning Group (“SCCG”) for the provision of a revised night visiting service, called ‘Care at Night’.

12.2 **RESOLVED:** That Cabinet:-

(a) approves the recommendations made by the Executive Management Group (“EMG”) of the Better Care Fund, on 5th September 2018, in relation to the commissioning, contracting, financial and risk arrangements for the Care at Night service which will be, subject to approvals and agreement from both SCC and SCCG, covered and funded under the existing Framework Partnership Agreement relating to the Commissioning of Health and Social Care Services (“S75 Agreement”); with EMG’s recommendations including:

(i) approval for a revised night visiting service (now called “Care at Night”) to be jointly commissioned between SCC and SCCG;

(ii) approval for the Care at Night service to be managed on a ‘Jointly Managed Scheme – Integrated Commissioning Arrangements’ basis within the S75 agreement; and

(iii) approval for the costs of the jointly commissioned contract for the Care at Night service to be shared between SCC and SCCG on a fixed % contribution basis which is expected to deliver a 50:50 sharing of the modelled savings. The proportionate share of costs would be split into 60% SCC and 40% SCCG. The risk-share for any future increase in costs, such as additional rounds, will be in line with the percentage splits above.

(b) delegates authority to:-

(i) the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance, to vary the S75 Agreement and any other

necessary documentation that are required in order to give effect to the implementation of the EMG's recommendations as set out above;

- (ii) the Director of Finance and Commercial Services, in consultation with the Executive Director, People Services, to procure the proposed service and approve the procurement strategy; and
- (iii) the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance, to:-

(A) approve the terms of the variation to the S75 Agreement and enter into all necessary documents (such as deed of variation) in order to add the Care at Night service to the S75 Agreement, in line with this report;

(B) approve the terms and enter into the new contract for the Care at Night service; and

(C) take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in this report.

12.3 **Reasons for Decision**

12.3.1 The proposed jointly commissioned Care at Night service will aim to achieve the following outcomes:

- Individuals benefit from continuity of care without the need to change care provider should their eligibility for CHC services change.
- Individuals and their families have a strong voice enabled through provider-led regular quality check surveys which helps to monitor service quality and inform continual service improvement.
- People are supported to get home more quickly from hospital by providing short-term support, including wraparound care as required.
- Systemic pressures are reduced and better outcomes for people achieved, for example, by enabling a family carer to have a short break or get a good night's sleep, without the cost and upheaval associated with admitting the cared for person to a care home.
- The service represents value for money with service costs reflective of both the market value and the health and social care activities being delivered.
- Savings for SCC and SCCG are potentially achieved.
- New ways of joint working are tested as a staging post on the journey to

fully integrated commissioning, by working through the challenges and capturing the lessons learned on a relatively small project.

- A unified, consistent approach to pricing and contract management for night care is implemented.
- A platform for further potential developments is created, for example incorporating the overnight elements of the CWCA and Intensive Home Nursing Service, which may realise additional structural benefits and citywide savings in future, and deliver a better experience for users.

12.4 Alternatives Considered and Rejected

12.4.1 Do not provide a night care service after the existing contract is due to expire at the end of March 2019: This is not a viable option. The individuals requiring care and support during the night are often among our most vulnerable citizens. While opportunities to increase independence and reduce the amount of care required will be actively explored as part of the new arrangement, not having any night care in place is likely to result in individuals being placed in residential settings or being admitted to hospital, which is not acceptable from an operational perspective, nor a reasonable or desirable outcome for individuals and their families.

12.4.2 Procure contracts separately from the CCG: For the reasons outlined elsewhere in the report, to continue to procure contracts separately removes the opportunity to make collective savings and deliver a more efficient service which is better for individual users, and contradicts the national direction of greater integration of health and social care services.



Author/Lead Officer of Report: Alice Nicholson,
Policy & Improvement Officer

Tel: 0114 27 35065

Report of: Safer and Stronger Scrutiny and Policy Development Committee

Report to: Cabinet

Date of Decision: 21st November 2018

Subject: Call-In of Cabinet Member for Neighbourhoods and Community Safety and Cabinet Member for Transport and Development decision on “Community Infrastructure Levy Neighbourhood Portion (Local CIL)”

<p>Is this a Key Decision? If Yes, reason Key Decision:-</p> <ul style="list-style-type: none"> - Expenditure and/or savings over £500,000 - Affects 2 or more Wards 	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>Which Cabinet Member Portfolio does this relate to?</p> <ol style="list-style-type: none"> 1. <i>Neighbourhoods and Community Safety</i> 2. <i>Transport and Development</i> <p>Which Scrutiny and Policy Development Committee does this relate to?</p> <ul style="list-style-type: none"> • <i>Safer and Stronger Scrutiny and Policy Development Committee</i> 	
<p>Has an Equality Impact Assessment (EIA) been undertaken? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If YES, what EIA reference number has it been given? <i>(Insert reference number)</i></p>	
<p>Does the report contain confidential or exempt information? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-</p> <p><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></p>	

Purpose of Report:

This paper reports the outcome of the Scrutiny Committee meeting held on 8th November 2018 where a Call-In of Cabinet Member for Neighbourhoods and Community Safety and Cabinet Member for Transport and Development decision on “Community Infrastructure Levy Neighbourhood Portion (Local CIL)” was considered.

Recommendations:

That Cabinet:

- (a) notes the decision of the Safer and Stronger Scrutiny and Policy Development Committee

Background Papers:

Cabinet Members Decision and Report:

<http://democracy.sheffield.gov.uk/ieDecisionDetails.aspx?ID=2127>

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>(Insert name of officer consulted)</i> n/a
		Legal: <i>(Insert name of officer consulted)</i> n/a
		Equalities: <i>(Insert name of officer consulted)</i> n/a
<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>(Insert name of relevant Executive Director)</i> n/a
3	Cabinet Member consulted:	<i>(Insert name of relevant Cabinet Member)</i> n/a
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>Alice Nicholson</i>	Job Title: Policy & Improvement Officer
	Date: <i>12/11/2018</i>	

Called-In Decision: Outcome of Scrutiny Committee Meeting 8th November 2018

1. Cabinet Decision

1.1 On the 17th October 2018 Cabinet made the following decision:

- (a) *Agrees that where there is no Parish Council or neighbourhood plan in place in the ward where a chargeable development has taken place, the Neighbourhood Portion is collected into a single Local CIL pot and redistributed using the process set out in the report;*
- (b) *Delegates authority to the Head of Libraries, Community Services & Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety delegates authority to the Head of Libraries, Community Services & Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, to determine: (i) how the CIL Neighbourhood Portion allocated to each ward is spent, following engagement with local communities and Ward Councillors, subject to the proviso that monies are spent in accordance with agreed Ward Priorities and (ii) to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation; and*
- (c) *delegates authority to the Head of Libraries, Community Services & Learning & Skills to produce a Guidance Note for Councillors and Officers, setting out how decisions on spending the CIL Neighbourhood Portion will be made, based on the details set out in the report.*

2. Scrutiny

2.1 As per Part 4, section 16 of Sheffield City Council's Constitution, this decision was called in.

2.2 The Safer and Stronger Scrutiny and Policy Development Committee considered this call-in at a meeting held on 8th November 2018.

2.3 The Committee heard from the Cabinet Member for Neighbourhoods and Community Safety and Cabinet Member for Transport and Development, Council Officers, Councillors who called-in the decision. The members of the Scrutiny Committee considered the process and detail of the decision, implications of adopting a neighbourhood approach for a portion of Community Infrastructure Levy, and going forward wanted to know about implementation (the proposed Guidance Note), total monies gathered through Community Infrastructure Levy and in future distribution of these.

2.4 The Scrutiny Committee:

(a) agreed to take no action in relation to the called-in decision but with the caveat;

(b) that they be given an opportunity to scrutinise the Guidance Note, that the Head of Libraries, Community Services & Learning & Skills has been authorised to produce, before it is in effect; and

(c) that information on the monies gathered through Community Infrastructure Levy be shared with the Committee at an appropriate point in the year along with the calculation of distribution across the city.

3. Recommendations:

That Cabinet:

(a) notes the decision of the Safer and Stronger Scrutiny and Policy Development Committee.

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Author/Lead Officer of Report:
Simon Hughes/Principal Committee Secretary

Tel: 27 34014

Report of: *Executive Director, Resources*

Report to: *Cabinet*

Date of Decision: *21st November 2018*

Subject: *Staff Retirements*

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>N/A</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 type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</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:-				

Purpose of Report:

To report the retirement of the following staff from the Council's Service and to convey the Council's thanks for their work.

Recommendations:

To recommend that Cabinet:-

- (a) place on record its appreciation of the valuable services rendered to the City Council by the above-mentioned members of staff in the Portfolios stated;
- (b) extend to them its best wishes for the future and a long and happy retirement; and
- (c) direct that an appropriate extract of the resolution now made under the Common Seal of the Council be forwarded to those staff above with over 20 years' service.

Background Papers: None

(Insert details of any background papers used in the compilation of the report.)

1. PROPOSAL

- 1.1 To report the retirement of the following staff from the Council's Service and to convey the Council's thanks for their work:-

<u>People Services</u>		<u>Years' Service</u>
Denise Bieron	Deputy Headteacher, Abbey Lane Primary School	32
Carol Dunger	Clerical Officer, Grace Owen Nursery School	29
Andrea Grubb	Supervisory Assistant, Shortbrook Primary School	29
Lorraine Jackson	Specialist Teaching Assistant	33
Lynne Masterman	Senior Parenting Practitioner	39
Janet Screatton	Higher Level Teaching Assistant (Special) Level 4, Talbot Specialist School	31
<u>Place</u>		
Garry Bedford	Team Leader, Repairs and Maintenance Service	34
Terry Heath	City Centre Ambassador	37
Tony Mason	Plasterer, Repairs and Maintenance Service	46
<u>Resources</u>		
Lorraine Butcher	Senior HR Administrator	39
John Tomlinson	Electoral Services Manager	35

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Tom Finnegan Smith:
Head of Strategic Transport and Infrastructure

Tel: 0114 273 6030

Report of: Executive Director of Place

Report to: Cabinet

Date of Decision: 21st November 2018

Subject: **Air that is safe to breathe for all:
Sheffield's Clean Air Zone proposal**

Is this a Key Decision? If Yes, reason Key Decision:-	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
- Expenditure and/or savings over £500,000		<input type="checkbox"/>		
- Affects 2 or more Wards		<input checked="" 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>Economic and Environmental Wellbeing</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? 392				
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:-				

Purpose of Report:

This paper sets out Sheffield City Council's ambition to make the city's air safe to breathe for all. As agreed in the city's Clean Air Strategy¹, Sheffield City Council is committed to improving air quality across Sheffield as quickly as possible.

In common with other cities, air pollution is a major public health challenge that is damaging the health and life chances of people in Sheffield, contributing to the deaths of around 500 people a year in the city. Multiple places across our road network are in breach of legal limits for air quality with road vehicles (and particularly diesel vehicles), exposing communities to invisible but harmful concentrations of Nitrogen Dioxide (NO₂).

Government have placed Sheffield and Rotherham under a legal duty to improve the city's air quality by reducing NO₂ emissions below the legal limits in the shortest possible time. Building on a Feasibility Study which has assessed the scale of Sheffield/Rotherham's NO₂, we are required to submit to Government a proposal (Outline Business Case) with Rotherham MBC for how we are going to quickly reduce emissions in our area, focusing on the key locations which are in breach of legal limits and tackling the main sources of NO₂ pollution.

The paper sets out Sheffield's proposed preferred option for submission to Government:

- Based on the findings of the Sheffield/Rotherham feasibility study, **our preferred option is for a 'Category C' Clean Air Zone (CAZ C) charging zone within (but including) the inner ringroad of the city centre.**
- This means that all *non-compliant* buses, taxis, Heavy Goods Vehicles (HGVs) and Light Goods Vehicles (LGVs) will be charged a daily clean air zone fee for driving into the city centre. The definition of '*non-compliant*' broadly refers to diesel vehicles that are older than Euro 6 (around 2016) or petrol vehicles that are older than Euro 4 (around 2006) except for taxis where we are seeking a higher standard of low emission vehicle.
- Our preferred option of a CAZ C charging zone will also need **additional measures (therefore referred to as 'CAZ C+') in order to achieve legal compliance by 2021.** These additional measures are proposed in more detail in the report but in short, include a combination of targeted support packages to upgrade or replace the most polluting vehicles on the city's roads for which we will seek Government funding.
- The intention of proposing a charging CAZ C+ model in Sheffield is not to penalise companies or drivers; the intention is to encourage and support the removal of the most polluting vehicles from the city's roads in order to make our air cleaner and safer to breathe. Alongside targeted, Government-funded support packages which

¹ Sheffield City Council (2017) *Sheffield's Clean Air Strategy*, <https://democracy.sheffield.gov.uk/documents/s29124/Clean%20Air%20Strategy%20Dec%20Cabinet%202.pdf>

will enable certain drivers to upgrade and replace non-compliant vehicles, the charging CAZ C+ proposal is intended to deliver the air quality improvements we need in the shortest possible time to safeguard the health and wellbeing of our citizens.

- Our judgment, based upon the evidence from the Feasibility Study is that introducing a CAZ D (which would include charging private cars) is not required and such an approach would have a significant and disproportionate impact on the city's residents, particularly lower income families.
- However, Government will assess our preferred CAZ C+ option against their requirements. If Government decides that a CAZ D is required, Cabinet will be provided with a further paper outlining the implications of such a move for the city and the additional resource and mitigations that we would seek from Government.
- We intend to seek significant Government investment to introduce a range of support packages to improve and replace the vehicles on the city's roads that will be exposed to charging. This will include retrofitting older vehicles such as buses with clean engines and funding to support drivers to invest in new low emission and electric vehicles.
- The CAZ proposal is significant and forms part of Sheffield's ambitions to deliver clean air for everyone in the city and support the development of safe, reliable, and clean transport options in the city.
- We will launch a comprehensive statutory consultation in early 2019, seeking views on our CAZ proposals of people that live in Sheffield, work in Sheffield or visit the city and we will create significant opportunities to discuss the proposals and solutions with those most affected, including taxi drivers, LGV owners, businesses and bus companies.

Recommendations:

That Cabinet:

1. Endorse Sheffield City Council's commitment to cleaning up harmful air in the city to improve the health and life chances of communities across the city
2. Recognises that Sheffield and Rotherham's air quality challenge is intrinsically connected and therefore approves the development of a joint air quality plan and package of interventions with Rotherham Metropolitan Borough Council (RMBC) to protect and improve the health and wellbeing of people living, working and visiting our areas.
3. Supports and endorses the evidence and analysis of our air quality challenge that has been developed by Sheffield City Council and Rotherham MBC (working with Defra and DfT) to fully understand the most significant sources of Nitrogen Dioxide (NO₂) in Sheffield/Rotherham and identify the most challenging locations which breach legal limits for NO₂ pollution.
4. Approves, in principle, the creation of a charging Category C Clean Air Zone in Sheffield with additional measures (referred to as 'CAZ C+') to, as a minimum, bring Sheffield's air quality within the legal limit for NO₂ concentrations in the shortest possible time.
5. Delegates responsibility to the Executive Director for Place, in consultation with the Cabinet Member for Transport and Development, to jointly submit, with Rotherham MBC, the Sheffield and Rotherham Outline Business Case to Government by 31st December 2018.
6. Delegates responsibility to Executive Director for Place, in consultation with the Cabinet Member for Transport and Development and the Director of Financial and Commercial Services to commence procurement for any necessary infrastructure, goods and services to implement the Clean Air Zone.
7. Agrees to receive a further Cabinet Paper on Sheffield's clean air proposals should Government require significant changes once Government assessed the proposals in our Outline Business Case.
8. Approves the launch of a statutory consultation in early 2019 on the city's CAZ proposals to tackle NO₂ pollution.
9. Agrees to receive a further Cabinet Report on our finalised proposals along with our Final Business Case in 2019.

Background Papers:

Committee on the Medical Effects of Air Pollutants (2018) *Associations of long-term average concentrations of nitrogen dioxide with mortality*,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf

DEFRA (2017) *UK plan for tackling roadside nitrogen dioxide concentrations: detailed plan*,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf

t_data/file/633270/air-quality-plan-detail.pdf

Sheffield City Council (2017) *Air quality annual status report 2017*,
<https://www.sheffield.gov.uk/content/dam/sheffield/docs/pollution-and-nuisance/air-pollution/air-aware-campaign/Air%20Quality%20Annual%20Status%20Report%2020171.pdf>

Sheffield City Council (2017) *Clean Air Strategy*,
<https://democracy.sheffield.gov.uk/documents/s29124/Clean%20Air%20Strategy%20Dec%20Cabinet%202.pdf>

Sheffield City Council (2018) *Transport Strategy*,
<http://democracy.sheffield.gov.uk/documents/s31437/Transport%20Strategy%202.pdf>

WHO (2018) *How air pollution is destroying our health*, <http://www.who.int/air-pollution/news-and-events/how-air-pollution-is-destroying-our-health>

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: Paul Schofield
	Legal: Louise Bate
	Equalities: Adele Robinson
	<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: Laraine Manley
3	Cabinet Member consulted: Cllr. Jack Scott
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: Tom Finnegan-Smith
	Job Title: Head of Strategic Transport and Infrastructure
	Date: 13 th November 2018

TOXIC AIR IS A MAJOR GLOBAL AND LOCAL PUBLIC HEALTH ISSUE – AND IT IS DAMAGING THE LIVES OF PEOPLE IN SHEFFIELD

1. Poor air quality is increasingly seen as one of the world's most significant public health challenges. The World Health Organisation (WHO) have recently reported that air pollution is now responsible for the deaths of 7 million people a year globally, with 90% of the world's population suffering from the implications of breathing toxic air².
2. In Sheffield, it is estimated that poor air quality contributes to 500 deaths a year but it also undermines the quality of life for people in the city. Poor air quality impacts on the day-to-day lives and life chances of communities, for example, 7-12% of annual childhood asthma cases were specifically attributable to traffic related air pollution and it increases the chances of hospital admissions, visits to A&E and respiratory and cardiovascular disease.
3. In the UK, the Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) recently reported the estimated annual number of deaths in the UK from human-made air pollution (PM2.5 and NO₂) ranges from 28,000 to 36,000 deaths³. The Royal College of Physicians estimate that the health problems resulting from exposure to air pollution have a high cost to people who suffer from illness and premature death, to health services and to business which together cost an estimated £20bn every year⁴.
4. Air pollution is a significant social justice issue as it is poorer and more vulnerable communities that are most exposed to and suffer the consequences of harmful air, in particular the young and old, the sick and lower income groups. Further, poor air quality is also an economic issue: the illnesses caused by poor air quality affect people of working age and we know this causes significant time off work and early retirement. Whilst this is difficult to quantify, studies by the Lancet have found that in low-to-medium income countries, air pollution reduces Gross Domestic Product (GDP) by up to 2% and drives up demand and costs on healthcare services⁵.

SHEFFIELD AND ROTHERHAM HAVE BEEN MANDATED BY GOVERNMENT TO REDUCE NO₂ EMISSIONS TO WITHIN LEGAL LIMITS IN THE SHORTEST POSSIBLE TIME

5. The UK has been in breach of the legal limit since January 2010 and along with other major urban areas in the UK, roads in Sheffield and Rotherham breach those legal limits. DEFRA's data indicates that Sheffield has roads where the average concentration of NO₂ in 2017 exceeds the legal limit of 40µg/m³, in some places by as much as 30%⁶.

² WHO (2018) '9 out of 10 people worldwide breathe polluted air, but more countries are taking action', <http://www.who.int/news-room/detail/02-05-2018-9-out-of-10-people-worldwide-breathe-polluted-air-but-more-countries-are-taking-action>

³ Committee on the Medical Effects of Air Pollutants (2018) *Associations of long-term average concentrations of nitrogen dioxide with mortality*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf

⁴ Royal College of Physicians (2016) *Every breath we take: the lifelong impact of air pollution*, <https://www.rcplondon.ac.uk/file/2912/download?token=rhEZPBDI>

⁵ The Lancet (2017) *The Lancet Commission on pollution and health*, [https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(17\)32345-0.pdf](https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(17)32345-0.pdf)

⁶ NO₂ level on some Sheffield roads in 2017 is 53µg/m³. 40µg/m³ is the legal limit. DEFRA (2017) *UK plan for tackling roadside nitrogen dioxide concentrations* https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633022/air-quality-plan-detail.pdf

6. Sheffield and Rotherham have therefore been required by Government⁷ to tackle vehicle emissions from diesel vehicles in particular, and older petrol vehicles, in order to become compliant with legal limits in the '*shortest possible time*'.
7. Government propose the creation of 'Clean Air Zones' (CAZs) to geographically concentrate interventions to tackle the main sources of pollution in local areas. Interventions can be wide-ranging and designed to suit specific local challenges and needs. CAZs can involve charging drivers for entering an specific area in a vehicle that does not meet a specific minimum standard – broadly this means diesel vehicles that are older than Euro 6 (around 2016) or petrol vehicles that are older than Euro 4 (around 2006).
8. Government's priority is speed of delivery/impact and their modelling suggests that CAZs with charging for non-compliant vehicles are *most likely to reduce emissions in the shortest possible time* (ie. being charged to enter a specific area encourages behaviour change and vehicle change most quickly). Government have made clear that they will test any interventions proposed by Sheffield and Rotherham against the assumed speed of impact that charging would have.

**SHEFFIELD IS COMMITTED TO DELIVERING CLEAN AIR FOR ALL:
THE LEGAL DIRECTIVE FROM GOVERNMENT TO TACKLE NO₂ EMISSIONS WILL DELIVER
RAPID IMPACT AS PART OF OUR LONG TERM STRATEGY**

9. We have an ambitious vision for improving air quality for everyone in the Sheffield. While Sheffield has been mandated to reduce NO₂ concentrations to within legal limits, we do not consider this to be air that is safe to breathe for our communities and the legal direction from Government is therefore one element of our long-term approach to delivering clean air for all in Sheffield.
10. In December 2017, Sheffield City Council approved a new Clean Air Strategy⁸ which sets out an ambition to tackle the biggest causes of air pollution in Sheffield as quickly as possible.
11. Our Clean Air Strategy focuses on tackling Nitrogen Dioxide (NO₂) emissions⁹ which in Sheffield mainly come from road traffic, industry and domestic/commercial buildings. 50% of our NO₂ comes from the tailpipes of vehicles on the city's roads. Multiple parts of our road network and transport corridors breach the legal limit for NO₂, particularly in the city centre.
12. But, air pollution is fundamentally an issue of how we live and how we choose to move around the city. In June 2018, Sheffield City Council agreed a new Transport Strategy¹⁰ which creates a long-term vision for transforming the city's infrastructure to make it easier to travel around Sheffield. In particular, the Transport Strategy commits to making better use of the highway network by speeding up journeys for space efficient modes, especially for shorter trips and safeguarding walking and cycling and integrated public transport so that these

⁷ DEFRA (2017) *UK plan for tackling roadside nitrogen dioxide concentrations*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf

⁸ Sheffield City Council (2017) *Clean Air Strategy*, <https://democracy.sheffield.gov.uk/documents/s29124/Clean%20Air%20Strategy%20Dec%20Cabinet%20.pdf>

⁹ Fine particulate matter dust (PM10 or PM2.5) is also an issue for Sheffield because, although the annual averages are significantly below the EU threshold, the daily average level is higher on more days per year at some locations than is acceptable by EU standards

¹⁰ Sheffield City Council (2018) *Transport Strategy*, <http://democracy.sheffield.gov.uk/documents/s31437/Transport%20Strategy%20.pdf>

modes are more competitive with the car in terms of journey times and convenience. Further, the Transport Strategy commits to minimising the negative impacts of transport, in particular, reducing air pollution.

13. We have already made significant steps to deliver the commitments to improve air quality from our Clean Air and Transport Strategies. This includes:
- **Anti-idling campaign across the city** - particularly focused on encouraging people to turn their vehicle engines off when dropping off/collecting children from the city's schools
 - **Early measures fund** – we secured £1.247m from Government to deliver the following projects:
 - Electric Taxi Leasing - enabling hackney drivers to try electric cab vehicles. 10 electric taxis will be available and the scheme will be launched in Spring 2019.
 - 12 rapid charge points - to encourage drivers to switch to electric vehicles
 - Improving traffic signal timings on key corridors - to smooth traffic flow and reduce pollution from waiting vehicles
 - **Promoting and supporting active travel** – as part of a successful South Yorkshire bid for £7.5m over 3 years from the DfT's Sustainable Transport Access Fund, we are delivering:
 - Cycleboost – Bike loans, Cycle training, Bike Doctor and maintenance sessions, Cycle parking facilities, and support to Cycle events held in the City including the partnership with British Cycling and HSBC (mass participation event and local led rides).
 - Sustainable and Active Travel support for schools
 - Independent Travel Training – providing personalised support for young people to use public transport and walk as an independent alternative to home to school transport.
 - Support for a range of walking programmes and events including Walking for Life and Sheffield Walking festival.
 - SY Busboost – a focussed support programme to encourage people to try public transport as an alternative to commuting by car.
 - **Delivering our Air Aware campaign** - to encourage and influence changes that support cleaner air outcomes, including developing a Clean Air Champions initiative.
 - **Working with Sheffield City Region** - on the wider strategic transport ambitions for the functioning economic area.
 - **Working with Highways England** - to tackle air pollution from and around the M1.

SHEFFIELD'S CLEAN AIR ZONE PROPOSAL:

TAKING ACTION TO TACKLE TOXIC AIR QUICKLY IN THE MOST POLLUTED PARTS OF THE CITY

14. Evidence from our local air quality monitoring and traffic data in Sheffield demonstrates that there are multiple places in our city where NO₂ emissions currently breach the legal limit and it is expected this will continue for the foreseeable future.

15. As set out in more detail in the [evidence from our feasibility study](#) (set out later in the report), Sheffield's NO₂ problem is:
- **Road-based** – 50% of Sheffield's NO₂ emissions come from the tailpipes of vehicles on our roads
 - **Disproportionately caused by particular vehicle types** – whilst private cars make up the majority of vehicles on our roads, diesel and older petrol buses (1% of the vehicles but 5% of emissions), London-style Hackney taxis and Private Hire taxis (3% of vehicles but 4% of emissions and trips heavily focused on the city centre), HGVs (3% of vehicles but 15% of emissions) and LGV vans (13% of vehicles but 26% of emissions) are disproportionately responsible for the level of NO₂ emissions from road transport
 - **Predominantly focused on the city centre** – whilst there are multiple sites across the city where NO₂ emissions breach the legal limit, the problem is most acute in the city centre and Lower Don Valley. Our evidence shows that natural fleet change (ie. drivers replacing and upgrading their vehicles) does not bring emissions in these places within the legal limit by 2021 and therefore, targeted intervention is needed to improve air quality at these sites.
16. Even with the natural churn of people replacing their vehicles and a market shift away from diesel vehicles and towards hybrid and electric vehicles, intervention is still needed to ensure that air quality in Sheffield is at least within the defined legal limits.
17. In order to meet our legal duties to deliver this improvement in the 'shortest possible time', we are required to submit an 'Outline Business Case' by the 31st December 2018 which demonstrates how we will reduce NO₂ emissions at the places in Sheffield and Rotherham which will be in breach of the legal limits in 2021. We will then submit a Final Business Case following consultation with residents and businesses in 2019.
18. To achieve compliance in the shortest possible time and, most importantly, deliver rapid improvements to the air we breathe in Sheffield, our proposal is to introduce a charging Clean Air Zone (CAZ) in Sheffield.
19. According to Government's definition, a CAZ "*defines an area where targeted action is taken to improve air quality and resources are prioritised and coordinated in a way that delivers improved health benefits and supports economic growth.*"¹¹

¹¹ DEFRA (2017) *UK plan for tackling roadside nitrogen dioxide concentrations: detailed plan*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf

20. A charging CAZ is where “vehicle owners are required to pay a charge to enter, or move within, a zone if they are driving a vehicle that does not meet the particular standard for their vehicle type in that zone.”¹² According to Government’s framework, there are four classes of CAZ (A-D) which stipulate which vehicles clean air charges apply to. These are:

CAZ Charging Class	Vehicles potentially included
CAZ A	Buses, coaches, taxis and private hire vehicles
CAZ B	Buses, coaches, heavy goods vehicles (HGVs) taxis and private hire vehicles
CAZ C	Buses, coaches, HGVs, large vans, minibuses, small vans/ light commercials, taxis and private hire vehicles
CAZ D	Buses, coaches, HGVs, large vans, minibuses, small vans/ light commercials, taxis and private hire vehicles, cars, motorcycles and mopeds

21. Vehicles that do not meet minimum emission standards (ie. non-compliant) will be charged a daily rate if they enter or move within a charging CAZ.

Vehicle type	CAZ minimum emission standards
Buses and coaches	Euro VI
Heavy Goods Vehicles (HGVs)	Euro VI
Vans (Light Goods Vehicles)	Euro 6 (diesel) or Euro 4 (petrol)
Cars	Euro 6 (diesel) or Euro 4 (petrol)

Sheffield’s Clean Air Zone Proposal

22. The findings of the Sheffield/Rotherham feasibility study indicate that **Sheffield will need to introduce a Category C (CAZ C) charging zone with *additional measures* (therefore referred to as ‘CAZ C+’) in order to achieve legal compliance by 2021.**
23. These additional measures are [set out in more detail in the next section of the paper](#) but are likely to include a combination of targeted support packages to remove and replace the most polluting vehicles on the city’s roads. This could include:
- **Buses** – as a minimum, that all the buses entering the charging CAZ are upgraded or replaced to be Euro VI standard. Our ambition is for all buses in Sheffield to be Euro VI.
 - **Taxis** – a higher standard for taxi and Private Hire Vehicles in Sheffield which is likely to mean that the hackney and private hire taxi will need to be Liquefied Petroleum Gas (LPG) retrofit, petrol hybrid or electric vehicles.
 - **HGVs** – working with local businesses to retrofit and replace the most polluting lorries
 - **LGVs** - working with local businesses to retrofit and replace the most polluting vans
24. To resource the proposed additional measures, Sheffield will seek significant funding from Government’s Implementation Fund and Clean Air Fund in order to support the scale of

¹² DEFRA (2017) *UK plan for tackling roadside nitrogen dioxide concentrations: detailed plan*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf

change that is needed to reduce NO₂ emissions.

25. Working with Defra, DfT and Rotherham MBC, Sheffield City Council has updated its transport and air quality models, insofar as reasonably possible within the timescales set by the Legal Directive. This has ensured that our evidence base reflects the latest position in terms of:
 - planned development (i.e. Planning Applications);
 - traffic flows and expected growth;
 - planned new highway and Public Transport infrastructure expected to come forward or be on the ground by January 2021;
 - the latest national background data supplied by the Government's Joint Air Quality Unit (JAQU).
26. Detailed local data has been collected to ensure the Transport Emissions and Air Quality models have the best possible data to inform the fleet mix. We have also amended our transport model to ensure that the impact of Hackney Black Cab Taxis and Private Hire Vehicles could be correctly modelled.
27. As part of the Feasibility Study, we undertook an initial short piece of Behaviour Research with drivers in the Sheffield and Rotherham area to better understand local attitudes to air quality, preferences for different types of cleaner vehicle (eg. electric, cleaner petrol) and reactions to potential different levels of charging. This work included a quantitative survey of London-style Hackney drivers, private hire vehicle drivers, LGV drivers and private car users (512 respondents) and a series of seven focus groups with taxi and LGV drivers (70 participants in total).
28. In terms of the Critical Success Factors set-out by Government, the two key (Gateway) criteria are:
 - Achieve Statutory compliance with Air Quality legislation
 - Proposed scheme(s) are deliverable in the shortest possible time and by no later than 2021 (subject to statutory obligations and in accordance with public law principles)
29. The table below shows the results of our Feasibility Study based on our locally collected air quality data, our air quality model and our transport models. The first two numerical data columns (*2017 base and 2021 Business as Usual (BaU)*), the table shows that there are currently multiple sites in breach of the legal limit in and around Sheffield city centre. With natural replacement of the vehicles on our roads, we do see some improvements over the coming years, but, this improvement does not bring NO₂ concentrations to within legal levels.

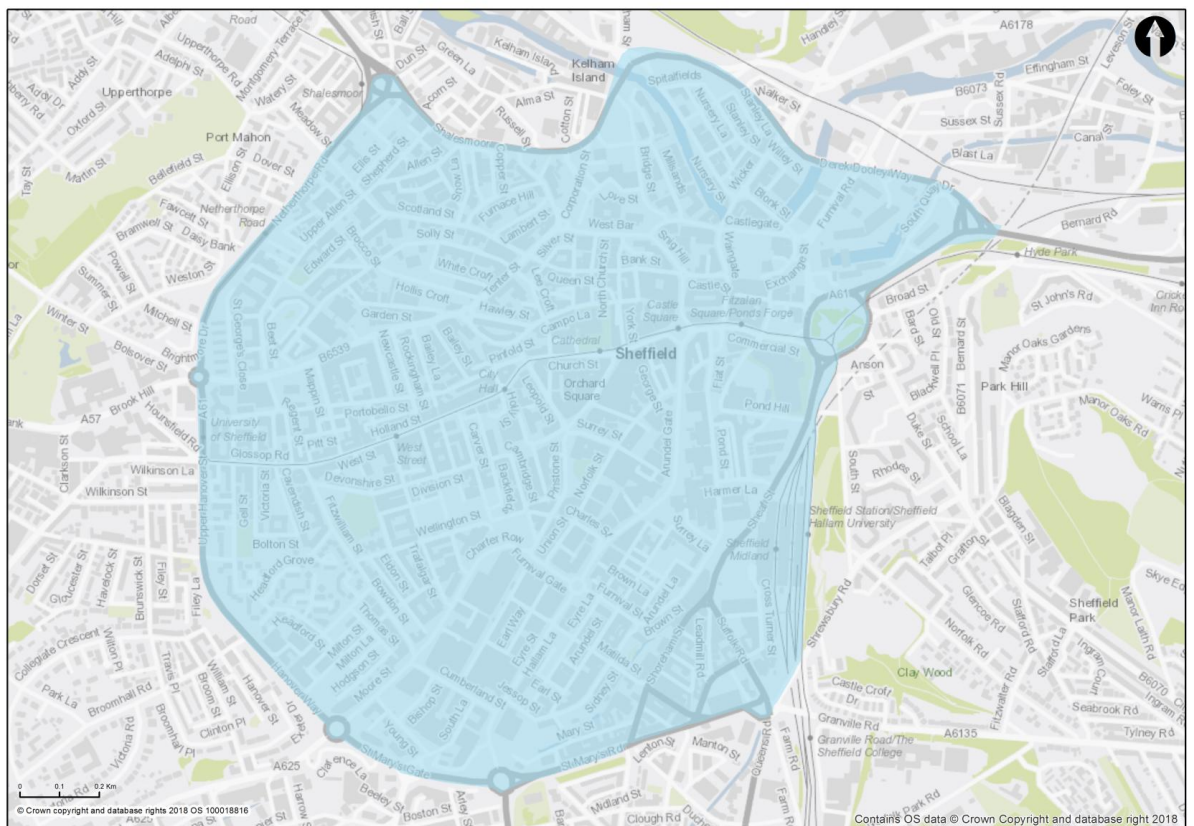
Receptor Locations	2017 Base	2021 BaU	2021 Cordon 3 CAZ C and RMBC Measures (Local)	2021 Cordon 3 CAZ C+ and RMBC Measures (Local)	2021 Cordon 3 CAZ D and RMBC Measures (Local)
Sheffield Sites					
Sheffield Road (M1 34S)	46.1	40.8	39.9	38.4	39.9
Arundel Gate Interchange 4m	48.7	43.3	31.4	35.2	28.8
Derek Dooley Way 1	52.0	45.7	39.7	37.6	34.4
SCC Parkway PCM1	53.0	45.4	42.0	38.8	36.1
Sheffield Parkway A630	48.7	41.9	40.8	37.9	38.0
Sheaf Street at Train Station PCM	58.5	49.0	39.1	39.2	33.2

30. The last three columns then demonstrate our modelled impact of charging CAZ models on the sites in Sheffield city centre. This demonstrates that:
- **2021 CAZ C** – a charging CAZ C without additional measures does not have sufficient impact to get NO₂ concentrations at all sites to within the legal limit
 - **2021 CAZ C+** - achieves legal compliance by 2021 with the additional measures to retrofit and replace non-compliant buses, taxis, lorries and vans.
 - **2021 CAZ D** – a CAZ D also achieves compliance across all of the sites that are currently in breach but this is considered unnecessary as CAZ C+ achieves compliance without the disproportionate impact on private car drivers in Sheffield.
31. Through our comprehensive analysis of various ‘mitigation’ options, we ruled out any options that did not include a ‘charging’ element. This is because without directly targeting tailpipe emissions, we would need an unprecedented and immediate change in how people choose to get around the city; with people not using their private car and investment in substantial public transport, Park & Ride, walking & cycling infrastructure in order to cope with this shift in behaviour. Whilst supporting a significant shift towards public transport and active travel is part of our Transport Strategy ambitions, we have judged that achieving such a shift and implementing the necessary infrastructure would not enable Sheffield to achieve compliance with our legal air quality duties (shortest possible time and by no later than 2021).
32. When comparing the various classes of charging CAZ, it was concluded that a charging CAZ could not be practically delivered earlier than 2021 due to the standard processes that must be undertaken, including Statutory Public Consultation, Government funding approvals, Procurement, Design & Implementation as well as the limits on market capacity for vehicle upgrades. Consequently, this means that as all our options reach compliance with the air quality limits and there is no difference in delivery timescales, our decision was based upon the other Critical Success Factors as set-out by Government, which as are detailed below:
- Deliver value for money in terms of the funding required from Government
 - Minimise economic impact with no one group overly affected more than any other by the CAZ plans
 - Ensure that options deliver required outcomes, whilst mitigating unwanted secondary consequences, for example avoiding displacement of air quality issues, or causing increases in CO₂ emissions

- Ensure that there is alignment with wider strategies and policy for the city
33. Should the Government not support our proposal for a CAZ C+ with additional measures and rigorous monitoring to ensure compliance in the shortest possible time, the only other viable alternative is a CAZ D zone which would introduce charging for non-compliant private vehicles.
 34. Our judgment, based upon our Feasibility Study and the evidence available to us is that introducing a CAZ D (charging private cars) is not required and we will rigorously monitor our NO₂ emissions to confirm this. Further, that a CAZ D in Sheffield would have a significant and disproportionate impact on the city's residents and lower income families in the city. However, if Government assess our preferred option and propose that a CAZ D is required, Cabinet will be provided with a further paper outlining the implications of such a move for the city and the additional resource and mitigations that we would seek from Government.

Where would our proposed Clean Air Zone be?

35. Based on the evidence of the places that are in breach of the legal limits now and in 2021, it is proposed that the Sheffield CAZ will cover the area bounded by the inner ringroad. The inner ringroad itself would be included in the CAZ and therefore non-compliant buses, coaches, taxis (London-style hackneys and private hire), HGVs and LGVs would be charged a daily rate for entering and moving within the zone.



36. Whilst the CAZ itself is city centre focused, it is projected to bring significant benefits to other parts of the city by incentivising and, through our proposed additional measures, investing in reducing emissions from the buses, taxis, lorries and vans which crisscross the city’s roads and neighbourhoods. The proposal will therefore have a beneficial city-wide impact.

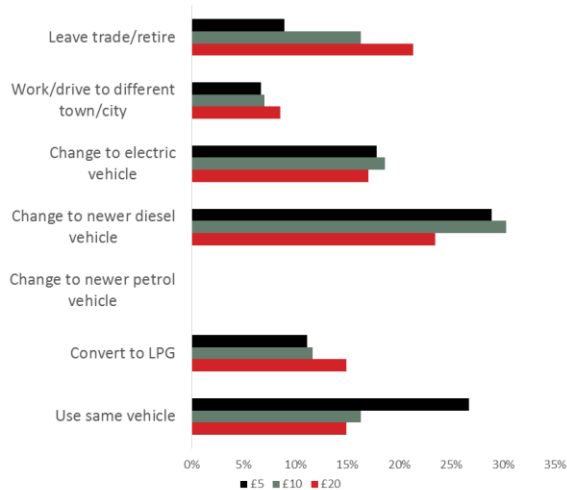
What would the charge be for entering the CAZ?

37. The intention of proposing a charging CAZ C+ model in Sheffield is not to penalise drivers; the intention is to encourage and support the removal of the most polluting vehicles from the city’s roads in order to make our air cleaner and safer to breathe. Alongside targeted, Government-funded support packages which will enable certain drivers to upgrade and replace non-compliant vehicles, the charging CAZ C+ proposal is intended to deliver the air quality improvements we need in the shortest possible time.

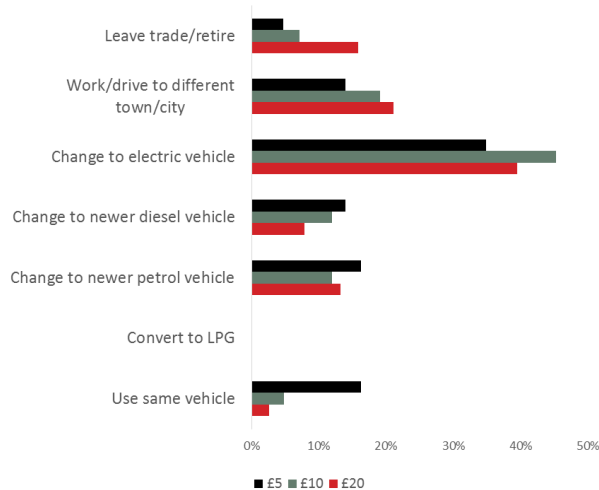
38. In our Behavioural Research, we asked drivers in Sheffield and Rotherham about what they thought about the suggestion of a £5, £10, and £20 charge to enter a charging CAZ in Sheffield. The responses from all types of driver indicate that the higher the charge, the more likely drivers are to take action and make some form of change, whether that be upgrading to a new vehicle. In particular:

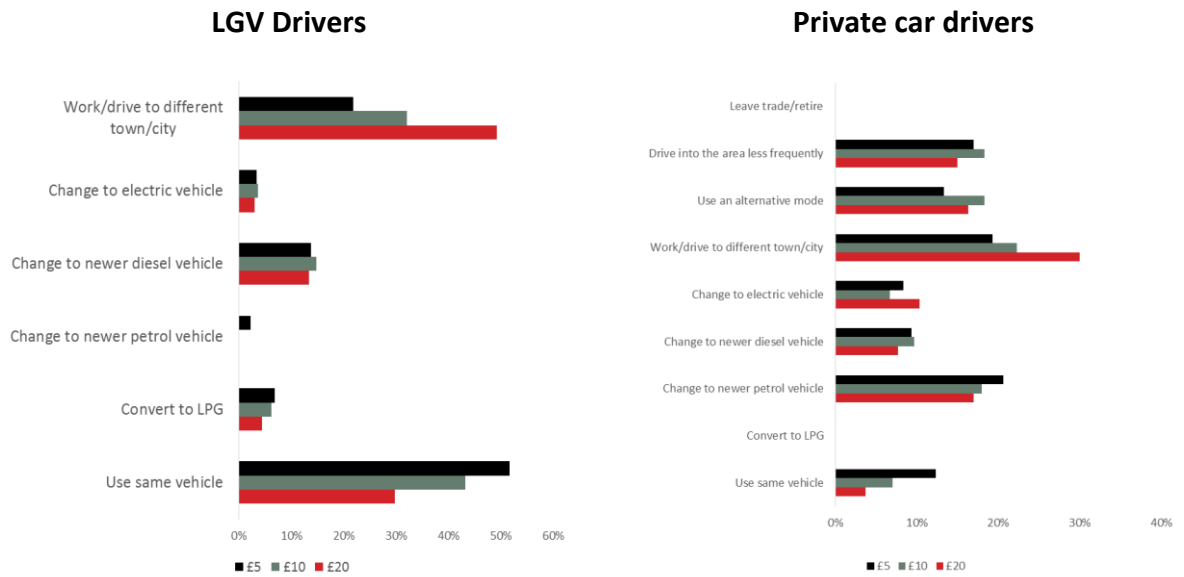
- **London-style Hackney cab drivers** suggested that they would move to a different form of vehicle (electric or newer diesel) but at £5, over a quarter said that they would just pay the charge
- **PHV drivers** suggested that they were highly likely to suggest that they would make changes rather than pay any charge
- **LGV / van drivers** suggested that they are likely to pay the charge or drive elsewhere rather than pay the charge (in the wider research, few LGV drivers suggested that they regularly drove through the city centre)
- **Private car users** were most likely to say that they would go elsewhere rather than the city centre or do so less frequently although they also suggested they would look to alternative modes of travel and cleaner petrol vehicles.

London-style Hackney taxi drivers



PHV drivers





39. Given that there are currently no other charging regimes similar to CAZs outside of London, our preference is to work with other cities (eg. Leeds, Birmingham) outside of London to agree a common charging structure.
40. Based on the initial Behavioural Research and proposals elsewhere (eg. Leeds, Birmingham), our proposal is to have the following charges for non-compliant vehicles entering the CAZ area. We will consult further on the charging structure as part of the statutory consultation in early 2019.

Buses, Coaches and HGVs	£50 a day
Taxis, Private Hire Vehicles, Vans/LGVs	£10 a day

41. In line with other national charging schemes, the charge is likely to be payable by midnight of the following day. Government are responsible for the development of a national payment portal which will allow all charges from CAZs to be made via one point. This work is currently in the early stages of development.
42. **What would the money from charges be used for?**
43. Any revenue raised locally through the charging CAZ (although collected nationally) will be given back to the Council but may only be used to support further work to improve air quality. A currently undetermined amount will be payable to the Government to fund the cost of operating the payment portal.
44. Sheffield City Council will be responsible for enforcement of non-payment of charges and this will be carried out by the current parking enforcement team within the Council.

How will the Clean Air Zone be signed and indicated?

45. Government's Joint Air Quality Unit (JAQU) (consisting of relevant staff from Defra and the Department for Transport (DfT)) have defined the signs that should be used to indicate to motorists the presence of the Clean Air Zone restrictions.
46. These signs are set out in the Clean Air Zone Framework, which states that "a minimum requirement for setting up a Clean Air Zone is to have signs in place along major access routes to clearly delineate the zone."¹³ The Signs and Road Markings for Charging Clean Air Zones goes into further detail, stating a requirement for the following:
 - Clear Signing at the point of entry and exit into and out of a charging CAZ
 - Signs in advance of entry, to provide adequate information about potential charges applicable and to provide alternative routes to divert around it. (Where appropriate the motorway and trunk road network will require advance signing).
 - Clear and consistent signing is essential, so JAQU has designed a sign centrally, with the assistance of the Department for Transport. This is to ensure nationwide consistency.

Example of the Clean Air Zone symbol for the different categories of charging zone



Example of Clean Air Zone Entry, Advanced Warning and Exit signs



ANPR Camera Enforcement sign



How will the CAZ be enforced?

47. The enforcement of the CAZ charging zone will be undertaken using Automatic Number Plate Recognition (ANPR) cameras. ANPR cameras will capture images of vehicles entering the zone and when non-compliant vehicles that are not exempt from the zone are identified Penalty Charge Notices will be issued. This process is very similar to the way in which Bus Lane Enforcement is undertaken in Sheffield and is the basis of how the London Congestion Charge operates.

¹³ Defra (2017) *Clean Air Zone Framework*, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612592/clean-air-zone-framework.pdf

48. At all boundary entry points a sign to inform drivers that ANPR camera technology is in use for enforcement purposes will be erected. These will also be placed within the zone as a reminder to drivers within the zone as charges will apply to vehicles that are driven wholly within the boundary of the CAZ, not just those that enter the CAZ or drive through it.
49. The full costs associated with the implementation of the CAZ charging zone, including all signage and enforcement technology will be included within the OBC and sought from the Governments Implementation Fund.
50. Procurement of the necessary infrastructure, goods and services to implement the Clean Air Zone will be undertaken by Sheffield City Council as part of the development of the proposals in 2019.

ADDITIONAL MEASURES - SUPPORTING DRIVERS AFFECTED BY THE CAZ PROPOSALS

51. The introduction of a charging CAZ in Sheffield is part of our longer term ambition to make the air in Sheffield safe to breathe.
52. The CAZ should enable us to accelerate progress to reduce the level of NO₂ emissions in the city by encouraging drivers and organisations to improve or replace the most polluting vehicles on our roads. CAZs are not intended to be revenue-raising mechanisms as drivers paying the charge while continuing to drive non-compliant vehicles will not deliver the cleaner air or legal compliance that the city needs.
53. But, the introduction of the CAZ on its own does not achieve the legal compliance for Sheffield therefore, the need to retrofit or replace the most polluting vehicles on the city's roads is likely to involve significant change for particular groups of drivers and road users in Sheffield. Through our Outline Business Case, the consultation and the Final Business Case, we will look to secure dedicated Government funding to support those most exposed to the charging CAZ and introduce a wider set of infrastructure measures to support cleaner, more sustainable journeys in the city.

Taxis – London-style black cabs and Private Hire Vehicles (PHV)

54. We currently have around 857 London-style hackney taxis in Sheffield and around 1,900 private hire vehicles (PHVs). The hackney taxis tend to be much older and are on average around 12 years old and around 62% of the fleet are over 10 years old. PHVs tend to be newer vehicles (on average, 5 years old) although a third are over six years old.
55. Taxis in Sheffield comprise around 3% of the vehicles on the road but contribute around 4% of the NO_x emissions. This is because of the age of many of our taxis, particularly the London-style hackney cabs, which therefore tend to be more polluting diesel vehicles. But most importantly, Sheffield's taxis spend a lot of their time driving into and around the city centre, thus having a significant impact on NO₂ levels.

56. Improving the taxi vehicles on Sheffield's roads will have significant air quality benefits for communities across the city as taxis drive to and through all our neighbourhoods, connecting people to work, services and the city's leisure and cultural offer. Further, Sheffield's London-style hackney fleet of taxis is fully accessible to people with disabilities and we will ensure that this standard is maintained through our proposals to improve the air quality impact of the vehicles.

57. From the initial research we have done with taxi drivers:

London-style Hackney cab drivers

- Most likely to replace their vehicle 'when it reaches a certain age' (54%).
- Most participants (86%) agreed that the councils should try to reduce air pollution whilst 62% believed that the councils should reduce the number of the most polluting vehicles in high pollution areas.
- 64% suggested that LPG conversion had little to no appeal.
- 71% suggested that electric vehicles were unappealing
- Many respondents stated that they would require a financial incentive to upgrade their vehicles

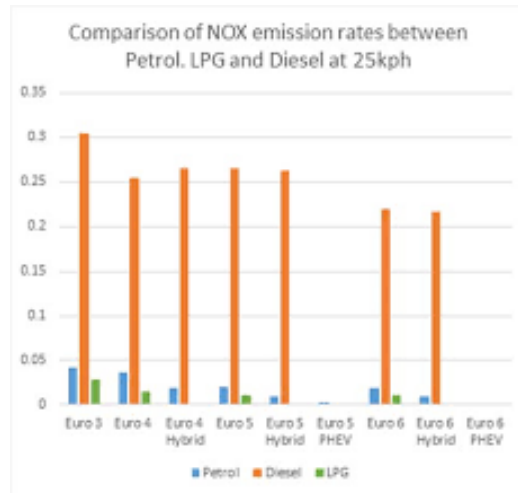
Private Hire Vehicle drivers

- Most likely replace their vehicle is 'when it reaches a certain age' (76%).
- 73% agreed that the councils should try to reduce air pollution whilst only 40% of drivers agreed that the councils should reduce the number of the most polluting vehicles in high pollution areas.
- Over half of PHV respondents (54%) were positive about the idea of buying a new petrol vehicle
- Over half of PHV drivers (52%) liked the idea of using an electric vehicle
- Many drivers suggested they would require a financial incentive to upgrade their vehicle.

58. In order to achieve legal compliance, we are likely to propose to set a higher standard for taxi and PHV in Sheffield. This is likely to mean that the hackney and private hire taxi standard will be set at Liquefied Petroleum Gas (LPG) retrofit, petrol hybrid or electric vehicles.

59. Building on recent analysis of Defra's forecasts of emissions from newer taxi fleet indicates that Euro 6 diesel hackney carriages do not have significantly improved NOx emissions when compared to older Euro standards and therefore will not be sufficient to improve air quality in Sheffield.

60. In addition, for car based PHV's the change in NOx emissions from Euro 5 diesel to a Euro 6 diesel is limited, this is particularly apparent when compared to replacing a Euro 6 car with a petrol-hybrid or electric car.



61. With the higher standard, we anticipate that around 1,880 Private Hire Vehicles and 820 Hackney taxi vehicles will be non-compliant to the required engine standards in the proposed CAZ. In particular, we estimate that this will include almost the entirety of the London-style Hackney carriages due to their age and emission levels.
62. However, where taxi drivers have recently upgraded to newer vehicles which will still be non-compliant under the CAZ, we will consider approaches such as 'sunset periods' which would give those drivers additional time to replace their vehicles. We will set out further details in the Outline Business Case and as part of the statutory consultation.

How we will support drivers

63. The uniqueness of Sheffield's taxi fleet (age, and Hackney Carriages that are fully accessible for people with disabilities) ensures that we are likely to require taxi drivers to upgrade or replace their vehicles at a much faster rate than they would normally in order to achieve compliance under the clean air directive.
64. As part of our Outline Business Case (OBC) to Government, we are likely to set out a support package for taxi drivers in Sheffield that will provide a mix of grant funding and interest-free loans to enable drivers to change their vehicles to meet the new standards. This is in-line with proposals in other cities. We are likely to seek Government funding to cover the cost of the loans through our OBC and we will set a limit on how much funding is available per driver. In order to deliver the air quality improvements we need to become legally compliant, we will specify a defined period within which funding can be accessed by drivers to ensure that vehicles are upgraded quickly.
65. Clearly, the above proposals to ensure that Sheffield has a clean, modern taxi fleet are based on enforcing higher vehicle standards within the city's taxis. However, we are likely to propose that these standards are consulted on and ultimately enforced as part of the CAZ proposals rather than through changes to Sheffield's Taxi Licensing Policy at this time.

Buses

66. There are approximately 450 buses operating on Sheffield's roads which comprise 1% of road traffic but contribute 5% of the emissions. This represents a significant opportunity: by improving the bus fleet, we could significantly improve air quality in the city. A Euro VI bus delivers an almost 95% reduction in emissions against earlier Euro standards. In addition, encouraging higher levels of bus travel as an alternative to private car will also reduce air pollution.
67. To achieve legal compliance in Sheffield, it will be critical that all the buses entering the CAZ area are upgraded or replaced to meet Euro VI standards. Our ambition is for all buses in Sheffield to be Euro VI standards to significantly reduce NO₂ emissions in the city centre but also in communities and neighbourhoods across the city.

Working with bus operators

68. Working closely with Bus Operators and SYPTE, Sheffield City Council have been awarded £1.947m from the Government's Clean Bus Technology Fund (CBTF) announced in Spring 2018. This funding award will see 117 non-Euro 6 diesel buses operating in Sheffield retro-fitted with technology which will improve their engine performance and reduce emissions to a compliant Euro VI standard.
69. Initial discussions with Bus Operators have indicated that in order to achieve compliance in their fleet operating in Sheffield will require further retrofit engine technology along with the potential for a number of new buses.
70. First South Yorkshire and Stagecoach Yorkshire will deliver the retrofits to their buses, with the Council providing the grants to pay for them from the CBTF. The buses use high frequency services on routes where air quality levels set out by the EU are being breached. 93 First buses and 24 Stagecoach buses will be upgraded by Spring 2019.
71. Bus operators are keen to continue to work collaboratively with the Council to seek additional funding support for retrofit engine technology along the principles of the Government's CBTF and we will be seeking this continued support through our OBC submission.
72. Through early engagement it should also be noted that certain bus operators have indicated that their ability to retrofit their vehicles is not possible due to the age of their vehicles. Further discussions including those through statutory consultation will be required in order to consider the potential implications of this fully.
73. The same approach will be undertaken for Coach operators who have vehicles older than Euro VI standard based within the city.

HGVs

74. Heavy goods vehicles make up only about 3% of total traffic, but create 15% of the NOx

emissions on our roads.

75. Sheffield are one of a number of cities and urban areas in England that have been mandated to reduce NO₂, the national logistics companies that provide services to our cities are likely to improve their vehicle fleets quickly. However, there may be specific challenges for locally-based companies that depend on HGV for their business.
76. We need to fully understand the implications for local businesses within and around the proposed CAZ area and we will work closely with the city's businesses through the consultation to develop proposals on how to best improve local HGVs.
77. We also recognise that there may be capacity challenges in the market with the speed at which retrofitted and clean HGVs can be delivered and we will consider this as part of the Outline Business Case (OBC).

LGVs

78. Light goods vehicle make up 13% of total traffic and create 26% of the NO_x emissions from traffic. Our modelling indicates that there are around 6,900 LGVs trips into the city centre every day. Clearly, not all of these vehicles will be owned by Sheffield or Rotherham residents or businesses but will pass through the CAZ and therefore incur a charge if they are not compliant.
79. From the initial research that we have done with LGV drivers in the city, we have found that:
 - The most common vehicle age for LGV drivers is 5 to 9 years old (41%).
 - LGV drivers generally stated that they would replace their vehicles when maintenance costs reach a certain level.
 - Most LGV drivers (87%) agreed that the councils should try to reduce air pollution whilst 58% agreed that the councils should reduce the number of the most polluting vehicles in high pollution areas.
 - Half of LGV drivers said that LPG had little, or no, appeal to them as an alternative to their vehicle
 - Over half of LGV drivers said that electric vehicle alternatives potentially would appeal to them
 - Many drivers suggested they would require a financial incentive in order to upgrade their vehicle.
80. The range of companies, SMEs and individuals that use LGVs is significant in Sheffield, as in most cities. Therefore, the support packages we need to design could be wide-ranging. For example, as with HGVs, larger national organisations and companies that manage their nationwide fleets are more likely to have the resources to undertake a rapid replacement/upgrade of their vehicles or reorganise the deployment of their fleet.
81. However, smaller local businesses and self-employed business people in Sheffield and Rotherham may need additional support to help them upgrade, retrofit or replace older, non-

compliant LGVs.

82. We will work closely with local SMEs, including those within the proposed CAZ area, through the consultation period to develop proposals on how to best support local LGV owners to retrofit or upgrade their vehicle. Approaches could include the following and would likely to involve targeting at smaller, local LGV owners and businesses:
- Seeking Government funding to provide grant or loan based financial support targeted at smaller local businesses dependent on a LGVs
 - Rollout of electric charging points to support use of electric LGVs and incentives to support LGV owners to upgrade
 - Assessing the opportunity for sustainable 'last mile' alternatives for deliveries within the CAZ area
 - Considering how we could use sunset periods and exemptions to support LGV owners.

Exemptions from charging

83. Should Government accept our proposals, the presumption is that our preferred option for a Clean Air Zone Category C with additional measures (CAZ C+) will apply to all non-compliant vehicles that enter or move within the zone.
84. However, as part of the Clean Air Framework¹⁴, Government set out a number of exemptions to specific types of vehicle which we will apply to any CAZ area in Sheffield.
85. In addition, we will consider any potential locally-specific exemptions in our Outline Business Case and test the need for any other exemptions through the statutory consultation in 2019. Where appropriate, these exemptions could then be included in our Final Business Case proposals. Based on the national framework, this may include:
- Historic and Specialist Vehicles (eg. vintage buses)
 - Emergency Service Vehicles
 - Military vehicles
 - Community transport

Lack of market capacity

86. As part of the exemptions to the Sheffield CAZ, we need to consider the capacity of the market to deliver retrofit, vehicle replacements and Euro 6 (eg. for HGVs, coaches) in the necessary time to achieve legal compliance.
87. We may need to look to provide exemptions that will allow those companies who have ordered a (by a predefined date) compliant vehicle or a retrofit to have a period of exemption from chargers until the compliant vehicle arrives / the upgrade work is completed. It is likely that there would be a requirement for companies and drivers will have to demonstrate that

¹⁴ Defra (2017) *Clean Air Zone Framework*,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612592/clean-air-zone-framework.pdf

they have done everything possible to bring their vehicle to the required standard and therefore to impose a charge would not improve air quality.

Diversions on the road network

88. We will also need to consider the impact that any incidents on our road network could have on the CAZ area, particularly where vehicles are directed into the CAZ and whether diverted vehicles would be exempt from the charge for the time that the diversion is in place.

Wider proposals to support our clean air ambitions

89. Alongside the CAZ and support packages for specific drivers and businesses, we will work closely with communities across Sheffield to support people to make healthier and sustainable travel choices which improve air quality in the city's neighbourhoods. This could include:

- A major, citywide behaviour change campaign, focused on the impact that air pollution has on our health and the different choices people can make
- Continuing and enhancing our anti-idling campaign around Sheffield's schools
- Community-led Clean Air Action Groups to propose solutions to local air quality challenges and co-ordinate local clean air activities

90. In addition, to achieve the required improvements in air quality we will also be seeking funding from Government to introduce:

- Controlled Parking Zones in the city where parking is currently unrestricted in order to encourage people to consider more sustainable alternatives
- Additional electric vehicle charging infrastructure to encourage and enable the uptake in electric vehicles, and in particular support the needs of Taxi and LGV drivers

THE EVIDENCE: WHY WE ARE PROPOSING A CLEAN AIR ZONE IN THE CITY CENTRE?

91. Working with Rotherham MBC and DEFRA's Joint Air Quality Unit (JAQU), we have undertaken a Feasibility Study to fully understand our air pollution issues. This includes understanding the key sites where air quality breaches the legal limit; the main causes of the air pollution are at those sites; and using transport, air quality and development modelling projections to understand what the scale of the air quality challenge is likely to be in the coming years.
92. This has involved a comprehensive data assessment of air quality in Sheffield/Rotherham using analysis of our locally collected air quality data; the latest data on transport flows in the city and data from Automatic Number Plate Recognition (ANPR) cameras in the city; and an initial piece of Behavioural Research.

Road transport is the most significant source of NO₂ pollution in Sheffield and some

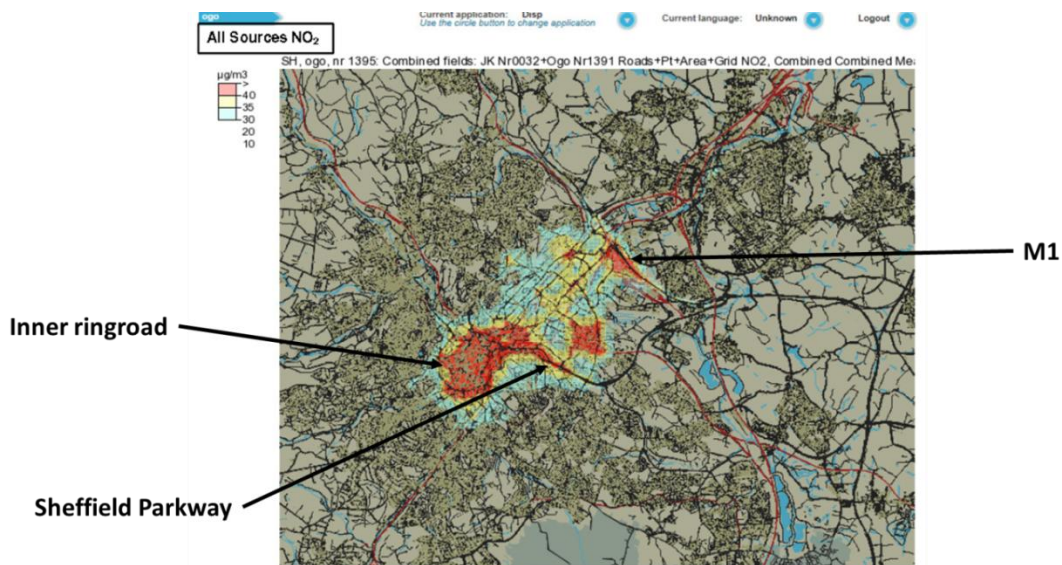
vehicles produce a disproportionate amount

- 93. Road transport accounts for 50% of the NO₂ emissions, with a further 35% from industrial sources and the rest coming from domestic and commercial buildings. Industrial process emissions are already tightly regulated and governed by national legislation but at a local level, tackling the pollution caused by road traffic is a critical priority if we are to reduce the impact that poor air has on people in Sheffield. The most significant source of road-based NO₂ pollution is emissions from diesel vehicles, particularly older diesel vehicles.
- 94. As the table below demonstrates, while private vehicles make up the significant majority of the vehicles on Sheffield’s roads, other vehicles cause a disproportionate amount of the NO₂ emissions from exhausts. These are mainly diesel-fuelled buses, London-style black Hackney cabs, Private Hire taxis (PHV), Heavy Goods Vehicles (HGVs/OGVs) and Light Goods Vehicles (LGVs). Therefore, if we want to quickly reduce NO₂ pollution in Sheffield, we need to take action to reduce the impact that some of the oldest and most polluting types of vehicle have on the quality of the air in the city.

Vehicle type	% of Fleet	% NOx
Private Car	81%	50%
LGV <3.5t	13%	26%
Taxi (Hackney & PHV)	3%	4%
Bus	1%	5%
OGV >3.5%	3%	15%

The city centre and Lower Don Valley experience the most significant NO₂ pollution because of our geography and transport network

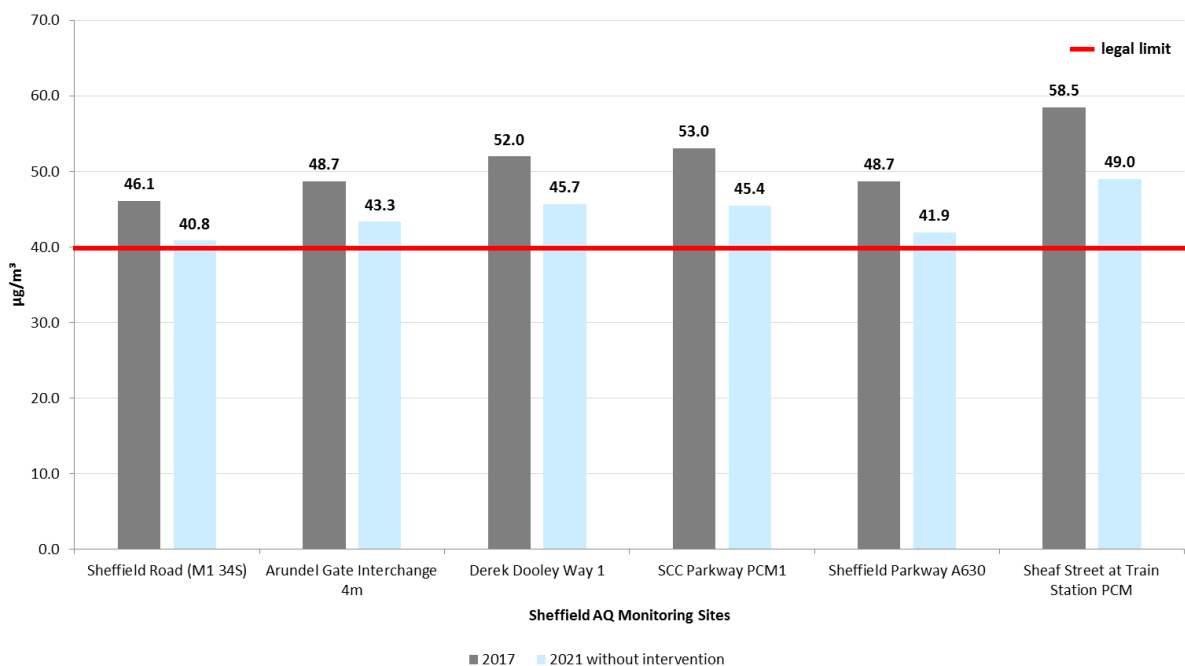
- 95. Our collected and modelled data demonstrates that there is a clear geographical concentration of NO₂ emissions within Sheffield’s inner ringroad. As the map below shows, the areas in breach of the legal limit (ie. above 40µg/m³ - shown in red) in Sheffield are concentrated in the city centre with some additional areas of exceedance around the M1 and Lower Don Valley.



96. The red lines on the map above are the rail lines which traverse the Sheffield/Rotherham area and whilst Government have stated that the rail network is out of scope here, Sheffield will continue to urge Government to electrify our rail network, improving journey times and reducing emissions from diesel trains.
97. Further, the M1 is a major cause of air pollution for Sheffield and Rotherham but responsibility for the M1 falls to Highways England rather than local councils. Highways England have been involved with the development of Sheffield and Rotherham’s proposals but we are continuing to urge Government to take a stronger, strategic approach with Highways England to address emissions from our motorway network.

Within the city centre and Lower Don Valley, there are specific roads where, without intervention, NO₂ emissions are predicted to continue to breach the legal limit beyond 2021

98. Looking more specifically at the city centre and Lower Don Valley, there are a number of roads that currently breach the legal limit for NO₂ emissions and are projected to continue to do so in 2021.
99. With the natural change to the vehicles on our roads (ie. people buying newer, cleaner cars; businesses replacing their fleet vehicles; bus companies replacing their bus fleets etc) the chart below shows that there will be improvements across these sites over the coming years. But, *natural change on its own will not be enough* to ensure that NO₂ pollution at these sites is brought within legal limits.



100. Our evidence shows that there are a number of other sites across the city which currently breach the legal limit for NO₂ pollution (eg. Whitham Road/A57 in Broomhill). However, on these sites, the evidence indicates that through natural fleet replacement and the wider impact of the proposed charging CAZ in the city centre, these sites will not be in breach by 2021.

HAS THERE BEEN ANY CONSULTATION?

101. The introduction of a charging CAZ for Sheffield is a major strategic change for the city and we will undertake a significant, statutory consultation in 2019 ahead of the development of our Final Business Case. The consultation will enable people and businesses in Sheffield to have a say on what the CAZ proposals mean for them and we will undertake intensive face-to-face involvement and engagement with the businesses and drivers that are particularly impacted on by the proposals.
102. Further, the statutory consultation will have a critical role in understanding and analysing the equality implications of the proposed CAZ. We will develop our Equality Impact Assessment throughout the consultation, proposing mitigations and packages support to address any disproportionate impacts on our communities.
103. We have already undertaken some initial research with different road users in Sheffield as part of our Feasibility Study. This work included a quantitative survey of London-style Hackney drivers, private hire vehicle drivers, LGV drivers and private car users (512 respondents) and a series of seven focus groups with taxi and LGV drivers (70 participants in total). This research considered the implications of a charging Clean Air Zone in Sheffield/Rotherham for these different groups of driver, their attitudes to moving to cleaner vehicles and their likely response to different levels of daily charge (£5; £10; £20) for driving through a CAZ.
104. While this research provided valuable initial insight into the approaches and support packages that Sheffield will need to put in place in order to improve emissions from the most polluting vehicles on our roads, it was relatively small in scale and it is our intention to launch a comprehensive consultation on our CAZ proposals in early 2019.
105. We have also held initial discussions, through a joint meeting of the Sheffield and Rotherham Bus Partnerships, with bus operators and SYPTE. This provided a clear position on the bus operators' response to a potential City Centre CAZ charging zone and the opportunity to upgrade bus fleets in Sheffield.

RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

Risk Management

106. As part of the OBC, we will have a full and detailed risk register which assesses the risk against our CAZ proposals and sets out appropriate mitigations.
107. As a joint study, submission is dependent on the approval of the OBC by both Sheffield City Council and Rotherham MBC.

Equality of Opportunity Implications

108. As part of the development of our CAZ proposals, we will constantly enhance our Equalities Impact Assessment (EIA) to ensure that the proposals that we submit in our Final Business Case in 2019 are fully cognisant of implications for different communities in Sheffield and that the mitigations focused on those who may be disproportionately affected.
109. A critical step in enhancing our EIA will be the statutory consultation which we will undertake in early 2019. The consultation will be open to all Sheffield residents and will have a particular focus on the drivers and business that will be impacted by the charging proposals but we will also need to fully understand the implications of any vehicle fleet changes for Sheffield's communities.
110. There are likely to be considerable health and wellbeing benefits for all communities in Sheffield through the improvement of air quality and the reduction of NO₂ concentrations in the city. Evidence suggests that it is often lower income communities that are most exposed to and suffer the negative health consequences of poor air quality and therefore, accelerating the reduction in NO₂ with a charging CAZ should bring positive health benefits to our lower income communities. However, through the consultation and development of our proposals, we will need to fully assess any financial inclusion implications for our communities (eg. any impact on travel costs, access to transport).
111. Further, recent studies have shown that the negative health implications of poor air quality are particularly felt by younger and older people more than other age groups, ensuring that there will be positive benefits from the CAZ for the age protected characteristic. Air pollution is also thought to harm unborn babies and scientists have recently found that particles from air pollution in the placentas of pregnant mothers¹⁵. Therefore, improving the city's air quality should have positive benefits to the wellbeing of pregnant mothers and unborn children in the city.
112. As part of the Outline Business Case (OBC) and the Final Business Case (FBC), we will undertake a comprehensive distributional analysis (part of the Economic Case) to assess the implications for communities and businesses in the city and identify where possible mitigations if required.

Financial and Commercial Implications

113. This paper seeks approval for the principle of delivering a Clean Air policy and as such there are few financial or commercial implications which will arise directly from this decision. Costs in developing bids etc will be in the most part already within the existing budget funding. In due course detailed proposals will be worked up and subject to further financial evaluation within the Council's existing approval and project management processes. In particular the Council will need to develop a funding package influenced by the degree to which external funding is available.

¹⁵ Guardian (2018) *Air pollution particles found in mothers' placentas*, <https://www.theguardian.com/environment/2018/sep/16/air-pollution-particles-found-in-mothers-placentas>

114. In line with government Green Book guidance, we are required to undertake Procurement of all necessary infrastructure, goods and services following submission of the Outline Business Case, so that the full business case that we submit can be based on actual costs rather than estimates. The key procurement, both in terms of contract value and impact on delivery of the CAZ that will be undertaken during this period will be the camera infrastructure. A range of ancillary procurements will also be required to deliver cost certainty on various other elements of the CAZ proposal including the additional measures. These will include procuring the signage for the CAZ as well as any third parties required to administer ancillary support packages implemented.

Legal Implications

115. Under Part IV of the Environment Act 1995, Local Authorities are required to have regard to any national strategy on clean air which is published by the Secretary of State; and to review and assess air quality in their areas and to report against objectives for specified pollutants of concern, to the Department for Environment, Food and Rural Affairs (DEFRA).
116. The Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2017 set outs the obligation for Sheffield City Council to carry out a Feasibility Study in relation to tackling roadside nitrogen dioxide concentrations, and to submit initial and final plans identifying the preferred option for delivering compliance in the shortest possible time, and setting out the value for money considerations and implementation arrangements by 31 March 2018 (Strategic Outline Case) and 31st December 2018 (Full Business Case).
117. However, Inception Guidance from the Joint Air Quality Unit states:
“Local authorities are required to undertake local assessments to consider the best option to achieve compliance within the shortest possible time. Under the terms of the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2017, the **Government has directed that initial plans (equivalent to the Strategic Outline Case) be provided as soon as possible and by the end of March 2018 at the latest. The Direction further directs that the initial plan needs to be followed with a final plan no later than the end of December 2018. Where no public consultation is required we expect a Full Business Case by the end of December 2018.** We recognise that where a significant public consultation is required it may not be possible to complete and submit the Full Business Case by December 2018. In that case, the Outline Business Case that outlines the final plan is to be provided at the earliest opportunity and no later than the end of December 2018 with the Full Business Case to follow shortly after.”¹⁶
118. Therefore, as Sheffield’s charging CAZ proposals require statutory consultation, we are therefore directed to submit the Outline Business Case before 31st December 2018 with the Full Business Case to be submitted following consultation in early 2019.

¹⁶ Joint Air Quality Unit (2017) *Inception Guidance*.

119. Omitting to submit plans in line with the prescribed deadlines is a risk to the Council and gives rise to potential legal challenge by way of judicial review. Action to manage and improve air quality is legally. The Ambient Air Quality and Cleaner Air for Europe Directive (2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health including fine particulate matter (PM10 and PM2.5) dust and nitrogen dioxide (NO₂) gas: annual limit of 40µg.m⁻³ for NO₂ and daily limit of 50µg.m⁻³ for PM10 (which is not to be exceeded more than 35 times a year). Not achieving the air quality targets nationally means not complying with EU law and consequently, this is a risk for the Council.
120. Not achieving the air quality targets nationally means not complying with the law and consequently, this is a risk for the Council. There is the potential for the UK government to be fined if EU limit values are exceeded. Potentially the fines which can be imposed are significant. The reserve powers in the Localism Act to passport fines to local authorities and public bodies (where they have failed to take action when they could) is significant and helps to highlight the need for a clear line of sight between legal obligations and Local Authority responsibilities to improve air quality and provide clarity on the role local authorities play. The government however, can only pass the fines on if they can show that a local authority has not taken appropriate steps to comply with EU and UK law. Failing to do so, would mean SCC is in breach of the above legislation.
121. There is the potential for legal challenge by way of judicial review from members of the public generally, or from environmental groups for failing to meet legally binding limits of fine particulate matter and nitrogen dioxide.
122. There is also a legal responsibility for Sheffield and Rotherham to “carry out a consultation in relation to the implementation of a charging clean air zone under section 170 of the Transport Act 2000. A local authority (or joint local authorities) must consult such local persons and such representatives of local persons as they consider appropriate about the charging scheme. For instance, coach, bus and taxi operators, businesses using HGVs & non-compliant vehicles, would need to be consulted if a CAZ C is considered necessary to achieve compliance. The consultees would need to be expanded to include members of the public if a CAZ D is considered necessary to achieve compliance. It would make good business sense to include members of the public in the consultation exercise and to include options for a CAZC and CAZ D charging zone in the consultation documentation”.

Public Health Implications

123. Air pollution is the largest environmental risk to the public’s health. The World Health Organisation Burden of Disease studies are now available at local authority level in England. From these it is estimated that air pollution is responsible for about 5% of deaths and 4% of all illness. We know this is weighted heavily towards the most disadvantaged, who often are more exposed to greater levels of pollution. The Global Burden of Disease (GBD) estimates

may underestimate the level of harm, given the evolving nature of the evidence in this area¹⁷.

124. Air pollution can be harmful in terms of cardiovascular and respiratory disease and there is some evidence linking air pollution to dementia and other neurological conditions. Poor air quality affects everyone, it has a disproportionate impact on the young and old, the sick and the poor. Poor air quality affects the most disadvantaged communities most – so any improvement in air quality will have positive health consequences.
125. The approach to the Clean Air Zone (CAZ) has been discussed at the Health and Wellbeing Board and partners from the NHS fully support the strategy of reducing air pollution as fast as possible. However, there is a distinction between legal and safe. Of course there is a requirement that we achieve the *legal* standard but from a public health perspective, the HWBB recognised that the CAZ represents an opportunity to push further than this and move to safer air. We may never achieve zero, but clearly there is a long way to push to get the level of air pollution well below the minimum standard of safe.
126. The charging CAZ proposals should deliver improvements to air quality at a quicker rate than would be achievable without intervention and this should bring public health benefits to Sheffield's population. Further, additional measures to improve the fleets of vehicles on our roads, particularly the buses and taxis which drive to and through our neighbourhoods, will bring air quality benefits beyond the city centre CAZ area.
127. The CAZ proposals, alongside the ambitions set out in the Clean Air Strategy and Transport Strategy to promote and invest in active travel, should bring wider health benefits for people in Sheffield. Increasing the number of people who choose to walk, run and cycle as part of their daily routines is good for air quality and will reduce congestion on the roads but will bring enduring health benefits through reducing obesity and cardiovascular disease.

ALTERNATIVE OPTIONS CONSIDERED

128. The development of our preferred option of a charging CAZ C+ to deliver an immediate impact on the city's air quality has involved a thorough and detailed appraisal of air pollution, traffic flows and scheduled development in the city to understand the interventions that we need introduce to bring the city's air quality into within legal limits in the shortest possible time.
129. What the Feasibility Study has shown is that 'doing nothing' is not an option for Sheffield. This is because of the following:
 - Sheffield and Rotherham have been mandated by Government and are therefore have a legal duty to reduce NO₂ emissions to within legal limits (40µg/m³) in the shortest possible time. Failure to do so would likely result in legal action and potentially significant

¹⁷ Global Burden of Disease, <https://vizhub.healthdata.org/gbd-compare/>

fines.

- Our modelled data demonstrated that there are multiple sites in the city centre and Lower Don Valley that are currently in breach of the legal limits for NO₂ pollution. The national change in the vehicles on the city's roads (drivers/businesses upgrading and replacing their vehicles over time) will not be sufficient to bring NO₂ emissions within legal limits by 2021 and therefore, further intervention is needed.
- More critically, there is an established and increasing scientific evidence base that demonstrates that exposure to air pollution has a devastating effect on human health. In Sheffield, it is estimated that poor air quality contributes to 500 deaths a year but it also undermines the quality of life for people in the city. Poor air quality impacts on the day-to-day lives and life chances of our communities, for example, 7-12% of annual childhood asthma cases were specifically attributable to traffic related air pollution and it increases the chances of hospital admissions, visits to A&E and respiratory and cardiovascular disease. Therefore, urgent action is needed to reduce exposure to air pollution in Sheffield.
- Sheffield City Council's Clean Air Strategy¹⁸ sets out an ambition to deliver clean air for all in the city and this includes a commitment to 'focus on the biggest causes of air pollution and improve them as quickly as possible'. Delivering a CAZ with Government funding to support the drivers that are most exposed to the charging zone will be vital to achieve our clean air ambitions.

130. Given that 'doing nothing' is not an option because of the scale of pollution and the legal directive to reduce NO₂ emissions in the shortest possible time, assessed options for Sheffield and Rotherham have been as follows:

- **CAZ with no charging** – assessed to not deliver the impact needed in the shortest possible time
- **Charging CAZ A (non-compliant buses, taxis)** – incentivises change for two of the most polluting vehicles but insufficient to bring air quality within the legal limit in the shortest possible time at multiple sites across the city's road network because of emissions from HGVs and LGVs
- **Charging CAZ B (non-compliant buses, taxis, HGVs)** – incentivises change for three of the most polluting vehicles but insufficient to bring air quality within the legal limit shortest possible time at multiple sites across the city's road network because of emissions from LGVs.
- **Charging CAZ D (non-compliant buses, taxis, HGVs, LGVs, private cars)** – whilst a charging CAZ D would achieve compliance, our Feasibility Study assessments indicate that a CAZ C with additional measures will achieve compliance in the shortest possible time without charging private car uses. It is our judgment that, based upon all the evidence available to us, introducing a CAZ D is not required. A CAZ D in Sheffield would have a significant and disproportionate impact on the city's residents and lower income families in the city. However, if Government assess our preferred option and propose that a CAZ D is required, Cabinet will be provided with a further paper outlining the implications of

¹⁸ Sheffield City Council (2017) *Clean Air Strategy*, <https://democracy.sheffield.gov.uk/documents/s29124/Clean%20Air%20Strategy%20Dec%20Cabinet%202.pdf>

such a move for the city and the additional resource and mitigations that we would seek from Government.

REASONS FOR RECOMMENDATIONS

131. Based on the outcomes of the Sheffield/Rotherham Feasibility Study, a CAZ C charging zone with additional measures (CAZ C+) is Sheffield's preferred option to achieve legal compliance for the city's NO₂ emissions in the 'shortest possible time'.
132. There is increasing evidence that toxic air has profound implications for the health and life chances of people, particularly more children, older people and lower income communities. Further, air pollution undermines people's quality of life, causing asthma and increasing the chances of hospital admissions, visits to A&E, respiratory and cardiovascular disease.
133. The introduction of a CAZ C+ will deliver a rapid impact on the city's ambitions to make our air safe to breathe for all. Further, taking steps to address emissions from the most polluting vehicles on Sheffield's roads through a CAZ C+ has the potential for Sheffield to access significant Government resource to support the upgrade and replacement of vehicles, investment which would otherwise not be available to us.



Author/Lead Officer of Report: Janet Sharpe,
Director of Housing and Neighbourhoods Service

Tel: (0114) 2735493

Report of: Executive Director, Place
Report to: Cabinet
Date of Decision: 21 November 2018
Subject: New Homes Delivery Plan, November 2018 - March 2023

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>
- Affects 2 or more Wards	<input checked="" type="checkbox"/>
Which Cabinet Member Portfolios does this relate to? Transport & Development Neighbourhoods and Community Safety	
Which Scrutiny and Policy Development Committee does this relate to? Safer and Stronger Communities	
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?	(260)
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:-	
<p><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></p>	

Purpose of Report:

The *New Homes Delivery Plan* sets out the broad principles and proposals for a programme for achieving on average 2,000 new homes per annum in the areas of Sheffield where they are needed over the next five years, and a longer-term pipeline to sustain this level of delivery.

The proposed five year programme will implement the priorities of Sheffield City Council's (SCC's) current *Housing Strategy 2013-23* relating to new housing provision. This is presently being revised and will be brought back to Cabinet for approval in early 2019.

This New Homes Delivery Plan is being presented to Cabinet ahead of the new Housing and Neighbourhood Strategy and Affordable Housing Strategy to ensure that momentum is not lost on the overall housing delivery which is currently being achieved in Sheffield, particularly where approved and proposed Council investment programmes will continue to deliver and influence the delivery of much needed new homes in the city including achieving over 725 new affordable homes each year.

Meaningful affordability is at the heart of this plan. 725 new affordable homes are now required each year. This is a substantial increase from recent levels of affordable home delivery and will be achieved through the successful delivery of this plan.

Recommendations:

That Cabinet:

1. Approves the *New Homes Delivery Plan November 2018 – March 2023* as attached to this report and approves the proposals for a five year funded programme (and pipeline for the next 10 years) that will contribute to achieving on average 2,000 new homes per annum in the city. Individual business cases for each element of the programme will be approved via the Council's governance and financial approval processes and implementation of any of the initiatives identified may be the subject of further executive decision making in accordance with the Leader's Scheme of Delegation.
2. Notes that the Council is seeking to secure investment from the "Housing Infrastructure Fund" (HIF), which could provide the funding for the activity identified in this report.
3. Notes that in the absence of HIF investment being sufficient for the activity identified, a further Cabinet report will be produced to set out and authorise alternative investment options.
4. Authorises the Chief Property Officer, in consultation with the Director of Housing and Neighbourhood Services and the Director of Legal & Governance, to negotiate and agree terms for the acquisition of properties for the purpose of shared ownership as described in the report.
5. Requests the Director of Housing and Neighbourhood Services in consultation with the Cabinet Member for Transport and Development to present a further report in 2019 setting out proposals for a new Affordable Housing Strategy, including Quality Standards and 5 Year Programme which will be reviewed annually by Cabinet.

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Background Papers:

New Homes Delivery Plan, November 2018-March 2023

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>Jane Wilby/ Karen Jones</i>
		Legal: <i>Andrea Simpson</i>
		Equalities: <i>Louise Nunn</i>
<p><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></p>		
2	EMT member who approved submission:	Laraine Manley
3	Cabinet Member consulted:	Jack Scott Jim Steinke
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: Janet Sharpe	Job Title: Director of Housing and Neighbourhoods
	Date:	

1. PROPOSAL

- 1.01 The *New Homes Delivery Plan* sets out the broad principles and outline proposals for a five year rolling programme (to be annually reviewed and updated) to implement the priorities of the SCC Housing Strategy 2013 – 2023, approved by Cabinet in February 2013, and *Homes for All: Housing and Neighbourhoods Strategy 2019* (due to be presented to Cabinet in early 2019), relating to new housing provision.
- 1.02 *Homes for All: Housing and Neighbourhood Strategy 2019* will set out an ambition to meet housing need by supporting the building of over 2,000 new homes, including 725 new affordable homes, each year over the next five years. A more detailed Housing Needs Assessment is currently underway to underpin the Strategy by identifying the homes we need across the city to meet the growing demand for housing. The proposed build figure of 2,000 new homes per year may change as further local proposals are developed and approved.
- 1.03 The proposed programme would support the delivery of a mix of housing types and tenures by the private and public sectors, including direct delivery of homes by SCC.

The Delivery Plan describes how SCC could:

- Influence the number, types and tenure of homes delivered in the city to achieve a balanced housing market to support wider economic, social and environmental aspirations, and to create a more balanced and quality housing offer that better meets local housing need.
 - Make use of appropriate brownfield opportunities in the first instance where possible and focus on sites in the priority locations.
 - Focus activity, expertise and increased SCC intervention in the market to guide the desired build programme and property standards.
 - Ensure the maximum planning gain from any development to support the affordable and social housing programme.
- 1.04 The New Homes Delivery Plan brings together in one place existing programmes to ensure that the current delivery rate is maintained and identify the necessary steps to significantly increase the average annual delivery of homes. It is also needed to ensure that a wider range of homes and tenures are delivered by house builders in the private sector. Last year approximately 74% of new homes were apartments or student accommodation, which do not adequately meet the housing needs of many current and future households in Sheffield.
- 1.05 The Delivery Plan sets out *Principles of Intervention* to guide the Council's interventions to influence the development of new housing, to help ensure a strategic approach is adopted that makes best use of scarce resources and maximise planning gain on development sites in the city.
- 1.06 The number of new homes expected to be delivered without Council intervention over the Delivery Plan's five year lifetime is estimated to be 8,494 new homes, which is significantly below the number of new homes that need to be delivered during this

period. With the interventions proposed in the Delivery Plan, it is estimated that a total of 10,428 homes could be delivered over the same five year period (1,934 net additional), which would meet Sheffield's identified housing for this period. Our aim is to improve on these numbers as further development and funding opportunities arise to address the shortfall of affordable homes in the city.

- 1.07 The New Homes Delivery Plan includes commitments made in the Housing Revenue Account (HRA) Business Plan that was approved by Cabinet in January 2017 that proposed to further increase the Council's stock increase programme from 1000 to 1600 new homes as a minimum. This is being further reviewed following the government announcement in October 2018 that the HRA Borrowing Cap will be lifted to enable local authorities to increase council house building.

To facilitate the delivery of more affordable housing it is proposed that a further report be presented to Cabinet later in Autumn 2018 setting out proposals for a new Affordable Housing Strategy, including Quality Standards and Programme. This will set out clearly the housing options for many people who are struggling to afford their current housing costs and/ or where the housing choice in their neighbourhood does not meet their current housing need.

- 1.08 The Housing Delivery Activity Table at Appendix A of the Delivery Plan under "Affordable Housing" includes the proposal that the Council will "develop a Council shared ownership model". This will provide an improved offer for people who can afford to purchase a share of their home if they do not have the means for full purchase that could free up rented accommodation in the area.

- 1.09 A report will be presented to Cabinet in 2019, setting out the options and implications for the Council delivering shared ownership properties. Ahead of that report there may be the opportunity for the Council to acquire a small number of properties for shared ownership within new housing developments. This report seeks authority to proceed with such acquisitions if the opportunity arises.

- 1.10 In 2017 the Government announced the introduction of Social Rent as a new tenure eligible for funding as part of its Shared Ownership and Affordable Housing Programme. The statement announced £2 billion to deliver Social Rent across the country. The Council is taking advantage of this funding and this should provide the opportunity for more affordable homes to be built by the Council through its HRA Affordable Housing Stock Increase Programme. This funding is open to Local Authorities and Housing Associations.

In September 2018, the Prime Minister announced greater funding certainty for Housing Associations (HAs), with a proposed £2bn funding programme was recommended. The **new** funding is to support "longer term partnerships" allow HAs to bid for funding up to 2028/29. This should make it easier for HAs to leverage private finance. This funding may provide the opportunity to encourage HAs to build in the city in greater numbers and deliver private homes for sale and rent.

In October, 2018 the Prime Minister announced the lifting of the HRA Borrowing cap which currently restricts local authorities' ability to borrow money to build more new

affordable homes for rent. Sheffield has been working closely with the Government over the last 2 years for them to consider this flexibility. The detail of how this will be implemented is still being finalised. However, with the use of Homes England Funding and, a more relaxed HRA borrowing agreement this should enable the Council to bring forward its Council Housing Build Programme to meet demand.

2. HOW DOES THIS DECISION CONTRIBUTE TO:

- **An In Touch Organisation**
- **Strong Economy**
- **Thriving Neighbourhoods and Communities**
- **Better Health and Well Being**
- **Tackling Inequalities**

- 2.1 Unaffordability and living in unsecure rented homes is a significant barrier to the creation of a fairer and more equitable city. Tackling this in the manner and scale proposed in the Delivery Plan would result in a less fractured housing market and enable more people to live in homes that suit their needs and aspirations.
- 2.2 The proposals as set out in the Delivery Plan will ensure the new housing delivered in Sheffield's neighbourhoods includes the correct types and tenures to provide a wider choice of housing for local people at each stage in their life.
- 2.3 It will contribute to improved health and wellbeing by supporting households to move into homes that better meets their needs and that they can afford and, enable a more diverse supply of housing to help people meet their economic and physical needs.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 This report was informed by two key assessments of information which involved specific consultation with the public and developers:
- *Sheffield Strategic Housing Market Assessment 2013*, which was based on survey evidence from 3,363 households and extensive consultation undertaken with internal and external partners to identify the priority issues for the Housing Strategy 2013-23. This consultation ran between March 2010 and May 2012 and included surveys (online and face to face), workshops and attendance at ward. Although this consultation was carried out over five years ago it is felt still to be relevant; however, we are committed to carry out further consultation in the first two years of the plan and further consultation throughout the life of the plan.
 - *Sheffield Strategic Housing Land Availability Assessment*, which is informed by annual discussions with housing developers currently delivering, or with plans to deliver, new homes in the city.

Consultation has also taken place with key stakeholders and care professionals as part of developing the Council's Older Persons Housing Strategy and its Homelessness Reduction Strategy that were approved by Cabinet in 2017.

It is also proposed that as new homes are built that we will expect a clear new role for developers to engage with local residents to ensure new homes are integrated and located in areas that will improve the quality of our neighbourhoods.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 The proposals in the Delivery Plan would have a positive impact on housing choices for many groups with protected characteristics, as outlined in EIA 260. It would help to provide a greater choice of affordable, accessible and age-friendly housing for Sheffield's residents, and help some of the city's most vulnerable residents to access and maintain independent lives in safe, warm, good quality homes.

4.2 Financial and Commercial Implications

4.2.1 To address the shortfalls in housing types, achieve the increased rates of housing delivery and fully realise the benefits of increased income, there would be a requirement for investment of up to £25,265,000 over the Delivery Plan period 2018 – 2023, of which £9m has already been approved by Cabinet. A breakdown of how this funding would be invested is shown in the ‘Funding and income’ section of the appended Delivery Plan. A high level summary of the programme’s income and expenditure is shown below:

Page 58	No. of Sites	No. of homes	NHDP ¹ Spend £000	Estimated Income £000										
				1-5 Years Income					6-10 Years Income					Income 10 Years Total
				NHB	Council Tax	CIL	Capital Receipts	Income 5 Years Total	NHB	Council Tax	CIL	Capital Receipts	Income 6-10 Years	
Without Intervention	103	8494	£1,193	£30,072	£41,269	£34,793	£18,300	£124,434	£6,192	£72,267	£4,622	£0	£83,081	£207,516
With Intervention	122	10428	£26,458	£33,925	£45,977	£38,259	£31,855	£150,016	£11,624	£85,556	£3,159	£390	£100,729	£250,745
Net Additional Impact of Interventions	19	1934	£25,265	£3,853	£4,708	£3,466	£13,555	£25,582	£5,432	£13,289	-£1,464	£390	£17,648	£43,229

A breakdown of the number of new homes and, income for each element of the £25.265m above is as follows:

¹ The Council is seeking to secure investment from the “Housing Infrastructure Fund” (HIF), which could provide the funding for the activity identified in this report. In the absence of HIF investment being sufficient for the activity identified, a further Cabinet report will be produced to set out and authorise alternative investment options.

4.2.2 The investment required includes the £9M of Growth Investment Fund resources for “Strategic Acquisition for Brownfield sites for Housing Development”, which was approved by Cabinet in March 2018. This Plan will provide the additional homes within the next 5 years and, establish a clear pipeline of activity over the next 10 years. The key aim of this programme is to address the significant shortfall of housing in our neighbourhoods.

Project	Cost (£000's)	Sites	Units
Strategic Acquisitions	£8,817	2	137
Housing Growth	£16,448	17	1,797
Total	£25,265	19	1,934

4.2.3 The above table outlines the indicative expenditure and income generated for the Council by the current programmes (without intervention) and the total indicative expenditure and income as a result of the interventions outlined in the New Homes Delivery Plan. The net additional income generated as a result of this investment is estimated to be £25,582,000. The actual amount of income generated will be subject to housing market conditions over the period and annual updates will be provided to Cabinet on these figures and future forecasts. The sources of incomes accounting for this income generation are:

- New Homes Bonus: income receivable from Government on a 4 year rolling basis, payment based on the net number of new homes built and empty homes brought back into use.
- Council Tax generated and collected.
- Community Infrastructure Levy generated via the implementation of planning consents
- Land receipts paid to the Council for the sale of land/property.

4.2.4 Income generated by the programme will go into the Council’s Growth Investment Fund, which is established on the basis on an ‘evergreen’ fund whereby the net returns from projects (including New Homes Bonus and capital receipts from property sales) are reinvested into future projects which in turn generate new returns. A proportion of the fund is set aside for ‘enabling’ projects to support physical infrastructure schemes which generate no immediate return but create a setting for investment and support the Council’s corporate capital programme to bring forward some of the Council’s other strategic projects. The proposed programme provides greater certainty of future income to underpin the Council’s medium term financial strategy.

4.2.5 The implementation of any of the proposals arising from implementation of the Delivery Plan may be subject to further decision making in accordance with the Leader’s Scheme of Delegation, and the specific financial and commercial implications will be considered fully at that time.

4.2.6 It is proposed to fund the shared ownership proposals by a combination of Housing Revenue Account resources and Right to Buy receipts as match funding to acquire the shared ownership properties. There is sufficient capacity to accommodate the acquisition costs from the HRA budget and Right to Buy receipts to provide the

necessary match funding.

4.3 Legal Implications

- 4.3.1 The Council has powers of acquisition of land and housing for the purposes of Part II of the Housing Act 1985 under section 17 of that Act. Section 18 provides that where houses are so acquired the Council must secure that they are used as housing accommodation as soon as practicable after acquisition. By virtue of section 9 of the Act the power to provide housing accommodation for the purposes of Part II may be exercised by disposing of houses so provided, for example for use for shared ownership. Dwellings and land held for Part II of the Act are accounted for within the Housing Revenue Account by virtue of Part VI of the Local Government and Housing Act 1989.
- 4.3.2 While the Council has powers to carry out any of the interventions identified in the Delivery Plan there are no other direct legal implications arising from this report. The implementation of any of the proposals arising from implementation of the Delivery Plan may be subject to further decision making in accordance with the Leader's Scheme of Delegation, and the legal implications will be considered fully at that time.

4.4 HR Implications

- 4.4.1 In order to implement the Delivery Plan a dedicated Housing Delivery Team will be in place for the next 5 years. The structure of this team, and the posts within it, will comprise a range of specialised skill sets, programme management, project commissioning and project management. The cost of the team forms part of the investment identified at Section 4.2 of this report. The team make-up will be carefully monitored and amended in line with the nature and number of projects that come forward (the detail of annual costs is within the delivery plan) to ensure maximum effectiveness and efficiency.

4.5 Other Implications

- 4.5.1 Section 6 of the appended Delivery Plan identifies the key risks that pose a threat to successfully implementing the programme, and activity that is proposed to mitigate these risks. They encompass:
- Infrastructure required to unlock sites
 - Site viability
 - Housing market changes
 - Private sector delivery capacity

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The main alternative considered was to not develop the Delivery Plan. This was rejected because:
- Without interventions the delivery of housing by the private and public sectors is

forecast to fall significantly short of the scale of new homes delivery needed in the city.

- Without interventions the narrow types and tenures of housing currently being delivered by the private sector are expected to remain and continue to fail to meet the housing needs of current and future households in Sheffield.
- General uncertainty in the housing market could reduce delivery.
- Fragmented land use patterns make it difficult to deliver a co-ordinated package of infrastructure solutions necessary to support new communities. The strategic acquisition of land as one of the programme interventions being proposed will help to address this issue.
- The lack of resources to co-ordinate proposals and the lack of strategic funding means that future infrastructure solutions could continue to be delivered in isolation and infrastructure solutions fail to impact positively. The delivery of physical infrastructure solutions as one of the programme interventions being proposed will help to address this issue and enable, unlock or accelerate housing delivery.

6. REASONS FOR RECOMMENDATIONS

6.1 With further investment it is anticipated that the following outcomes could be achieved (subject to project / programme specific approvals). The Council can undertake a number of interventions as outlined in the New Homes Delivery Plan, to build approximately 2,000 new homes as a minimum in the next 5 years. For example:

- The Council will build a minimum of 1600 affordable new homes, through the HRA Stock Increase New Build Programme and will aim to increase this further through securing external funding from Government and a review of the HRA debt cap regulations
- A further 11 Council owned sites could be developed by the Council or marketed, accelerating over 400 new homes in the next 5 years and 1000 new homes across all tenures.
- Sheffield Housing Company could accelerate the delivery of a further 350 new homes in this period.
- Strategic acquisitions will commence on a rolling programme in the city centre housing zone, to unlock sites with the potential for 500 homes in the next 5 years.
- Provide the opportunity to work in partnership with Rotherham to develop the pipeline for the Sheffield/ Rotherham corridor that could achieve over 18,000 homes over the next 20-30 years.
- The pace of new build will be a combination of directly working with the private sector and simplifying advice for the private sector to get on and deliver new homes.
- The proposed investment is estimated to generate the equivalent amount of increased income to the Council.

- A greater supply and variety of houses to help balance the citywide shortfalls.
- With a dedicated Housing Growth Delivery Team there will be opportunities to enable and accelerate housing growth through the private sector, by promoting site opportunities, problem solving on stuck schemes and promoting the city as a place for housing investment.

Appendix A – Delivery Plan

New Homes Delivery Plan

November 2018 – March 2023

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Delivery Plan Introduction and Context

Sheffield is a successful, prosperous and growing city with a growing demand for housing. These homes matter to us and we are producing a new 'Homes for All' Housing and Neighbourhoods Strategy in 2019 setting out the Council's ambition for homes in the city.

The Council believes that no one in the city should be living in a home that damages their health and our ambition is to use new housing to support strong neighbourhoods and reduce inequality in Sheffield. We also want to provide more choice of good quality and affordable homes for all who live in the city. We also believe that a range of homes like this supports the city's economy by helping people into work, especially those furthest away from the labour market, and by attracting and retaining businesses and their workforce.

Collectively the Council, public and private sector are presently building around 2,300 new homes each year. However, many of these are flats and homes for young people and young professionals (approximately 74% of all build) so it is not addressing the need for family homes in the city's existing neighbourhoods. The city also has a significant shortage of quality homes for older people and specialist accommodation for our vulnerable people and in many areas and it is becoming increasingly difficult to find the right type of accommodation in the areas where it is needed.

The Council is in the process of developing its overarching strategic approach to create sustainable homes and neighbourhoods, and there will be a suite of documents to support this - the Economic Strategy, Transport Vision, City Centre Plan, Green City Strategy, a new Local Plan and a Housing and Neighbourhoods Strategy that will also provide the strategic direction required for the city in the future. This Delivery Plan is the pre-cursor to presenting the new Homes for All Housing and Neighbourhood Strategy later.

The delivery plan aims to maintain the current level of homes being built and improve the range on offer. The Council has set out in this plan the commitment to support the building of over 2,000 new homes, including 725 new affordable homes, a year for the next 5 years to meet housing need. We intend to do this through direct intervention and by enabling the public and private sector to deliver the homes we need. Our plan will also support the Council's intention to prioritise brownfield land and to ensure that land that is allocated for housing is built out, particularly where land has been unused for many years

The Council recognises that delivering new homes boosts opportunities to deliver affordable homes. We expect all new developments to contain a reasonable level of affordable housing, unless there are exceptional circumstances preventing this. The New Homes Delivery Plan aims to deliver a range of affordable housing solutions in all parts of the City. We intend for these homes to be affordable to local people to reduce the number of people living in short term and/or insecure rented homes. In large parts of Sheffield private developers will be expected to contribute towards meeting this need by on-site

provision or through financial contributions for building affordable homes on other sites. The Council itself will have a key role in building affordable and specialist homes in all parts of the city, and we will work in partnership with developers to look for opportunities to provide affordable housing on all sites.

This New Homes Delivery Plan will also help us to be clear with Government on the city's strategic priorities and seek to access external funding that supports the city plans and the outcomes that we want to deliver. This will enable us to build in excess of the numbers proposed especially for Affordable Housing as we secure additional funding from Government and the HRA Borrowing Cap is lifted, as recently announced by the Prime Minister.

The Government has revised the National Planning Policy Framework and it now includes a Housing Delivery Test, to be introduced in November 2018. This test will assess delivery over the previous 3 years and, where delivery has fallen below 95% of the local planning authority's housing requirement over that period, the authority should prepare an action plan in line with national planning guidance. The action plan should assess the causes of under-delivery and identify actions to increase delivery in future years. Our provisional assessment is that delivery in Sheffield over the period 2015-18 is likely to be 108% of the housing requirement. The Sheffield Housing Delivery Plan is the City Council's action plan to sustain the required levels of new homes being built over the next 5 years. When planning for new homes we will develop a clear neighbourhood engagement plan to ensure that we are listening to the views of tenants and residents living in our neighbourhoods and to ensure they improve the quality of neighbourhoods and make them great places to live and work in.

To deliver the scale and types of homes needed we will:

- Identify the correct balance, quality and type of homes that will create successful and healthy communities across the city
- Be clear on our priority housing locations; City Centre and Housing Zone, Upper and Lower Don Valley and the South East
- Create a balanced city centre housing offer promoting mixed communities in some city centre neighbourhoods
- Deliver new affordable homes, both for rent and ownership (including shared ownership)
- Support citywide housing delivery programmes such as the Sheffield Housing Company and Council Stock Increase Programme
- Make greater use of Council owned land and assets through disposal and acquisition

- Work closely with Sheffield house builders and investors to provide a range of quality homes to support mixed tenure neighbourhoods and create new neighbourhoods

- Cater for the following identified gaps in provision:
 - homes in all tenures for people wanting to downsize
 - homes for sale in the mid-market and above for couples and families wishing to progress through the market
 - a range of affordable homes for sale and rent that are affordable to local people
 - homes for older people and families in some city centre neighbourhoods
 - specialist homes for older people and people with learning disabilities in all tenures

The key to delivering the actions above will be collaborative working between the Council, its partners and the Private Sector alongside better integration and commissioning. The Council will be proactive in providing support and intervening as required to make sure that the programme for housing delivery is balanced across the city. This delivery plan underpins the strategy, and clearly sets out the:



1. Why we need a new housing delivery plan

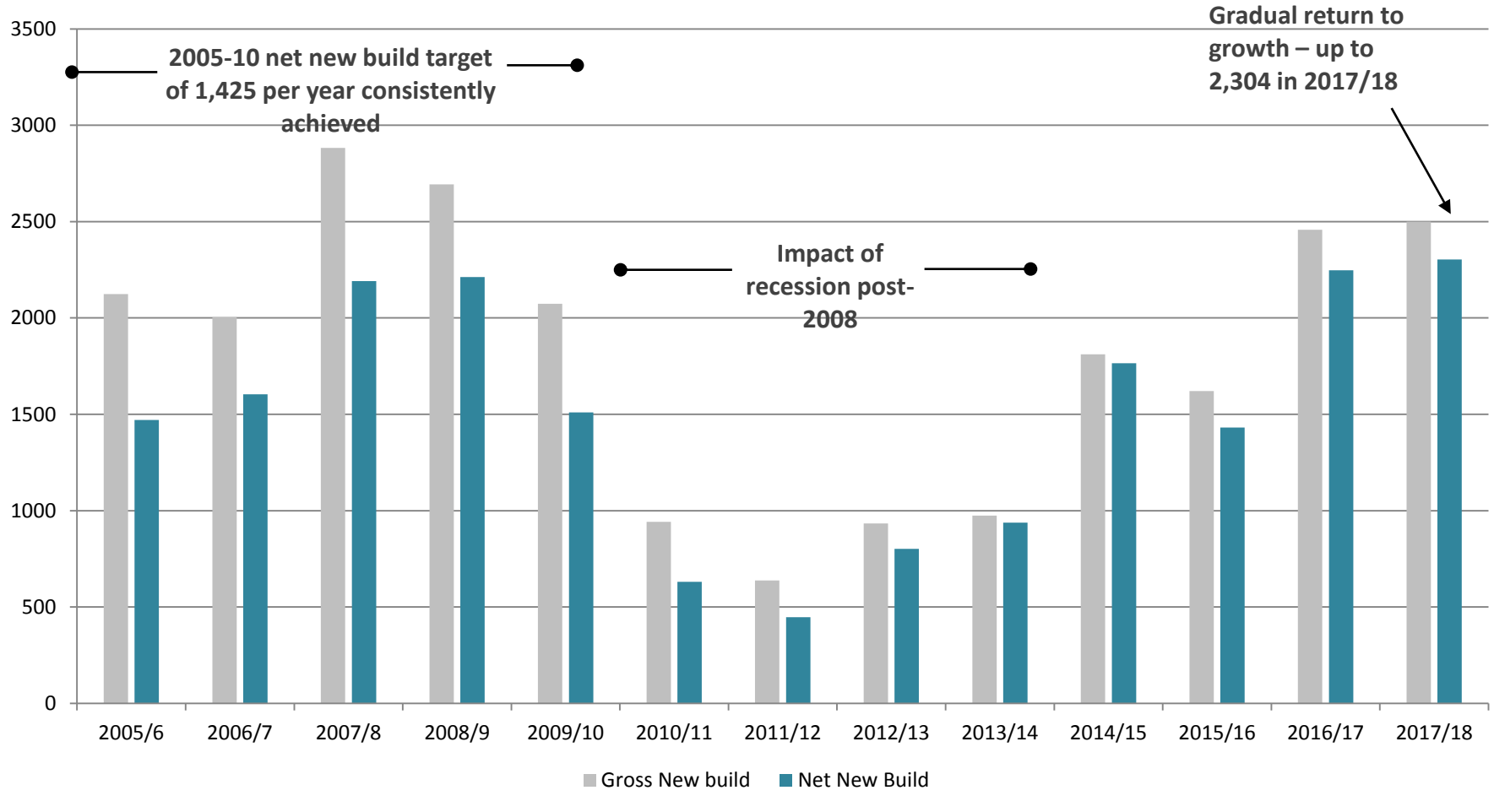
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The number of homes required vs The number of homes being delivered

In order to provide the number of new homes we need to maintain the current delivery numbers, a significant increase on the previous levels of delivery. In summary:

- Local Plan (pending) – Target for 2018 onwards = 2000+ homes per annum
- Actual Delivery 2005 – 2017 = Average (net) = 1,437 homes per annum
- Actual Net Delivery 2017 / 18 = 2, 304 homes

Housing Growth in Sheffield, 2005 - 2018



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2. The type, balance, quality and tenure mix of homes being built

House builders in the private sector are currently providing a too narrow range of house types and tenures.

Over the last five years there has been an average of 1560 (gross) new homes completed per year – the majority of which, 74%, were apartments or student accommodation and 26% of completions were houses. The Council will work with both Universities to develop a new Student Accommodation Strategy to shape this area of activity and its future regulation. This will be presented to Cabinet in 2019 for approval.

Of the homes delivered, 19% (or 302 per year) were affordable homes, including those secured through s106 affordable housing agreements, which is significantly short of the city's 725 per year affordable housing target. The definition of 'affordable' within Planning Policy is much wider than social or affordable rent. The Council's ambition for affordable housing will be set out in the future Affordable Housing Strategy, to be presented to Cabinet for approval in 2019. This Strategy will support the affordable housing provisions in the Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document.

Our evidence tells us that this delivery profile is not adequately meeting housing demand from families, older households and households needing specialist accommodation. This delivery plan will address the delivery numbers, tenure and the type of home.

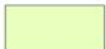

2. Local Housing Vision – What we need to deliver and where

This Delivery Plan is not just about building more homes; it is about building the right mix and balance of homes in the right places and building successful and healthy communities. Through this delivery plan we aim to shape neighbourhoods and to create a more balanced housing offer that better meets local housing need. Our intention is where possible to create more neighbourhoods where the additional homes support good health and reduce inequality. We also intend for the additional homes to provide more choice to enable people to upsize and downsize their homes locally, as their needs change.

The city has 13 distinct Housing Markets Areas (HMA's), each one having its own housing offer. These are shown in the map below.

The Council has a robust set of data that is used to review the existing housing offer in each market area and has identified local housing shortfalls along with issues and challenges for housing delivery. This information will be used to guide the approach taken by the Council to deliver more new homes. The 13 HMAs provide an overview of the housing offer in these areas. Site specific developments and negotiations will be undertaken in line with a more detailed knowledge of the conditions in that specific area.



 Housing Market Areas
 City Boundary

Scale: 1:130,364

Sheffield City Council
Housing Strategy and Policy

3. Delivery Approach – How we will deliver

Over recent years the Sheffield housing market has delivered sizeable amounts of student accommodation in the city centre. The Council's ambition is to increase the levels of family type houses, general needs apartments and apartments aimed at families and older generations.

How we deliver through strategic Council intervention can provide mechanisms to guide the market to a different outcome.

The Council can drive and influence the timing and supply of new homes in the city in a number of ways:

1. By how it grants planning permission to private house builders
2. By supporting sites that have become stuck in the development process
3. By how it supports private house builders who have planning permission, but where delivery has stalled
4. Through its involvement with the Sheffield Housing Company to deliver homes at pace in specific areas
5. By how it develops its own land to build council housing through the HRA Stock Increase programme
6. By supporting landowners and developers with planning and infrastructure to free-up stuck sites
7. By investing in wider infrastructure to unlock sites and make developments more viable / attractive to the market
8. By working with local residents to ensure that they are engaged in plans to build new homes in their area so they are fully integrated into the local neighbourhood

In support of the themes above, a detailed operational plan for 2018 – 2023 sets out a range of actions linked to key outcomes and resources that underpin how we will deliver. Details of this can be found in [Appendix A](#).

Principles of Intervention - The Council's interventions will be guided by the following principles.

The council will intervene where:

1 SCC wishes to influence development to create a coherent place and community	2 The private sector is not meeting local housing demand or need	3 The market is unwilling or unable to deliver (site needs planning permission, has not started or has stalled)	4 The market will deliver but a higher quality scheme could be established through land assembly, which can't be achieved through the private sector	5 It will accelerate delivery on or release new brownfield sites	6 Statutory powers are required to unblock sites in the private sector (CPO or statutory action)
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In order to meet the targets set for numbers and locations, the Council must:

- Increase its resource capacity to provide an efficient and effective housing delivery role,
- Develop a deliverable site pipeline to sustain the number of homes built per year and diversify the range of new homes,
- Stimulate private sector and Council activity on residential sites to build new homes provide a balance of good quality house types and tenures that address local housing need
- Increase the capacity of the affordable housing programme and stimulate the private sector to provide more affordable homes for sale and rent
- Establish long term investment programmes to develop brownfield land in priority housing areas
- Consider alternative delivery models for affordable housing

The Council has a number of approved or proposed interventions including;

- HRA funded stock increase programme (for the provision of new homes for rent, older persons and specialist housing and shared ownership)
- Stuck sites programme
- Sheffield Housing Company
- Disposals Programme
- Bids to the Housing Infrastructure Fund
- Bids to the City Region
- Bids for government grant funding such as the Shared Ownership and Affordable Homes Programme

- Bids for estates regeneration funding to the Ministry of Housing, Communities and Local Government
- Secure additional headroom through the Council's HRA to expand the Council's own build programme

4. The case for Intervention

Current housing delivery estimates

Our future housing delivery estimate is informed by the Strategic Housing Land Availability Assessment (SHLAA).

This is the information source of all the possible land that could be used for housing development across the city. The Council's current formal five-year housing supply was published in the 2017 Interim Position Paper that is available at <https://www.sheffield.gov.uk/content/sheffield/home/planning-development/housing-land-sites.html>.

To establish a firmer picture of housing delivery over the next 5 years we have applied a risk based assessment of sites within the SHLAA taking into account the following;

- Current planning permission status
- Average build rates for developers
- Current site occupation and need for intervention
- Site location and the concentration of sites
- Existing site intelligence
- Level of site assembly / infrastructure work required prior to build commencing
- Current economic climate

We acknowledge that the rate of delivery cannot be forecast with absolute certainty as the demand for housing and the capacity of developers to deliver housing will fluctuate. However, the risk based assessment provides the best possible estimate at this point in time and forms the baseline delivery figures (below table) for housing delivery **without Council intervention**.

Work Stream	Year 1 2018/19	Year 2 2019/20	Year 3 2020/21	Year 4 2021/22	Year 5 2022/23	5 Year Total	Years 6-10 23/24 - 27/28	10 Year Total
Private Land								
Planning - Full Permission Not Started	196	316	283	46	46	887	1,381	2,268
Planning - Full Permission Required	6	72	685	173	254	1,190	7,857	9,047
Private Construction Suspended	108	0	14	0	36	158	298	456
Private In Delivery	1,415	351	305	115	103	2,289	312	2,601
Property - Disposals/Acquisitions	0	0	0	0	0	0	294	294
Public Land								
HRA Stock Increase Programme ¹	0	0	16	80	68	164	237	401
Planning - Full Permission Not Started	30	57	0	0	0	87	14	101
Planning - Full Permission Required	104	134	502	181	365	1,286	2,819	4,105
Property – Disposals	0	0	17	69	75	161	994	1,155
Public In Delivery	44	44	44	43	0	175	0	175
Sheffield Housing Company	331	292	211	127	136	1,097	317	1,414
Grand Total	2,234	1,266	2,077	834	1,083	7,494	14,523	22,017
Windfall Sites	200	200	200	200	200	1,000	1,000	2,000
Grand Total (Including Windfall Sites)	2,434	1,466	2,277	1,034	1,283	8,494	15,523	24,017

Table 1- Risk tested Delivery Pipeline 2018 – 23 (Source: SCC Housing Growth Team)

The current housing delivery estimates shown in Table 1 fall short of the Council's 2000+ per annum new build programme showing that SCC intervention is justified to increase the volume of new homes. In addition, intervention is also needed to increase the number of new houses and apartments for non-student use to redress the imbalance in the types of homes available (not just volumes). Key observations from the site review are, that the:

- Pipeline is at risk of fluctuating below the programme of 2000 per year, averaging 1400 per year and completions of apartments peak in 2020/21;
- Majority of the new build capacity is in the private sector;
- Sites with planning permission and to commence on site are significant with 42 sites generating a total capacity of 2268 homes;
- Pipeline assumes that full planning permission will be secured for over 13,000 homes; and,

¹ This only relates to new build Stock Increase Programme activity, it does not include S.106 purchases or Buy Back of former Right to Buys

- Council is bringing forward 1182 new homes itself through land disposals and building its own properties to rent and it is programmed to deliver 1414 through the Sheffield Housing Company.

Proposed delivery estimates with intervention

A number of key interventions have been identified to accelerate housing delivery by both the Council and private sector these include;

- Adopting a strategic approach to priority areas
- Accelerating the Councils New Build Stock Increase Programme
- Investing in site enabling works prior to disposing of sites
- Disposing of viable sites for private sector delivery with planning briefs to influence housing type
- Strategic acquisitions in the city centre to assemble sites
- Accelerating Sheffield Housing Company's Programme
- Deliver physical infrastructure to unlock sites, subject to successful funding bids
- Providing planning advice, guidance and support to help developers / investors through the process
- Consider joint ventures where we want / need to influence the housing offer
- Establish a proactive contact role to liaise with developers/ land owners providing support to unlock development

It is anticipated that by making these interventions the number of new homes delivered in the next 5 years can increase by 1934 homes bringing the average per annum over 2000 as shown in the Table 2 below.

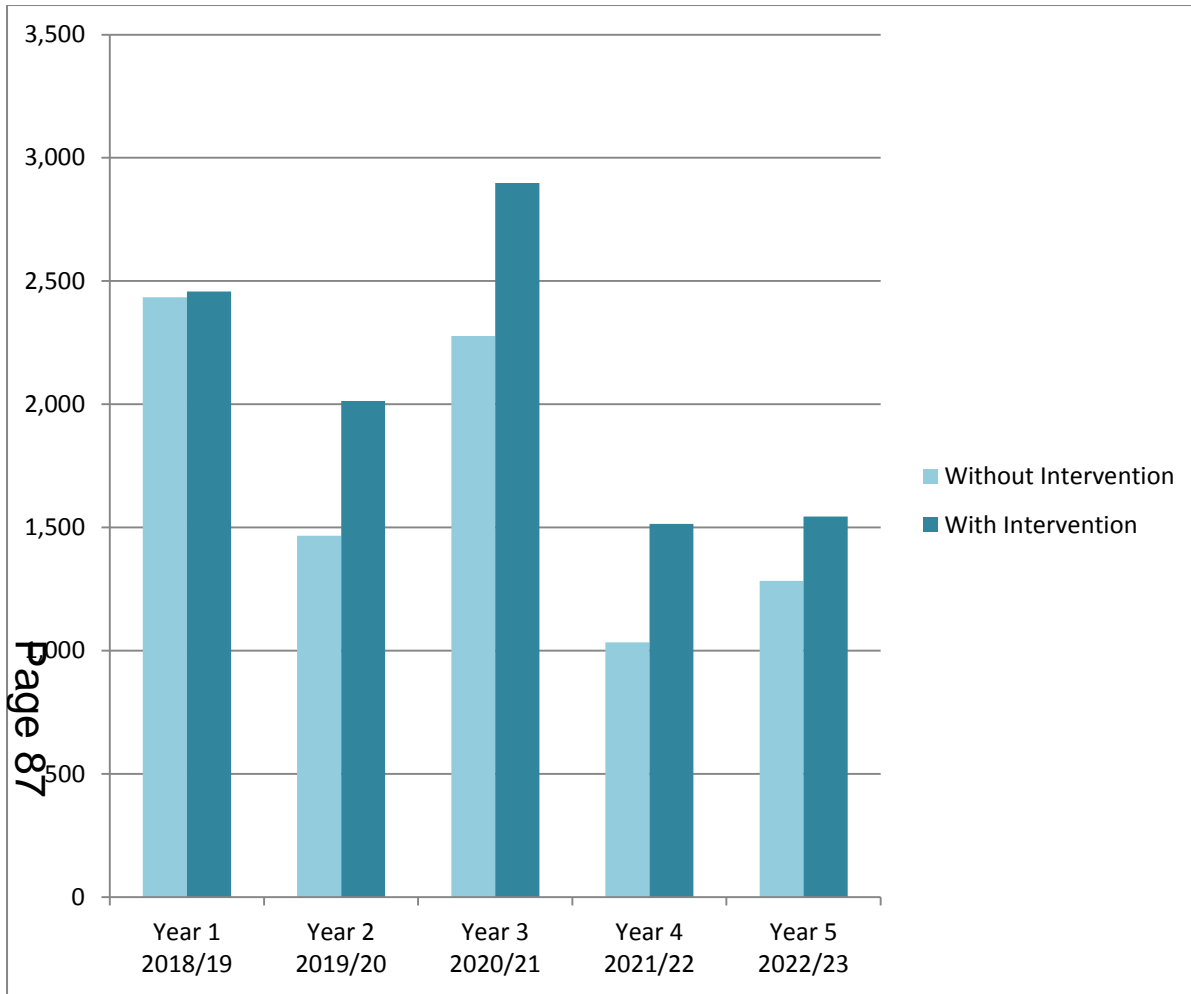
Work Stream	Year 1 2018/19	Year 2 2019/20	Year 3 2020/21	Year 4 2021/22	Year 5 2022/23	5 Year Total	Years 6-10 23/24 - 27/28	10 Year Total
Private Land								
Planning - Full Permission Not Started	220	506	318	81	81	1,206	1,062	2,268
Planning - Full Permission Required	6	224	889	249	343	1,711	6,620	8,331
Private Construction Suspended	108	0	14	0	36	158	298	456
Private In Delivery	1,415	351	305	115	103	2,289	312	2,601
Property - Disposals/Acquisitions	0	0	0	0	0	0	786	786
Public Land								
HRA Stock Increase Programme ²	0	191	194	165	228	778	271	1,049
Planning - Full Permission Not Started	30	57	0	0	0	87	14	101
Planning - Full Permission Required	104	134	676	299	104	1,317	1,038	2,355
Property - Disposals	0	15	47	217	313	592	1,570	2,162
Public In Delivery	44	44	44	43	0	175	0	175
Sheffield Housing Company	331	292	211	145	136	1,115	652	1,767
Grand Total	2,258	1,814	2,698	1,314	1,344	9,428	12,623	22,051
Windfall Sites	200	200	200	200	200	1,000	1,000	2,000
Grand Total (Including Windfall Sites)	2,458	2,014	2,898	1,514	1,544	10,428	13,623	24,051

Table 2 – Delivery Pipeline with Increased Council Intervention 2018-23 (Source: SCC Housing Growth Team)

It is important to note that these interventions will not only accelerate new homes delivery in years 1 to 5 - it will also secure future sites for development into year 6 onwards as the acquisitions and site enabling work streams, in particular, are not expected to deliver units until after year 5. Whilst there is less certainty in the figures for year 6 onwards (reflected in the current conservative estimate), due to the volatility of the market, intervening now will help to create a more sustainable delivery pipeline and it is likely this will lead to increased numbers of new homes in years 6 to 10.

This plan will be updated on an annual basis as it is intended to be rolling programme of investment.

² This only relates to new build Stock Increase Programme activity, it does not include S.106 purchases or Buy Back of former Right to Buys



In order to achieve the increases in housing delivery illustrated in this chart and the type, tenure and quality of housing required, additional resource will be required both in terms of funding and staff time.

Investing our own resource to provide more homes will also help Sheffield to secure external funding from the Government and the private sector, allowing all opportunities to be maximised and safeguarding the future success of the programme.

Further information on the type of intervention and impact on delivery can be found in Appendix B.

The Benefits of intervention

We anticipate, with further investment:

- The Council can unlock an additional 19 sites on publicly owned land, release 1,934 new homes into the 5 year pipeline and triple the volume of homes it builds itself and in partnership with the private sector. Of which:
 - The Council will build a further minimum of 614 more affordable new homes through the HRA New Build Programme .
 - A further 11 Council owned sites could be developed or marketed to bring forward over 1064 new homes through the Council's disposal programme.
 - Once the details of the lifting of the HRA debt cap are confirmed there will also be further opportunity to use any additional HRA borrowing headroom to increase the number of new affordable homes for rent
- Sheffield Housing Company can bring forward over 350 new homes
- Strategic acquisitions will commence on a rolling programme in the city centre housing zone, we propose to concentrate on a number of key sites that if assembled could unlock up to 2018 homes by 2028.
- Provide the opportunity to work in partnership with Rotherham to develop the pipeline for the Sheffield/ Rotherham corridor which could achieve over 18,000 homes over the next 20 -30 years
- The pace of new build will be a combination of directly working with the private sector and making it easier for the private sector to get on and deliver new homes
- Increased income to the Council from CIL, Council Tax and New Homes Bonus and capital receipts over the 5 year period of this plan
- A greater supply and variety of houses to help balance the citywide shortfalls

Funding and income

To address the shortfalls in housing types to meet increasing housing needs in the city, achieve the increased rates of housing delivery to those detailed within Table 2, and fully realise the benefits of increased income, there is a requirement for an additional investment of up to £25,265,000 over the Delivery Plan period (2018 – 2023). The breakdown of how this funding will be invested is given below:

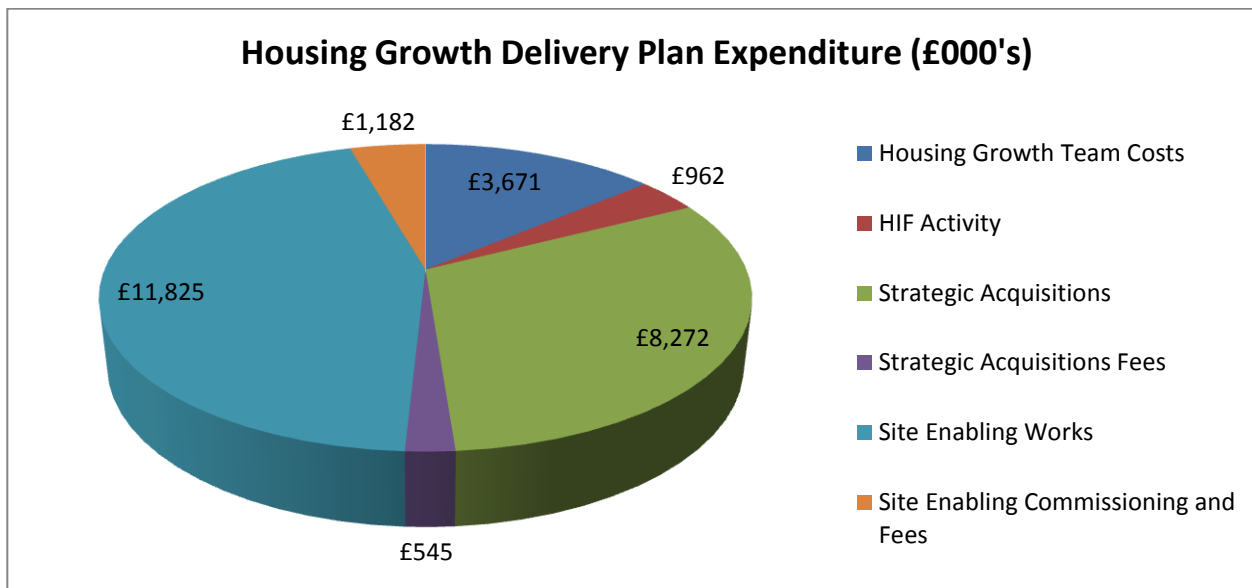
Expenditure (£000s)	2018/19	2019/20	2020/21	2021/22	2022/23	5 Year Total
Housing Growth Team Costs	£605	£744	£759	£774	£790	£3,671
HIF Activity	£840	£122	£0	£0	£0	£962
Strategic Acquisitions	£6,046	£1,598	£627	£0	£0	£8,272
Strategic Acquisitions Fees	£174	£8	£363	£0	£0	£545
Site Enabling Works	£300	£2,000	£5,438	£2,043	£2,043	£11,825
Site Enabling Commissioning and Fees	£350	£350	£161	£161	£161	£1,182
Sub Total	£8,315	£4,822	£7,349	£2,978	£2,994	£26,458
Current Funding (£000s)						
Housing Revenue Account	£159	£159	£159	£159	£159	£793
GIF Funding (Sheffield Housing Company Client Team)	£200	£200	£0	£0	£0	£400
Sub Total	£359	£359	£159	£159	£159	£1,193
Net Costs / Funding Required	£7,957	£4,464	£7,190	£2,820	£2,835	£25,265

Table 3: New Homes Delivery Plan (2018 – 2023) Budget

Expenditure will be approved through the approval of detailed business cases and is proposed to:

- **Fund the Housing Growth Delivery Team (2018 – 2023).** To perform a pro-active contact role. This will bring forward the private sector pipeline; to commission and deliver site enabling works to improve the viability of Council and privately owned sites; to contract manage existing and new partnerships and to monitor and report monthly on the targets set in the plan beyond the 5 year plan.
- **Provide capacity to further develop options and feasibility studies for bid submissions. (2018 – 2020)** There is potential for additional Housing Infrastructure Funding (HIF) or other capital funding from Government. Resources are required to ensure capacity to develop proposals or engage specialist expertise.

- **Enable Strategic Acquisitions** over a rolling 5 year programme (2018 – 2023) will assemble key brownfield sites in the City Centre to build a mixture of apartments and houses and land acquisitions to increase the available land in the Affordable Housing Programme, where there is a shortfall in provision.
- **To consider a fund to invest in/pay for site enabling works** such as road, services infrastructure, remediation, ground clearance and preparation to improve the viability of marginal sites. This is an opportunity to unlock private and public sites to provide balanced delivery programmes across the city.



The adjacent chart illustrates the proportion of spend across the programme highlighting that the majority of the investment is identified for Strategic Acquisitions, 31%, and Site Enabling works, 45% and represents a total of 76% of the total investment as Capital.

Costs, sites and units by Project within the 5 year programme.

Project	Cost (£000's)	Sites	Units
Strategic Acquisitions	£8,817	2	137
Housing Growth	£16,448	17	1,797
Total	£25,265	19	1,934

Table 5: New Homes Delivery Plan (2018 – 2023) Budget

The following tables show the projected income generated by housing delivery as we achieve plans to build the homes we need. The actual amount of income generated will be subject to housing market conditions over the period. The income and delivery numbers are based on assumptions made from November 2017 and will be refined as the housing is developed and actual income achieved which will be reported to Cabinet on an annual basis.

Income generated by private sector developments without any SCC interventions.

Income (£000's)	2018/19	2019/20	2020/21	2021/22	2022/23	Total	6-10 Years	10 Year Total
New Homes Bonus	£2,788	£5,733	£7,170	£9,445	£7,474	£32,609	£5,506	£38,115
Council Tax	£2,487	£5,115	£6,397	£8,427	£9,156	£31,581	£50,139	£81,720
Community Infrastructure Levy	£4,051	£4,822	£3,123	£2,790	£2,733	£17,519	£2,373	£19,892
Grand Total/Forecast Income	£9,326	£15,670	£16,689	£20,661	£19,362	£81,708	£58,018	£139,727

Table 6: New Homes Delivery Plan (2018 – 2023) Budget

Income generated by private sector and existing SCC programmes.

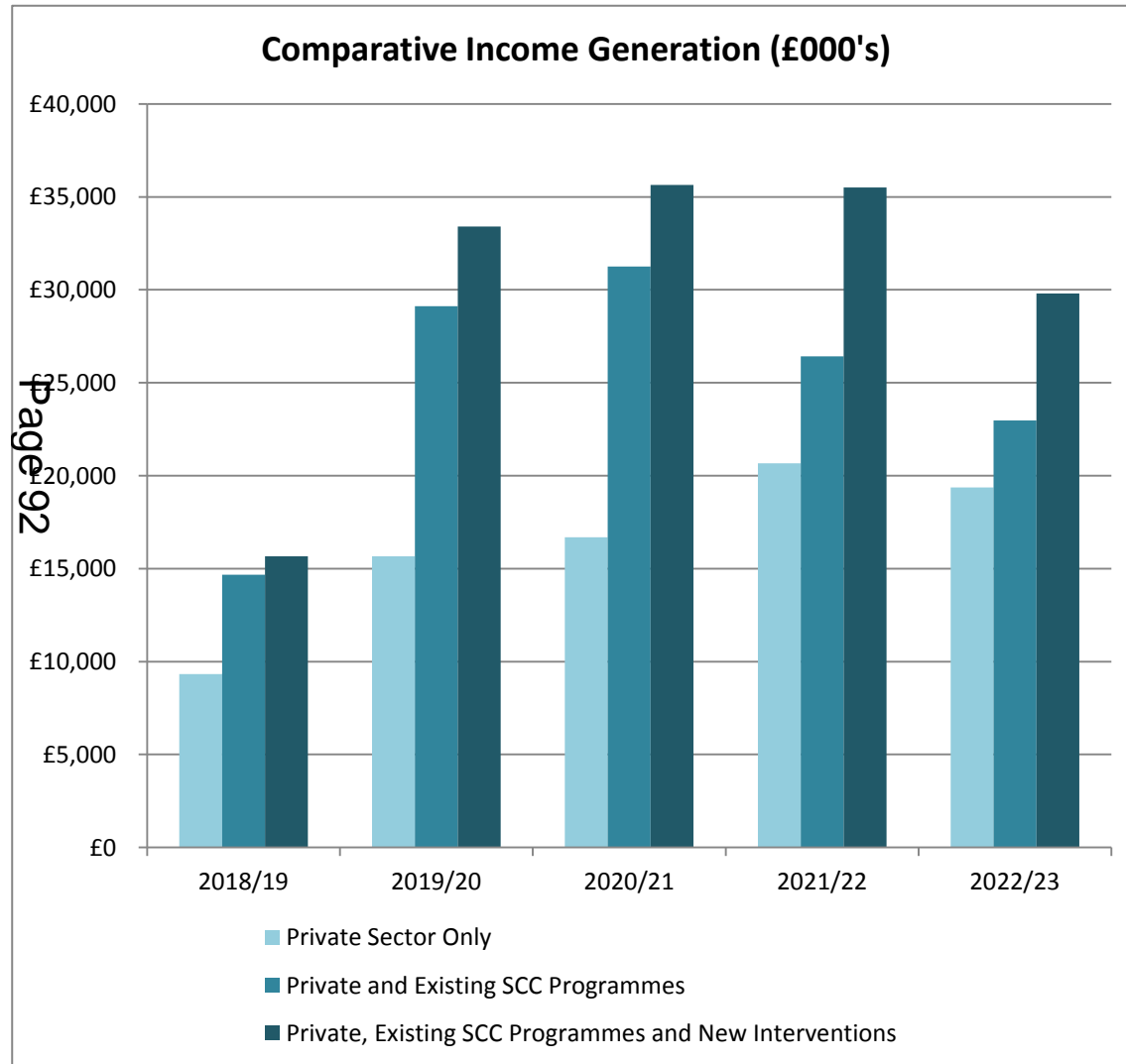
Income (£000's)	2018/19	2019/20	2020/21	2021/22	2022/23	Total	6-10 Years	10 Year Total
New Homes Bonus	£5,722	£6,892	£6,017	£5,972	£5,469	£30,072	£6,192	£36,264
Council Tax	£2,876	£6,199	£8,200	£11,308	£12,686	£41,269	£72,267	£113,536
Community Infrastructure Levy	£6,078	£9,629	£7,132	£7,142	£4,812	£34,793	£4,622	£39,416
Capital Receipt	£0	£6,400	£9,900	£2,000	£0	£18,300	£0	£18,300
Grand Total/Forecast Income	£14,676	£29,120	£31,249	£26,423	£22,967	£124,434	£83,081	£207,516

Table 7: New Homes Delivery Plan (2018 – 2023) Budget

Income generated by private sector, existing SCC programmes and additional interventions in this delivery plan.

Income (£000's)	2018/19	2019/20	2020/21	2021/22	2022/23	Total	6-10 Years	10 Year Total
New Homes Bonus	£5,918	£7,048	£6,527	£7,163	£7,270	£33,925	£11,624	£45,549
Council Tax	£2,876	£6,232	£8,953	£12,912	£15,003	£45,977	£85,556	£131,533
Community Infrastructure Levy	£6,115	£10,331	£8,764	£8,267	£4,783	£38,259	£3,159	£41,418
Capital Receipt	£750	£9,500	£9,900	£2,000	£795	£22,945	£0	£22,945
Capital Receipt from Strategic Acquisitions	£0	£300	£1,500	£5,160	£1,950	£8,910	£390	£9,300
Grand Total/Forecast Income	£15,659	£33,410	£35,645	£35,501	£29,801	£150,016	£100,729	£250,745

The ‘capital receipts from strategic acquisitions’ shown in table 6 are based on the purchase, enhancement and disposal of a number of brownfield sites, as approved by Cabinet in March 2018.



Indicative Income generation:

The indicative gross income generated for the Council is estimated to be £150,016,000. Sources of income are:

- New Homes Bonus: income receivable from Government on a 4 year rolling basis, payment based on the net number of new homes built.
- Council Tax generated and collected
- Community Infrastructure Levy generated via the implementation of planning consents
- Land receipts paid to the Council for the sale of land/property.

Income received will go into the Council’s Growth Investment Fund which is established on the basis of an ‘evergreen’ fund whereby the returns from projects (New Homes Bonus or reward of capital receipts) are reinvested into future projects which in turn generate new returns. A proportion of the fund is set aside for ‘enabling’ projects to support physical infrastructure schemes which generate no immediate return but create a setting for investment and support the Council’s corporate capital programme to bring forward some of the Council’s other strategic projects. This programme will provide some certainty of future income that will underpin the Council’s medium term financial strategy.

5. Measuring Success

The success of the New Homes Delivery Programme will be measured against these Key Performance Indicators. It will be the responsibility of the Housing Growth Team to monitor and report on the success of the programme along with the Housing Growth Programme Group.



6. Risks

There are ways that the Council can influence the housing market, to sustain a pipeline of viable residential sites and adjust the type, quality and number of homes that are delivered in Sheffield. However, there are also a number of drivers that affect the housing market and people's decisions to move, which the Council cannot change. The key risks to the Housing Delivery Plan and mitigating action is set out below.

	Risk	Mitigation
1	<p>Infrastructure required to unlock sites</p> <ul style="list-style-type: none"> • City centre redevelopment opportunities are spread across the urban core. Fragmented land use pattern means it is difficult to deliver a co-ordinated package of infrastructure necessary to support new communities • Lack of resource to co-ordinate proposals and lack of strategic funding means that future infrastructure solutions could continue to be delivered in isolation and infrastructure solutions fail to impact positively on the attractiveness of local sites 	<p>Creation of an Integrated Infrastructure Plan to identify priority projects and investment required to prioritise funding applications.</p> <p>Continue to work with Government to establish a flexible single housing and infrastructure fund for Sheffield</p> <p>We have submitted bids for Housing Zone status, Capacity Funding and for Housing Infrastructure Funding.</p> <p>Allocate resources to support appraisal work and bidding processes</p>
2	<p>Site viability</p> <ul style="list-style-type: none"> • Council policy is to develop brownfield land. Previous industrial use makes ground preparation costs higher than average • Potential declining land values/capital receipts may limit the Council's ability to invest • Local topography, hills and river basins often means that sites require bespoke ground remediation/scheme proposals • Property valuations may be prohibitive in newly emerging markets • Viability issues may impact on the quality of scheme achieved 	<p>Identification of priority sites pipeline, Diversifying the market to attract more house builders and introduction of pro-active contact role with landowners, agents and developers.</p> <p>Identifying and releasing sites for private sector development in a timely manner balancing delivery and demand.</p>
3	<p>Brexit and housing market economy changes</p> <ul style="list-style-type: none"> • Continuing economic uncertainty in the run up to 2019, further interest rate rises, falling real wages and weaker consumer. 	<p>SCC continues to invest in the transformation of the City Centre, the Advanced Manufacturing Park and Advanced Manufacturing Research Centre and HS2 to promote developer and investor confidence</p>

	<ul style="list-style-type: none"> • Forecast shortage of construction workers, development takes longer & extra building cost could be passed onto buyers. • Fluctuations in house prices and potential market slowdown, impact expected to be region specific. • Persistent shortages of house building keep house prices rising faster than earnings on average. • Affordability for first time buyers and risk that buyers will need to save longer to buy their first homes. 	<p>Monitoring of citywide housing delivery programme and provision of housing market guidance to illustrate the types of homes needed in each housing market area.</p> <p>Deliver a balanced programme to ensure delivery is aligned with market demand and capacity</p> <p>Use the delivery programme to promote more capacity of SME developers and builders</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 96</p>	<p>4 Private Sector delivery</p> <ul style="list-style-type: none"> • Private sector development does not provide the required breadth of housing need for Sheffield people • Developer decisions are influenced by labour and supply chain capacity, ability to finance development, activity adjacent to the site and conditions of the local economy 	<p>SCC to guide and support private sector to develop housing to meet identified needs in Housing Market Areas</p> <p>New programme to support enabling work and investment in sites to reduce risk.</p> <p>Introduction of self-funded business models for the Council to invest in Affordable Housing through HRA and s106 receipts.</p> <p>Promotion of economic priorities such as the transformation of the city centre, the Advanced Manufacturing Park and Advanced Manufacturing Research Centre and HS2 to create the right environment for a buoyant housing market</p> <p>Focus of resources in the City Centre, Lower and Upper Don Valley and the South East to promote developer and investor confidence.</p> <p>SCC recognises the importance of innovation in the housing market and will promote Modern Methods of Construction on suitable sites.</p> <p>Similarly, a diverse range of housing developers and builders will increase the housing growth activity in the city and therefore it will be important to work closely with Small to Medium Enterprises (SMEs) including Custom Build developers to enable their development in the city too.</p>

7. Political and Executive Governance

To deliver the new ambition will require strategic political leadership to ensure that it delivers the Council's strategic priorities for the city. This will be provided through regular engagement with Cabinet and, the Cabinet Member lead for housing delivery.

A Housing Growth Programme Group has been established. This group will be the single route for Housing Delivery activity and will ensure that the proposals set out in this delivery plan are monitored, risks are effectively managed and housing outcomes are delivered. This group will be responsible for presenting annual progress reports to the Council's Cabinet and Cabinet will be asked to approve any amendments to the rolling 5 year Housing Delivery pipeline.

Individual projects and programmes of work, such as site enabling, may be the subject of further executive decisions in accordance with the Leaders Scheme of Delegation.

APPENDIX A: Housing Delivery Activity Table

Activity	Expected Delivery Period (years)	Expected Outcome
Planning <ul style="list-style-type: none"> Completion of the Local Plan for the allocation and delivery of new housing to meet housing need Ensure information and systems for processing planning applications are in place Provide informal planning advice and pre application advice 	<ul style="list-style-type: none"> 1- 2 1 1- 5 	<ul style="list-style-type: none"> Increased sites available to developers and builders (Prioritise brownfield sites where possible) Accelerated housing delivery Influence the type, range and quality of new homes
Acquisition <ul style="list-style-type: none"> We will assemble land and consider joint land sales Prioritise the acquisition of new homes to support the SCC Housing Revenue Account new homes programme Explore and acquire land in areas with high Affordable Housing shortfalls to support the SCC Affordable Housing Programme 	<ul style="list-style-type: none"> 2 – 5 1 – 1 3 – 5 	<ul style="list-style-type: none"> Unlock brownfield site Increased family housing offer in the city centre Increased affordable housing delivery
Infrastructure <ul style="list-style-type: none"> Develop an Integrated Infrastructure Plan to identify physical infrastructure requirements that unlock housing development Invest in feasibility work to identify infrastructure needs and identify and secure funding opportunities 	<ul style="list-style-type: none"> 2 – 5 1 – 2 	<ul style="list-style-type: none"> Infrastructure requirements mapped and prioritised Unlock stalled sites Provision of strategic infrastructure to ensure long term delivery of housing
Asset Disposal <ul style="list-style-type: none"> Invest in the de-risking of sites which SCC bring to the market Dispose of sites with clear planning briefs to influence the type of homes to built Proactively promote our smaller sites to SME builders 	<ul style="list-style-type: none"> 1 - 5 1 - 5 1 - 5 	<ul style="list-style-type: none"> Increased sites available to developers and builders Increased likelihood of influencing housing type and range
Provide one to one support to developers <ul style="list-style-type: none"> SCC will work with the developer and co-ordinate SCC cross 	<ul style="list-style-type: none"> 1 – 5 	<ul style="list-style-type: none"> Ensure consistency of approach from SCC

<p><i>departmental support to ensure timely delivery on sites which require planning permission, have planning consent but have yet to start or have stalled</i></p> <ul style="list-style-type: none"> <i>Sign post developers and Private Registered Providers of Social Housing (Housing Associations) to funding and partnering opportunities</i> 	<ul style="list-style-type: none"> <i>1 - 5</i> 	<ul style="list-style-type: none"> <i>Private sector pipeline brought forward and accelerated housing delivery</i> <i>Influencing housing type and</i>
<p>Affordable Housing</p> <ul style="list-style-type: none"> <i>Publish guidance on affordable housing requirements in the local area</i> <i>Create a single Affordable Housing Programme</i> <i>Be clearer about on site and section 106 developer contributions</i> <i>Apply for external grants and continue to talk to Government about funding flexibilities to increase the affordable housing pipeline</i> <i>Develop a Council shared ownership model to retain Council equity in land to meet housing need and maximise the number of affordable homes delivered using council resources</i> <i>Explore and establish a new Site Enhancement/Enabling fund to de-risk SCC owned land and private stalled sites that provide affordable housing</i> <p>Page 99</p>	<ul style="list-style-type: none"> <i>1</i> <i>1</i> <i>1</i> <i>1 – 5</i> <i>1 - 3</i> <i>2 – 3</i> 	<ul style="list-style-type: none"> <i>Clarity for Registered Providers and developers about affordable housing requirements across the city</i> <i>Increased supply of affordable housing for sale and for rent, including specialist affordable housing schemes</i>
<p>Direct Delivery</p> <ul style="list-style-type: none"> <i>Procure contractors, delivery partners and/or consortium to deliver our Affordable Housing Programme and HRA Stock Increase programme</i> 	<ul style="list-style-type: none"> <i>1 – 5</i> 	<ul style="list-style-type: none"> <i>Increase the number of affordable homes delivered</i> <i>Directly influence housing types and quality of homes built</i>

APPENDIX B: Council Interventions

Our interventions are grouped by the level of intervention required, **guiding development** is the most resource intensive (physical infrastructure/site assembly) and where we want to influence the type of homes, the Council needs to **stimulate** the housing market, by marketing sites with development briefs and investing in site enhancement works. The majority of our time resource, requiring **minimum/no intervention** will be in the private sector, contacting land owners and developers, to identify the support developer's need.

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Guiding Development	<ul style="list-style-type: none"> • Deliver physical infrastructure subject to funding bids and Community Infrastructure Levy. • Assemble/invest in land and consider joint sales where we intend to change the housing offer. • Explore scope for investment in land to provide affordable housing.
Intervention required to stimulate the market	<ul style="list-style-type: none"> • Site enabling works to improve viability. • Procure a Contractor(s), Delivery Partner(s) or consortium to deliver homes • Market sites and properties with planning briefs in our disposal pipeline
No intervention required in the short term	<ul style="list-style-type: none"> • Proactive contact with land owners/agents to identify what support is needed to unlock development • Market sites and properties with planning briefs in our disposal pipeline • Publish guidance on affordable housing required in local areas • Signpost developers and landowners to financial investors (Homes England, Home Building Fund) • Lead with Registered Private Providers of Social Housing to identify privately owned stalled sites that can be unlocked with affordable housing investment

The table below provides a summary of current approved intervention and proposed additional interventions

Current Council Approved Intervention 2018 -2023	Additional Intervention 2018 -2023
<p>Stuck Sites</p> <p>The Council may take action to ensure that land and property owners invest in their property where these assets are preventing residential development in the area. For instance, if and where necessary, the Council may intervene using statutory powers to encourage the owner to invest in essential works to protect, improve and enhance the property and where the owner fails to improve their property the Council will take direct action and recover costs from the owner.</p>	
<p>Sheffield Housing Company</p> <p>A joint venture between SCC and KGP (Keepmoat Great Places) set up in 2011 to develop approximately 60 hectares of land and to build up to 2,500, high quality new homes built for open market sale. This regeneration vehicle was set up to lift the quality of homes and wider environment and stimulate the new housing market sufficiently to encourage other developers to build. There are a number of phases within the Sheffield Housing Company Programme which are underway.</p>	<p>Sheffield Housing Company</p> <p>For phases 4 and 5 the Company will need to secure relevant funding to ensure that sites are viable and to commence on site within the 5 year Housing Delivery Programme. The Council will monitor delivery through active contract management of the Development Agreement</p>
<p>Council Stock Increase Programme (detail in the Housing Revenue Account Business Plan)</p> <p>The approved programme has a target of 1,600 affordable homes and will be achieved through a mix of new build homes and property acquisitions (existing homes which are classed as long term empty and new build homes purchased off plan).</p> <p>Our intention through this programme is to provide a range of affordable homes to meet local shortfalls. Where appropriate, our approach will introduce new tenures to help households who aspire for affordable home ownership and provide important flow in the Affordable Housing sector to enable us to free up rented accommodation.</p> <p>It will deliver 148 new units in the Adlington during 2018/19 area providing homes for older people to live independently and for people with learning disabilities. Our priority is to build then a further 3 new high quality older persons homes over the</p>	<p>Affordable Homes Programme</p> <p>Our single affordable housing programme brings together affordable homes from our Disposal Programme, new build by housing associations and s106 commuted sums.</p> <p>Increasing the number of new/replacement Council homes is a high priority. The Council will increase the Council's Stock Increase Programme by 600 to 1,600 new affordable homes by 2022/23. In 2018/19 we will be planning for a further 245 new homes on the South East of the city. The majority will be for older people and a number of general needs housing of all tenures.</p> <p>Council land has capacity for additional homes but the number of additional homes delivered (on top of the approved programme of 1600 homes) is still dependent on suitable site opportunities, the level of savings that can be made from the HRA, our borrowing capacity (including securing additional HRA headroom as recently announced by government), and any additional funding such as grant and use of</p>

next few years and also create a new facility that offers 'temporary accommodation' for people who need support at a vulnerable times.

During 2018/19 we will also tender for the building of over 245 new Council homes in the SE area of the city, with plans for further family homes and homes for young people over the next 5 years.

Over 150 new build homes will be acquired 'off plan'; this resource will be used to unlock stalled private sector sites.

s106 receipts. As a priority, we will establish the number of council homes that can be built on council land and will develop a strategy for how additional homes can be delivered.

Our intention through this programme is to provide a range of affordable homes to meet local shortfalls. Where appropriate, our approach will introduce new tenures to help households who aspire for affordable home ownership and provide important flow in the Affordable Housing sector to enable us to free up rented accommodation.

Disposing of Council Land

The approach towards disposal of land by the Council is increasingly flexible and commercial when considering and approving the disposing of land for housing and mixed used schemes. The Council uses conditional contracts where appropriate to set out planning permission or start on sites expectations and create step in options for the Council on land we have disposed of, for marginal or innovative schemes

Disposing of Council Land

Where key sites have viability issues we may choose to invest in enabling works through remediation, service diversions, physical infrastructure to decrease risk through our proposed enhancement/enabling fund. We will also proceed with joint land sales where it is beneficial to the Council and the land owner/developer.

We have the scope to market a further 6 sites in the 5 year programme, which will deliver 431 new homes.

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Physical Infrastructure


The Council has applied for Government funding to develop and produce an Integrated Infrastructure Plan to identify and plan the physical infrastructure required across the city.

Resources would be needed to fund the development of priority schemes in the Neepsend, Penistone Road area to deliver infrastructure (flood protection, highway works and strategic site assembly) that can't be funded from housing development and to unlock brownfield land for housing in the city centre.

Our expression of interest to the Housing Infrastructure Fund could unlock and bring forward earlier delivery of up to 4,000 private sector built homes in the city centre. Without infrastructure investment the pace of development up to 2035 would be significantly lower.

	<p>Strategic Acquisitions</p> <p>The Council’s City Centre Plan contains details on the Council’s vision for the city centre. In summary we will promote initiatives to broaden housing provision beyond student flats and studios to include other growing market sectors.</p> <p>Funding has been approved to facilitate acquisition and land assembly in our priority locations, where the market is unable or unwilling to deliver homes that meet local housing shortfalls and delivers our housing ambitions.</p> <p>In the Lower Don Valley we will work with existing land owners to facilitate joint land sales to promote the comprehensive redevelopment of key sites to transform local housing markets e.g. the Attercliffe Canal side area has the capacity to build up to 400 new homes. This is the first phase of the strategy to transform the Attercliffe area, regenerating the Local Centre and canal side improvements.</p>
	<p>Supporting the private sector</p> <p>An important element of this plan will include activity focussed at supporting sites in housing priority areas where development has stalled and where development has not commenced following the granting of planning consent.</p> <p>The private sector will take the lead in delivering the majority of the new homes within this plan. We initially forecast that:</p> <ul style="list-style-type: none">• Between 2018 and 2023 the private sector has the capacity to build 5364 new homes; and,• Beyond 2023 there is capacity for a further 9078 new homes for the private sector to build. <p>However, the profile of private sites shows us that that almost two thirds of these sites are not under construction.</p>

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 <p>Sheffield City Council</p>	<p>Author/Lead Officer of Report: Lisa Firth Parks and Countryside Service</p> <p>Tel: 2500500</p>
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Report of:	Laraine Manley, Executive Director, Place
Report to:	Cabinet Meeting
Date of Decision:	21 st November 2018
Subject:	Building Better Parks Strategy

Is this a Key Decision? If Yes, reason Key Decision:-	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
- Expenditure and/or savings over £500,000		<input type="checkbox"/>		
- Affects 2 or more Wards		<input checked="" type="checkbox"/>		

Which Cabinet Member Portfolio does this relate to?	Culture, Parks and Leisure
Which Scrutiny and Policy Development Committee does this relate to?	Economic and Environmental Well Being

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? 384				

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:-				

Purpose of Report:	<p><i>(Outline the decision being sought or proposal being recommended for approval.)</i></p> <p>The report seeks agreement for the Parks and Countryside Service Building Better Parks Strategy. The Strategy is intended to be used as a framework for decision making to assist with maximising the benefits derived from our land and property portfolio.</p>
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Recommendations

- Approve the Parks and Countryside 'Building Better Parks Strategy' report to establish the strategic framework which will guide decision making on the use and management of the Parks and Countryside Service land and property portfolio.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

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: Paul Schofield
		Legal: Nadine Wynter
		Equalities: <i>Beth Storm/Annemarie Johnson</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>Mary Lea</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: Lisa Firth	Job Title: Head of Parks and Countryside
	Date: 1st November 2018	

1. PROPOSAL

(Explain the proposal, current position and need for change, including any evidence considered, and indicate whether this is something the Council is legally required to do, or whether it is something it is choosing to do)

1.1 Background

- Comparisons with other core cities show there is a need to invest further into the management and maintenance of the cities' Parks and Green Spaces. Whilst the council recognises this link, and has committed to improving the facilities in parks to enhance the quality of life of people living and working within the city, it accepts this requires substantial financial investment.
- The city's Parks and Green Spaces are part of what makes Sheffield a great place to live. We are one of the greenest cities in the UK with 74 public parks and hundreds of local green spaces knitted into communities across the city. We are also the only major UK city with a national park within its boundaries.
- The parks not only make a major contribution to people's health, they also provide places that bring people together, act as the focus for community activity and improve the look and feel of an area, making it a more attractive place to live, work, invest or study.
- The government has estimated that if everyone in the UK had sufficient access to parks, the health benefits would save the NHS over £2bn per year. What's more, the World Health Organisation states that the health and social benefits of parks are greatest for people living in deprived areas and the National Children's Bureau estimates that children in deprived areas are nine times less likely to have access to green space and play spaces.
- A 2016 study in Sheffield attempted a 'capital accounting' view of the overall economic, social and environmental value of the public parks and green space. The study identified a cost/benefit return of £34:1 on parks and that Sheffield's parks have a combined asset value of around £1.2 billion (based on the contribution of parks to the asset value of residential property).
- In Sheffield, the public are vocal and active in their support for parks. This is then reflected in the postbags and priorities of the city's councillors and MPs. There is a consensus across the political parties on the importance of parks and the need to sustain and invest in them for current and future generations.

- However, the city council is sole investor in the day to day running costs of our parks. Despite the brilliant work of volunteers and friends groups across the city, the council's resources are vital to the future upkeep and development of the city's green spaces. The council's budget has faced unprecedented cuts over recent years with continuing and growing pressures in the years to come.
- The council's Parks and Countryside (P&C) budget has had to shoulder a share of the cuts, whilst attempting to protect core funding and basic service standards. In the last 5 years, the P&C budget has faced a 30% reduction which has been offset as far as possible by protecting frontline staff numbers and increasing income alongside management savings. The current net spend on parks by the council is c. £3m (excluding public realm/housing and woodlands)).
- Customer feedback shows there is an increase in public satisfaction with the general quality of Sheffield's Parks and Green Spaces, and there is now a significant amount of academic research to support the link between good quality Green Space and improved Health and Wellbeing. However, there is also an increase in the number of sites that require significant investment to achieve and maintain the Sheffield Standard Assessment.

1.2 Proposal

- The purpose of this report is to set out an investment proposal for our green spaces for the next five years that seeks to sustain and improve them, especially in the city's areas of greatest health inequality where the health benefits of parks are the greatest.
- How the Council uses its land and property assets has a vital role in supporting the changes and developments that communities want to see across the city's green spaces, through providing spaces for businesses and local groups to develop and thrive, making land and property available for new homes or businesses; or disposing of low recreational value land or property to generate new income.
- Therefore, there is an opportunity to make a change that demonstrates both ambition and showcases the possibilities for Parks and Countryside across the City. We want to use our assets to enable positive social and economic outcomes whilst delivering a better service. It is therefore essential that assets within the Parks and Countryside Service are managed strategically.
- In delivering the Building Better Parks Strategy, we will be aligning to the Corporate Land and Property Plan principles, in that we recognise that each land and property asset within the Parks and

Countryside Service Portfolio is potentially unique, diverse and we will be putting in place a robust assessment criteria and checklist for each proposal. Our approach, therefore, needs to be flexible.

- Our parks will need to maximise investment and optimise income if they are to navigate the council's continuing budget pressures. The overall approach to investment in our parks will be based on the following key proposals to generate new investment for parks and green spaces for the period 2018 – 2023.
 - £900k S106 (secured).
 - £2.0m Public Health Funding 2018-2023, which includes an amount of £800k already committed for 2018/19 and 2019/20 plus a further £1.2m commitment for the three years from 2020-2023. (subject to budget approval).
 - £3.1m from HLF for Sheffield General Cemetery (secured – with requirement for agreed match funding from SCC).
 - £900k New capital grants to organisations such as HLF and sport governing bodies (or similar) (prospective).
 - Grow Revenue Income: £1m other revenue investment from this and other projects. This revenue income target is a best estimate of the amount that can be generated within the service from growing income in areas such as new sponsorships / income from cafes and concessions / ancillary offers such as adventure play facilities.
 - Any additional revenue income would form part of the overall budget process, and would therefore be subject to both Corporate Finance and Member approval.

1.21 Grow Revenue Income

- The Parks and Countryside Service already generates c. £1.8m revenue income from a combination of sponsorship, leases, car parking income and fees and charges. We do not propose a step change in the 'commercialisation' of our parks given that maintaining the balance between peace and tranquillity and income generating activity is vital. However, we will selectively seek out and secure appropriate increases in income; for example more and better catering opportunities; increased social value initiatives through complementary sponsorship and new franchises and activities/events. It is estimated that an additional £1m revenue will be generated over the coming 5 years and this will be reinvested to protect the service from further cuts in core council funding and to improve services.
- The proposal will increase income from commercial lettings as part of its income growth strategy with the intention of attracting local, regional and national investors to the city which, in turn, will contribute to easing budgetary pressures by reducing the Council's overall costs for delivering the Parks and Countryside

Service.

1.22 Partnership and Volunteering

- The P&C Service has a proud record of working with local people; sports clubs; friends groups, trusts and many others. These relationships range from simply working together on a maintenance project through to leases and joint funding, such as the recently opened skate park in Grenoside. The council enjoys positive relationships with parks friends groups across the city and many of these groups now work together as a single forum, sharing expertise and ideas and seeking funding. In particular the forum is working with the council to attempt to address the disparity in resources faced by friends groups in the more disadvantaged parts of the city.
- At the same time, the council is constantly seeking new partners to invest and/or operate services resulting in greater quality and participation. There are many examples of this including Handsworth Sporting Club at Oliver's Mount, Hillsborough Sports Association in Hillsborough Park, management agreements with Sheffield Wildlife Trust and most recently capital investment from the Lawn Tennis Association in parks' tennis and the introduction of a specialist operator who now runs low cost tennis participation and coaching programmes as a concession arrangement bringing income into the city.
- Whilst much has already been done, the financial pressures on the council are such that more partnerships will be needed in future to build as the council is required increasingly to focus on core maintenance.
- However, all partnerships must be guided by the following principles:-
 - Affordable public access.
 - Addressing inequalities and promoting activity and participation in our most deprived communities.
 - The council maintaining policy and asset control.
 - Improving quality across all our facilities – in all areas of the city.
 - Seeking and supporting partnerships that are aligned with the council's priorities and values.
 - Ensuring potential partners are viable and sustainable.

1.2.3 Reinvestment Criteria (Leases and Licences)

- The Council's P&C Service manages over 500 greenspaces in the city. The demand for these spaces and the facilities within them is constantly changing. Some assets remain vital such as footpaths, play facilities and natural features such as woodland. However,

over time, other aspects of our parks become under-utilised or unsustainable or indeed new uses become more relevant. Whilst the council proposes changes of use only rarely, such changes can improve the use of the park and/or provide a source of new investment for improving the park or the wider parks service.

- Therefore common sense dictates that changes that lead to improvement and/or reinvestment should be considered by the council as part of its wider approach to parks investment. However, this should be done within a transparent and rigorous framework and in line with the council's wider Asset Management Strategy, following the Reinvestment Decision Making Process and include an evidence based assessment of each proposal. (See Appendix 1 and Appendix 2)

2. HOW DOES THIS DECISION CONTRIBUTE?

(Explain how this proposal will contribute to the ambitions within the Corporate Plan and what it will mean for people who live, work, learn in or visit the City. For example, does it increase or reduce inequalities and is the decision inclusive?; does it have an impact on climate change?; does it improve the customer experience?; is there an economic impact?)

- 2.1 The Building Better Parks Strategy contributes to the Sheffield City Council Corporate Plans' ambitions for a strong economy, thriving neighbourhoods and communities and better health and wellbeing.

3. HAS THERE BEEN ANY CONSULTATION?

(Refer to the Consultation Principles and Involvement Guide. Indicate whether the Council is required to consult on the proposal, and provide details of any consultation activities undertaken and their outcomes.)

3.1 Consultation

- The Parks & Countryside's Senior Management Team have undertaken a mapping exercise to identify existing stakeholder groups. Parks and Countryside have voluntarily carried out an informal consultation with the Friends of Groups at a recent Parks Forum meeting and feedback welcomed. These groups are volunteers who work in partnership with our service to raise the profile of sites, carry out fund raising, hold community events, and encourage volunteers (not limited to). Attendees of the forum supported the proposals and positive verbal feedback was noted.
- There has been a positive response through consultation with Friends Groups, existing park café owners and activity operators.
- Further Internal consultation across the Council has been undertaken with our portfolio Cabinet Member Mary Lea and her Working Policy Group, Procurement, Corporate Property,

Business Sheffield, Planning & Development Services, Legal Services, Licensing, Place Leadership Team and the Labour Group.

- Further consultation will be undertaken on a site by site basis as required as proposals are received.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 An Equality Impact Assessment (EIA) has been completed. Overall there are no significant differential, positive or negative equality impacts arising from this proposal.

4.2 Financial/Commercial Implications

- 4.2.1 The income generated by the Building Better Parks Strategy will be the Parks and Countryside Service's reinvestment proposal for our green spaces over the next five years and will seek to sustain, improve and protect the service from further cuts in core council funding. Any capital receipts will continue to be deposited in the council's Growth & Investment fund, thus contributing to the wider council budget.

- 4.2.2 The purpose of this paper is to set out the strategy for the development of Parks. Specific proposals to deliver the strategy will be subject to further decision making in accordance with the Leader's Scheme of Delegation, and the specific financial and commercial implications will be considered fully at that time.

- 4.2.3 Any Procurement that arises from the delivery of the Strategy will comply with the relevant EU and UK procurement law and the Council's own standing orders.

4.3 Legal Implications

4.3.1

Local authorities have a number of different statutory powers in relation to parks and green spaces, including the Local Government (Miscellaneous Provisions) Act 1976, which gives wide powers to provide recreational facilities. The 1976 Act also permits the Council to make recreational facilities available for use by such persons as the authority thinks fit either without charge or on payment of such charges as the authority thinks fit, which includes:

- (a) indoor facilities consisting of sports centres, swimming pools, skating rinks, tennis, squash and badminton courts, bowling centres,

dance studios and riding schools; .

(b) outdoor facilities consisting of pitches for team games, athletics grounds, swimming pools, tennis courts, cycle tracks, golf courses, bowling greens, riding schools, camp sites and facilities for gliding; .

(c) facilities for boating and water ski-ing on inland and coastal waters and for fishing in such waters;

(d) premises for the use of clubs or societies having athletic, social or recreational objects;

(e) staff, including instructors, in connection with any such facilities or premises as are mentioned in the preceding paragraphs and in connection with any other recreational facilities provided by the authority;

(f) such facilities in connection with any other recreational facilities as the authority considers it appropriate to provide including, without prejudice to the generality of the preceding provisions of this paragraph, facilities by way of parking spaces and places at which food, drink and tobacco may be bought from the authority or another person.

4.3.2 Subject to advice from the Chief Property Officer, potential lease agreements will be a mixture of one year licence agreements to long term leases depending on investment. These agreements will be submitted to the Council's Legal Services to complete the relevant documentation and any charitable sites proposals, not subject to the Council's powers as Charity Trustee, will be submitted to the charity commission via a scheme.

4.3.3 There are no direct legal implications arising from this report. The implementation of any of the proposals arising from implementation of the Strategy may be subject to further decision making in accordance with the Leader's Scheme of Delegation, and the legal implications will be considered fully at that time.

4.4 Other Implications
(Refer to the Executive decision making guidance and provide details of all relevant implications, e.g. HR, property, public health).

4.4.1 Property Implications:

All proposals for lease and partnership arrangements will be developed with input from Property Services.

4.4.2 Human Resources

No Human Resources Implications.

5. ALTERNATIVE OPTIONS CONSIDERED

(Outline any alternative options which were considered but rejected in the course of developing the proposal.)

- 5.1 The alternative option would be to do nothing. This would impact on the opportunity of investment, potential revenue income and improving the customer experience within Parks and Open Spaces. This would also lead to a significant decrease in public satisfaction with the general quality of Sheffield's Parks and Green Spaces and will affect the opportunity for Sheffield's Parks to be a major contributory factor to people's health, providing places that bring people together and act as the focus for community activity. It will also have a negative effect on the look and feel of an area, making it a less attractive place to live, work, invest or study.

6. REASONS FOR RECOMMENDATIONS

(Explain why this is the preferred option and outline the intended outcomes.)

- This preferred option means that the Parks and Countryside Service can develop a new strategic approach which will deliver investment proposals for our green spaces for the next five years. The Strategy will seek to sustain and improve our green spaces, especially in the city's areas of greatest health inequality.
- The preferred option will improve facilities; allow Parks and Countryside to engage with new business partners to secure new business opportunities, generate much needed income to sustain the Service whilst also securing investment for underutilised land and property, all subject to Legal Services, Corporate Property, Procurement, Business Sheffield, Licensing and Planning guidance.
- There is an opportunity to make a change that demonstrates both ambition and showcases the possibilities for Parks and Countryside land and property.
- There is an opportunity to encourage organisations to exercise their social value, through sponsorship, by investing in under-utilised parks by providing new assets. Private and Third Sector organisations will be invited to further generate income through the sponsorship of existing assets.
- We also want to use our assets to enable positive social and economic outcomes whilst delivering a better service. It is therefore essential that the Parks and Countryside Service adopts a strategic approach to the management of its assets

Appendix 1:

Decision Making Process

Stage 1:

Assess proposal against Reinvestment Assessment Criteria

Stage 2:

Consultation with key stakeholders: Local Councillors, Friends Groups, Sports Clubs, Park Users and the wider community

Stage 3

Discuss with SCC Property Services, Planning and Legal Services and undertake further work to establish the realistic potential and options.

Stage 4:

Authority to Progress: Agree with Parks and Countryside Senior Management Team / Cabinet Member/Members

Stage 5:

Property Services to formally inform Members, Parish Councils and other consultees of intended proposal

Stage 6:

No objections from Members/Parish Councils or other consultees. Proceed under delegated powers of the Head of Parks and Countryside Service or Head of Property Services or Cabinet Approval.

Note: To proceed under the appropriate and relevant scheme of delegation

Appendix 2

Assessment Criteria

1. Will the proposal have recreational or non-recreational benefits? If the benefits are non-recreational, do they still benefit the wider goals of the park (for example, a broader leisure use which is generally sympathetic to the park and its users)?
2. Is the site charitable – if so, any change must benefit the park (charity) directly and contribute to the park's charitable objectives. Consultation with the Charity Commission may also be required.
3. Do the benefits to the park outweigh any potential loss of green space and if so, how? If not, does sharing the benefit amongst other parks outweigh the loss of space?
4. Is the site a designated Field in Trust, Statutory Allotment or Village Green?
5. How much other public open space is there in the area? Has the open space assessment data been reviewed? If there is insufficient open space, then the presumption will be against the loss of any further space
6. Has any consultation been carried out with key stakeholders, including, for instance, local councillors, parks friends groups, sports clubs, park users and the wider community?
7. Are there any equalities issues resulting from the proposed change i.e. are any particular groups disproportionately advantaged or disadvantaged? An Equality Impact Assessment should be carried out.
8. How does the proposal fit with the wider policies for parks and other council policies such as the Corporate Asset Management Plan, Public Health Policy and Safeguarding principles?
9. Have relevant council departments been consulted to ensure a holistic approach is being considered for the green space?
10. Is there a better alternative proposal that would offer greater benefit and/or is maintaining the status quo the best option?
11. Are special conditions required for inclusion in the lease / licence that restrict or encourage particular usage of the space?
12. Each proposal will require a business case in terms of resources needed and future sustainability.



Lead Officer of Report: Lisa Firth,
Head of Parks & Countryside and
Bereavement Services.

Tel: 07867 158407

Report of: Laraine Manley
Report to: Cabinet
Date of Decision: 21st November 2018
Subject: Ripon Street Recreation Ground – transfer of charitable status to Darnall Community Park

Is this a Key Decision? If Yes, reason for 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? Culture, Parks & Leisure – Cabinet Member Mary Lea		
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</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:-		

Purpose of Report:

To approve the transfer of charitable status (Charity No.1105522) of land in the ownership of the Council from land at Ripon Street Recreation Ground to land at Darnall Community Park .

Recommendations:

1 That as Trustees of the Ripon Street Recreation Ground (Charity no.1105522) and in accordance with the powers contained in the provisions of the Trust of Land and Appointment of Trustees Act 1996 give approval for the transfer of charitable status from Ripon Street Recreation Ground, Attercliffe to Darnall Community Park in accordance with the terms of this report and a surveyors report prepared in accordance with section 119(1) of the Charities Act 2011.

2 That authority is given to the Chief Property officer to instruct the Director of Legal and Governance to prepare and complete all necessary legal documentation in accordance with the agreed terms and Charity Commission requirements to implement this transfer

3 Authorise the Director of Legal and Governance to take such steps and enter into such documents as are required in order to effect the transfer of land.

4 Authorise the Chief Property Officer or the Director of Legal and Governance to give public notice of the proposal in accordance with section 121 of the Charities Act 2011.

**Background Papers:
Scheme 30th March 2004**

Location plan attached.

Report to Cabinet 25th October 2006

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: Paul Schofield
		Legal: David Sellars
		Equalities: Annemarie Johnston
<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:	Laraine Manley
3	Cabinet Member consulted:	Councillors Mary Lea
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: Lisa Firth	Job Title: Head of Parks & Countryside and Bereavement Services.
	Date: 13 th November 2018	

1. BACKGROUND

- 1.1 The City Council owns the freehold of a recreation ground at Ripon Street in Attercliffe but in doing so acts as Charitable Trustee and therefore in making any decisions the Council must act with impartiality and in the best interests of the trust.
- 1.2 The charitable status of Ripon Street Recreation Ground was placed on the land when it was acquired from the Duke of Norfolk in 1897.
- 1.3 The recreation ground has not made a positive contribution to the supply of neighbourhood parks and open spaces in the Attercliffe and Darnall area for many years. It is little more than a field surrounded by dense landscaping, there are no play facilities or sports pitches on the land. It is situated in a locality that is now made up of industrial works and premises and the nearby Woodbourn Athletics Centre. The surrounding area has completely changed from when the recreation ground was originally established. There is no longer a residential population in the immediate surrounding area and the Director of Parks and Countryside resolved many years ago that it no longer serves any recreational purpose.
- 1.4 Following a meeting with Charity Commission (“the CC”) officers who were in Sheffield on a separate matter and their attending and viewing the Ripon Street site it was agreed that the Council could approach the CC with a view to the CC approving a scheme that would allow for amongst other things the Council disposing of the Ripon Site. A final scheme was allowed by the CC and was formally entered into on 30 March 2004.
- 1.5 **The Scheme**

The Scheme changed the original object of the charity and it is now as follows:

[1] The object of the charity is, in the interests of social welfare, to improve the conditions of life for the inhabitants of the area of benefit without distinction of politics, religious or other opinions by the provisions and maintenance of a recreation ground.

[2] the land identified in the schedule to this scheme must be retained by the existing trustee for the use of the object of the charity;

[3] If the property of the charity is no longer required for the provision of a recreation ground for the area of benefit, the object of the charity will be the promotion of general charitable purposes for the benefit of the inhabitants of the area of benefit;

The area of benefit is Attercliffe-cum-Darnall and the surrounding neighbourhood

- 1.6 The land was formally declared surplus to the City Council’s requirements on 25th October 2006. The resolution formed part of a Cabinet decision to support the proposed canalside regeneration proposals for the wider Attercliffe Waterside development of which the land could form part.

1.7 The intention in 2006 was that the land would be disposed of and the proceeds used in accordance with the charitable objects set out in paragraph above. However the Attercliffe Waterside development stalled due to the recession that followed the 2006 decision and is a complex proposal due to the mix of land ownerships. The three parties are progressing the terms of a joint sales agreement in order to market the whole site in the very near future, subject to the charitable status of the Ripon Street Recreation Ground being transferred. In the meantime an alternative option for the charitable status has been identified as set out below.

1.8 Darnall Community Park is approximately one mile from Ripon Street and is located within an established residential community within the area of benefit of the trust. This park is well used, has a variety of play facilities and provides a positive contribution to the local community and if the charitable status is transferred to this park it will help to ensure its protection for future generations whilst continuing to serve the objects of the Trust.

2. PROPOSAL

2.1 For the reasons outlined above it is proposed to seek the necessary authorisation to transfer the charitable status from the Ripon Street land to Darnall Community Park rather than dispose of the Ripon Street site outright and reinvest any endowment generated.

2.2 The proposals for the subsequent disposal of the Ripon Street land as part of the wider Attercliffe Waterside site will be progressed in consultation with the Cabinet Member for Business and Investment in accordance with the previous Cabinet decisions on that subject. Any further approvals required for this will be the subject of separate reports.

3. HOW DOES THIS DECISION CONTRIBUTE?

3.1 The transfer of charitable status from the Ripon Street Recreation Ground to Darnall Community Park will allow the Charity to protect the open space and recreation facilities it provides in accordance with its charitable objects. It also supports the Corporate Plan priorities:

- To create and sustain thriving neighbourhoods and communities where people are proud to live, with communities that support each other and get on well together, and;
- To improve health and wellbeing by making sure that the city has facilities and amenities that help children and adults to stay healthy and well.

4. HAS THERE BEEN ANY CONSULTATION?

4.1 The background to these proposals were previously discussed by the Area Panel and there has been considerable public consultation in respect of both the Darnall Attercliffe Tinsley Neighbourhood Development Framework which

was approved by Cabinet in 2007 and the Attercliffe Action Plan in 2010 and these proposals are consistent with those plans.

- 4.2 If Members approve the transfer of the charitable status to Darnall Community Park then the proposal to dispose of Ripon Street open space will be advertised by notice for two consecutive weeks in the Sheffield Telegraph in accordance with the Local Government Act 1972 Section 123 (2A). Any objections which may arise will be considered

5. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

5.1 Equality of Opportunity Implications

- 5.1.1 Darnall Community Park is within an area with a significant B&ME community. The decision to exchange land will confer charitable status on the park, which will protect the park for the foreseeable future and as such will contribute towards creating strong neighbourhoods and communities and reduce health inequalities so that everyone can benefit from better health and wellbeing, thus making it easier for individuals to overcome obstacles and achieve their potential.

5.2 Financial and Commercial Implications

- 5.2.1 The charity has no income so the cost incurred on the maintenance of the land is paid for by Sheffield City Council. Ripon Street recreation ground currently incurs costs of less than £4,000 per year which will still be incurred by the Council until such time as the land is sold in future. Darnall Community Park is currently funded by the Council's General Fund and this position will not change because the new charity will not have any source of income (like Ripon Street today) and rely on support from the General Fund. Thus, there should be no Revenue Budget implications as a result of the transfer of the charitable status.
- 5.2.2 In due course it may be that the development proposals for the area will result in further financial implications which will be dealt with in subsequent reports to Members.
- 5.2.3 Selective Development Land Tax and other taxes may be due in some circumstances on the transfer of title on property. As this decision seeks to change the charitable status of the two pieces of land with ownership remaining with the Council at all times there should be no taxation implications.

5.3 Legal Implications

- 5.3.1 The rules concerning land held in charitable trust are governed by the Charities Act 2011, which consolidates the previous provisions on the Charities Acts of 1993 and 2006. The Ripon Street land was incorporated into a scheme of governance by an order dated 30th March 2004, in accordance with the Charities Act 1993.
- 5.3.2 However, as Charity Trustee, the Council has powers conferred on Trustees by the Trusts of Land and Appointment of Trustees Act 1996. These include a power of sale, but such a power may not be exercised so as to be breach of the objects of the charity. Here, a swap of charitable status is proposed and subject to the requirements as set out below and that a surveyor is satisfied that the land acquired by the charity is of a similar amenity value to the charity as the

land to be sold then the trustees have the power to enter into the proposed exchange.

- 5.3.3 When the Ripon Street recreation ground was declared surplus to requirements officers were authorised to notify Fields in Trust (formerly known as the National Playing Fields Association) of any intention to sell the land. The proposed transfer of the charitable status of the land would require the Council's Director of Legal & Governance to enter into another deed of dedication in respect of Darnall Community Park, on the same terms as those which exists at Ripon Street in accordance the Charities Act 2011.
- 5.3.4 Fields in Trust would therefore need to be notified as part of the process of exchanging land. Also, as statutory consultee, Sport England would be notified as part of the planning application process for the proposed Attercliffe Waterside development.
- 5.3.5 Whilst there will not be a conveyance of either pieces of land, for the purposes of valuation the proposal set out in this report would constitute a disposal of the existing charitable land and acquisition of replacement land and must comply with all the relevant legal requirements. The overriding principle governing the disposal of charitable land is that the Charity Trustees must be satisfied that the terms of the proposed disposal are the "best that can be reasonably obtained for the charity"
- 5.3.6 In accordance with section 119(1) of the Charities Act 2011 a qualified surveyor has prepared a report which confirms that, for the purposes of the charity, the value of the Darnall Community Park is equal to the value of the Ripon Street Recreation Ground and that the proposed disposal is the best that can be reasonably be obtained for the charity.
- 5.3.7 Prior to the disposal it will be necessary to give notice under section 121 of the Charities Act 2011. The notice will set out the Trustees general intention to transfer the charitable status. A failure to give notice would render the disposal invalid.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 Cabinet, acting as Trustees, could decide that it is not considered to be in the best interests of the charity to transfer the charitable status from Ripon St to Darnall Community Park and that Ripon St should simply be sold as proposed in the Cabinet report in 2006. Whilst proceeds from the sale of Ripon St in future would be available for use within the area of benefit the physical asset would be lost rather than replaced. In that situation Darnall Community Park would remain as park due to planning policies but would not have the stronger protection that transferring the charitable status would provide.

7. REASONS FOR RECOMMENDATIONS

- 7.1 It is the opinion of officers that the transfer of the charitable status from Ripon St is of greater benefit for the objects of the Trust than simply selling the land and reusing the proceeds
- 7.2 It ensures the future protection of Darnall Community Park to help create and sustain thriving neighbourhoods and communities, improving the health and wellbeing of children and adults.
- 7.3 It will help the delivery of the canalside regeneration proposals for the wider Attercliffe Waterside development. This supports the Local Plan, Core Strategy and Corporate Plan policies to deliver new housing and support employment around the canal in Attercliffe and Darnall. This development will also assist with the charitable object to improve the conditions of life for the inhabitants of the area of benefit

8. RECOMMENDATIONS

- 8.1 That as Trustees of the Ripon Street Recreation Ground (Charity no.1105522) and in accordance with the powers to Council contained in the provisions of the Trust of Land and Appointment of Trustees Act 1996 approval is given to the transfer of charitable status from Ripon Street Recreation Ground, Attercliffe to Darnall Community Park in accordance with the terms of this report and a surveyors report prepared in accordance with section 119(1) of the Charities Act 2011.
- 8.2 That authority is given to the Chief Property officer to instruct the Director of Legal and Governance to prepare and complete all necessary legal documentation in accordance with the agreed terms and Charity Commission requirements to implement this transfer
- 8.3 Authorise the Director of Legal and Governance to contact the Charity Commission and to take such steps and enter into such documents as are required by the Charity Commission in order to give its consent to the transfer
- 8.4 Authorise the Chief Property Officer or the Director of Legal and Governance to give public notice of the proposal in accordance with section 121 of the Charities Act 2011

Laraine Manley Executive Director Place

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Notes:

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Building

Location

Project Ref.

Drawing Title
Ripon Street & Darnall Community Park
Sheffield

Drawing No/File No

Drawn
AD

Scale
1:4000

Date
27/09/2018

Rev.

A3



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Author/Lead Officer of Report: Dawn Shaw

Tel: 0114 2734486

Report of: Executive Director, People Services

Report to: Cabinet

Date of Decision: 21 November 2018

Subject: Pathways to Progression - Ambition

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Jayne Dunn , Cabinet Member for Education and Skills		
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing		
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? 116		
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:-		
<p><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></p>		

Purpose of Report:

This report informs Members of a successful bid submitted for the **Pathways to Progression** programme and seeks approval for Sheffield City Council to act as the lead body on behalf of Barnsley, Doncaster and Rotherham Metropolitan Borough Councils in relation to the management of monies received and the activity it supports.

Recommendations:

That Cabinet:

- Approves that Sheffield City Council will act as the accountable body for the *Pathways to Progression* programme on behalf of the South Yorkshire local authorities (Barnsley, Doncaster, Rotherham) subject to the final terms and conditions being the same as those summarised in this Report.
- Approves the use of the city's employment programmes Sheffield Working and Sheffield 100 as match funding for the life of the programme - 2019 to June 2021.
- Approves agreement being entered into with Barnsley, Doncaster and Rotherham Metropolitan Borough Councils and payments of ESF grant being made thereunder.
- Delegates authority to the Executive Director of People Services portfolio in consultation with the Cabinet Member for Education and Skills, the Director of Finance and Commercial Services and the Director of Legal Services, to:
 - Agree the terms and conditions and accept the South Yorkshire ***Pathways to Progression*** fund in the event that the final terms and conditions are not the same as those summarised in this Report;
 - agree the procurement strategy and award contracts as required to deliver the outcomes.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

ESF call for proposals Priority Axis 1: Inclusive Labour Markets, Pathways to Progression <https://www.gov.uk/european-structural-investment-funds/learning-and-skills-project-call-in-sheffield-city-region-lep-oc28s17p0733>

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>(Insert name of officer consulted)</i> M Wassell
	Legal: <i>(Insert name of officer consulted)</i> Sarah Bennett
	Equalities: <i>(Insert name of officer consulted)</i> Bashir Khan
<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>(Insert name of relevant Executive Director)</i> Jayne Ludlam
3	Cabinet Member consulted:
	<i>(Insert name of relevant Cabinet Member)</i> Jayne Dunn
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: Dawn Shaw
	Job Title: Head of Libraries and Community Services
Date: 8 October 2018	

1. PROPOSAL

- 1.1 This report informs members of successful bid submitted to the Department of Work and Pensions for the **Pathways to Progression** programme, which aims to increase participation in the labour market and thereby improve social inclusion and mobility.
- 1.2 The bid responds to an opportunity to draw down European Social Fund (ESF) of £3.78m into the local authority areas of South Yorkshire. This funding is aligned to the local authorities' statutory responsibilities - *to engage and support vulnerable marginalised and disadvantaged young people not engaged in education employment or training (NEET)* and; their priorities to support those citizens who face barriers to re-engage with education, training and employment and to move into, or closer to the labour market.
- 1.3 The bid was submitted on behalf of a consortium that includes Barnsley, Doncaster and Rotherham Metropolitan Borough Councils and Sheffield City Council.
- 1.4 This report seeks approval for Sheffield City Council to act as the Accountable Body on behalf of the consortium.

1.5 **The Current Picture**

- 1.5.1 Although the proportion of young NEETs has been falling faster than the national trend, South Yorkshire remains in the bottom quartile of Education and Skills Funding Agency performance tables for this measure; Sheffield's figure being higher than the regional average and in the bottom 40 local authority areas nationally.
- 1.5.2 As NEET numbers fall, the proportion of those who are NEET who have multiple or complex needs, including young people who are care experienced, carers, lone parents, ex-offenders, those with disabilities and those marginalised as a consequence of their ethnicity has increased. Poor attainment levels in English and Maths make it difficult for many teenagers to progress to apprenticeship schemes, or to further or higher education or to secure sustainable employment, thereby exacerbating the problem of disengagement.
- 1.5.3 Failure to tackle NEETs before age 18 results in continued disengagement and an exponential rise in youth unemployment thereafter. 18 – 24 year olds in the area are more than four times as likely to be unemployed as their older counterparts. The lifetime cost (Net Present Value) of being NEET aged 16-18 has been estimated at £160K, comprising £104K loss to the individual and the economy through lower earnings and £56K for the additional public services that they will need to call upon. This does not including any further costs arising from benefits that they may claim. In Sheffield, 240 young people who were otherwise NEET achieving sustained employment over the lifetime of the project offers a Net Present Value benefit of £38.4 Million, or a return of £16:22 for every pound of public money invested.

1.5.4 Failure to address the needs of the vulnerable and disadvantaged young people is perpetuated in the adult population where those with multiple and complex barriers and those in marginalised communities are over-represented in the workless cohort. The N.E.M. Unit Costs database estimates the fiscal and economic benefit of a person leaving Jobseekers Allowance to enter sustained work at £15,386 / year excluding savings on benefits paid, but including savings on services accessed and economic benefits to the person and the exchequer. In Sheffield, 102 unemployed claimants achieving sustained employment through Pathways to Progression will offer £1.57 Million per year in fiscal and economic benefits.

1.6 **The Pathways to Progression Programme**

1.6.1 The ESF investment priority for the funding available is **Priority Axis 1: Inclusive Labour Markets** this priority seeks to:

- **Priority 1.2** - Engage marginalised 15-18 year old NEETs and:
 - support them to re-engage with education or training
 - address basic skills needs so that they can compete effectively in the labour market.
 - support young lone parents to overcome the barriers they face in participating in the labour market.

- **Priority 1.4** - Engage marginalised adults aged 18 and over, including those with multiple and complex barriers to participation and:
 - support them to re-engage with education, training, or employment
 - address underlying issues and to move them closer or into the labour market

1.6.2 Marginalised adults for the purpose of this programme

- lone parents
- looked after children
- care leavers
- ex-offenders
- carers
- traveller communities
- long term NEET
- long term unemployed
- BME groups
- women
- those without basic skills

1.6.3 This funding will allow additional and alternative support to be made available to the groups detailed in para 1.5 and will provide individualised packages of support which will include:

- a diagnostic assessment of need and action plan detailing a personalised pathway to education employment or training.
- a personalised package assembled and delivered in the right sequence to meet individual needs and address personal barriers e.g. substance misuse, mental health services, housing, childcare, careers or financial

advice

- motivational, life, basic and vocational skills training commissioned as required from a framework of providers
- connecting beneficiaries to and providing ongoing support when they enter further education, apprenticeships, self–employment/employment or training. This will address any issues that may arise with the intention of supporting individuals to remain engaged on their personalised pathway
- support for and engagement with the institutions/employers involved, to enhance the success rates of participants.

1.7 **Impact of Pathways to Progression**

1.7.1 The total outcomes the funder has set for the South Yorkshire programme are as follows;

Priority 1.2 - 15-18 year old NEETs

- 2,006 Participants of which:
 - 160 will achieve basic skills
 - 863 will enter employment education or training on leaving the programme, with
 - 682 in employment 6 months after leaving the programme.

Priority 1.4 - 18+ year olds and those with multiple and complex barriers:

- 1,240 participants of which:
 - 211 will enter education or training on leaving
 - 91 unemployed participants into employment, including self-employment, on leaving
 - 160 inactive participants into employment or job search on leaving
 - 273 participants in employment, including self-employment, 6 months after leaving

1.7.2 **Sheffield's allocation** of the ESF funding available is £1.89m with a match funding contribution of £981k for the life of the programme. Sheffield's contribution to the match funding required is in direct relation to the allocation of ESF it will receive.

1.7.3 The city's employment programmes *Sheffield's Working* and the *Sheffield 100* programme commission activity aligned to ESF priority 1.2 and 1.4 and are therefore eligible as match. It is therefore proposed that this activity is used as match to enable an **additional £1.89m to be drawn down into the city.**

1.7.4 The Lifelong Learning Skills Libraries & Communities Service (LLLSLC) has extensive experience of successfully managing and performing the role of accountable body for large European and central government funded contracts and Combined Authority projects including Opportunity Sheffield (£7.2m), Future Jobs Fund £13m, City Deal (£27.4m), Ambition SCR (£5m) and the £6.4m Grant for Apprenticeships.

- 1.7.5 For **Pathways to Progression** Sheffield City Council will act as the lead agent for partners across South Yorkshire. It will do so as a logical extension to the role it has taken historically as accountable body for the Sheffield City Region wide projects mentioned above.
- 1.7.6 Sheffield City Council will enter into contractual arrangements with the other South Yorkshire local authorities that will deliver the programme. In consultation with the Director of Commercial Services and the Director of Legal and Governance, all contracts issued will incorporate the financial monitoring requirements of SCC and DWP/ESF (the funder).
- 1.7.7 Sheffield City Council will monitor the contracts issued on behalf of DWP/ESF. The onus will be on the contractors to provide evidence to support both their monitoring of quality and standards and the achievement of agreed outcomes and outputs as set out in their contracts.

1.8 **Match Funding**

- 1.8.1 As with all ESF funded projects, bidders are required to provide **match funding known as the intervention rate**. Match funding can be cash or commissioned activities that are aligned to the ESF priorities detailed in the specification bidders respond to. The intervention rate for this programme is forty percent.
- 1.8.2 With £3.78m of ESF funding available over a 3 year period from 2018 to June 2021 the match funding required is £2.5m (shared across the consortium of South Yorkshire Local Authorities). This provides a total value of £6.3m in activity to support those groups detailed in para 1.5.
- 1.8.3 This activity will improve outcomes for participants in both the adult and the younger age group by; providing a range of opportunities designed to build on achievements and outcomes to date and improve life chances

2. **HOW DOES THIS DECISION CONTRIBUTE?**

- 2.1 The City Council's Corporate Plan sets out our ambition to be Britain's fairest City through its priorities of:
- Tackling Inequalities
 - Being An In Touch Organisation
 - Better Health & Wellbeing
 - Thriving Neighbourhoods & Communities
 - Strong Economy
- 2.2 **Pathways to Progression** is designed to have a positive impact on neighbourhoods and communities and provide equality of opportunity by:
- helping those individuals facing the greatest barriers to engage in and sustain education employment or training
 - providing opportunities which empower individuals to help themselves

- supporting local people to gain the skills they need to get jobs and benefit from economic growth. Work can have a positive impact on health & wellbeing

2.3 Sheffield's allocation of ESF funding will be £1.89m for activity over the period 2019 to June 2021, which will provide the following for Sheffield residents: **Priority 1.2** which supports 15-18 year old NEETs will provide £876k of ESF funding for 704 participants of which:

- 56 will achieve basic skills
- 303 will enter employment education or training,

with 239 in employment 6 months after leaving the programme.

2.4 **Priority 1.4** which supports adult citizens aged 18 or over with multiple/complex barriers will provide £1.01m of ESF funding for 476 participants of which:

- 81 participants will have entered education or training on leaving
- 35 previously unemployed participants will enter employment on leaving
- 61 previously economically inactive participants will have commenced job search or entered employment on leaving and
- 105 former participants will be in employment 6 months after leaving

3. HAS THERE BEEN ANY CONSULTATION?

3.1 The Council seeks to take advantage of the opportunity presented by this ESF call and the funding available. The Council is not required to carry out a consultation process in respect of these proposals.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 An Equal Opportunities Impact Assessment (EIA) has been completed and is attached.

4.2 Financial & Commercial Implications

- 4.2.1
- Subject to satisfactory terms and conditions being agreed, SCC will become the Accountable Body and lead agent for the South Yorkshire Authorities.
 - Estimated Funding levels (2018 to 2021) are summarised in the tables below and are subject to confirmation in a finalised Funding Agreement.

Priority 1.2 – 15 to 18 year Old NEETs			
Pathways to Progression –	ESF Funding (£) (60%)	Match Funding (£) (40%)	Total (£)
Barnsley	283,101	231,790	514,891
Doncaster	342,947	270,000	612,947
Rotherham	307,752	251,972	559,724
Sheffield	875,626	453,192	1,328,818
Total	1,809,426	1,206,954	3,016,380

Priority 1.4 Adults Aged 18+ with Multiple / Complex Barriers			
Pathways to Progression. –	ESF Funding (£) (60%)	Match Funding (£) (40%)	Total (£)
Barnsley	307,101	251,447	558,548
Doncaster	299,259	250,000	549,259
Rotherham	348,837	285,612	634,449
Sheffield	1,012,256	528,069	1,540,325
Total	1,967,453	1,315,128	3,282,581

Pathways to Progression Project Totals (Priorities 1.2 and 1.4)			
Pathways to Progression.	ESF Funding (£) (60%)	Match Funding (£) (40%)	Total (£)
Barnsley	590,202	483,237	1,073,438
Doncaster	642,206	520,000	1,162,206
Rotherham	656,589	537,584	1,194,173
Sheffield	1,887,882	981,261	2,869,143
Total	3,776,879	2,522,082	6,298,960

4.2.2 Key features of the draft ESF Funding Agreement (not exclusive) are summarised below. The Project Manager will need to read, understand and comply with all of the grant terms and conditions.

- Eligible Expenditure that has been defrayed on or after the Start Date may be claimed pursuant to the Funding Agreement.
- Carry out the Project Activities specified within and achieve the Targets within the time limits and the Key Milestone Dates.
- The Grant Recipient may task a Delivery Partner to carry out certain Project Activities and are liable for the acts of its Delivery Partners.
- Grant is conditional upon Match Funding being Committed and compliant with the Eligibility Rules.
- Notify the funder of any failure to achieve the required Match Funding.
- Expenditure must be defrayed in Grant Claims
- Comply with the monitoring, reporting, audit and grant claims procedures.
- If there is a shortfall or overspend in annual expenditure compared to the profile, the funder has no obligation to pay unused grant in the following year.
- Financial consequences may follow from a departure from the

Expenditure Profile and may include grant reduction.

- Any Project changes must be approved by the funder.
- Comply with the Structural and Investment Funds Regulations and all relevant EU and national law.
- State Aid non-compliance may lead to repaying the Grant with interest.
- Default occurs in a number of scenarios including (not exclusive):-
 - Failure to comply with Conditions;
 - Project Activities are not commenced by 3 months after the Start Date.
 - Expenditure is not claimed in line with the Expenditure Profile.
 - Completion of the Project Activities has not been achieved by the Agreed Activity End Date.
 - Change is made to the Project without the prior approval.
 - An audit reporting is unsatisfactory.
- The Grant Recipient must comply with the grant terms and conditions or the grant is subject to clawback.
- SCC acknowledges that the funder may have overcommitted funds and that if there are insufficient funds to meet the full commitment under this Agreement, the funder may terminate this Agreement.
- Underperformance against the Targets may result in grant reductions.
- Notify the funder if other funding for the project arises.
- Recipient in relation to the Project, or an offer of the same, in respect of any aspect of the Project or the Project Activities (or any part of it or them).
- Provision of evidence to confirm the indicative Match Funding is fully committed.
- Enter into a legally binding agreement with Delivery Partners upon materially similar terms to this Funding Agreement.

4.3 **4.3 Legal Implications**

- 4.3.1 The Localism Act 2011 provides local authorities with a “general power of competence” which enables them to do anything that an individual can do as long as the proposed action is not specifically prohibited. A purpose of the Act is to enable local authorities to work in innovative ways to develop services that meet local need. The proposed Programme can be delivered through the council using its general power of competence. In addition, there is no specific statutory prohibition, preventing the Council from implementing the proposed Programme. The Council therefore is empowered to produce, implement and administer the Programme detailed in this report.

4.4 **4.4 Other Implications**

- 4.4.1 There are no specific environmental implications arising from the programme.

4.4.2 Aligned to the match funding required (Para 1.11 refers) the funding available covers the staffing required to manage the programme at full cost recovery.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The Council could decide not to accept the grant. However, at this time there are no known alternative options to consider that offer additional support and funding for these groups and so this option is not recommended.

6. REASONS FOR RECOMMENDATION

6.1 Increasing youth employment is a critical challenge for the city which will have long lasting impacts if not addressed. This proposal is designed to make a sustainable difference to young people who may not otherwise have the opportunity or support to pursue further education, employment or training.

6.2 A failure to address the needs of the vulnerable and disadvantaged young people is perpetuated in the adult population where those with multiple and complex barriers and those in marginalised communities are overrepresented in the workless cohort.

6.3 This proposal aims to increase participation in the labour market and thereby improve social inclusion and mobility. It will provide additional opportunities and increase the support available for:

- 15-18 year olds who are/or at risk of becoming NEET
- for marginalised 18+ year olds and those with multiple and complex barriers

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Author/Lead Officer of Report: Dawn Shaw

Tel: 0114 2734486

Report of: Executive Director, People Services

Report to: Cabinet

Date of Decision: 21 November 2018

Subject: Pathways to Success

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Jayne Dunn, Cabinet Member for Education and Skills		
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing		
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?	161	
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:

This report informs Members of a successful bid submitted for the **Pathways to Success** programme and seeks approval for Sheffield City Council to act as the lead body on behalf of Barnsley, Doncaster and Rotherham Metropolitan Borough Councils in relation to the management of monies received and the activity it supports.

Recommendations:

That Cabinet:

- Approves that Sheffield City Council will act as the accountable body for the *Pathways to Success* programme on behalf of the South Yorkshire local authorities (Barnsley, Doncaster, Rotherham) and thereby accept the European Social Fund grant offer of up to £5,119,800, subject to the final terms and conditions being the same as those summarised in this Report.
- Approves the use of the city's employment programmes Sheffield Working and Sheffield 100 as match funding (£1.472m) for the life of the programme - 2019 to 2021.
- Approves agreement being entered into with Barnsley, Doncaster and Rotherham Metropolitan Borough Councils and payments of ESF grant being made thereunder.
- Delegates authority to the Executive Director of People Services portfolio in consultation with the Cabinet Member for Education and Skills, the Director of Finance and Commercial Services and the Director of Legal Services, to:
 - Agree the terms and conditions and accept the South Yorkshire ***Pathways to Success*** fund in the event that the final terms and conditions are not the same as those summarised in this Report;
 - agree the procurement strategy and award contracts as required to deliver the outcomes.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

ESF call for proposals Priority Axis 1: Inclusive Labour Markets, Pathways to Success

<https://www.gov.uk/european-structural-investment-funds/1-4-active-inclusion-an-inclusive-labour-market-for-sheffield-city-region-oc28s17p0896>

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>(Insert name of officer consulted)</i> Liz Gough/M Wassell
	Legal: <i>(Insert name of officer consulted)</i> Sarah Bennett
Equalities: <i>(Insert name of officer consulted)</i> Bashir Khan	
<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>(Insert name of relevant Executive Director)</i> Jayne Ludlam	
3	Cabinet Member consulted:
<i>(Insert name of relevant Cabinet Member)</i> Jayne Dunn	
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: Dawn Shaw	
Job Title: Head of Libraries and Community Services	
Date: 8 October 2018	

1. PROPOSAL

- 1.1 This report informs members of successful bid submitted to the Department of Work and Pensions for the **Pathways to Success** programme, which aims to increase participation in the labour market and thereby improve social inclusion and mobility.
- 1.2 The bid responds to an opportunity to draw down European Social Fund (ESF) of £5.1m into the local authority areas of South Yorkshire. This funding is aligned to the local authorities' priorities to support those citizens who face barriers to re-engage with education, training and employment and to move into, or closer to the labour market.
- 1.3 The bid was submitted on behalf of a consortium of Barnsley, Doncaster and Rotherham Metropolitan Borough Councils and Sheffield City Council.
- 1.4 This report seeks approval for Sheffield City Council to act as the accountable body on behalf of the consortium.

1.5 The Current Picture

- 1.5.1 Almost 61,000 working age people in South Yorkshire (6.9%) claim Employment and Support Allowance because of a long term health issue, **39% (23,650) of these people are Sheffield residents.**
- 1.5.2 More than a quarter of South Yorkshire ESA Claimants (15,500 people) have been claiming the benefit for less than 2 years and, as such, do not qualify for automatic referral to the Work & Health Programme.
- 1.5.3 Other key claimant groups targeted by **Pathways to Success** (members of BME communities, lone parents, ex-offenders, care leavers) have significantly higher claimant rates than the general population.
- 1.5.4 207,500 working age people in South Yorkshire are economically inactive, including 69,100 (33.3%) who say they want a job. Members of ethnic minority communities, women, carers and care leavers are all significantly more likely to be economically inactive than the general population.

1.6 The Pathways to Success Programme

- 1.6.1 The ESF investment priority for the funding available is **Priority Axis 1: Inclusive Labour Markets**. This priority seeks to engage marginalised adults aged 18 and over, including those with multiple and complex barriers to participation and:
- support them to re-engage with education, training, or employment
 - address underlying issues and to move them closer or into the labour market
- 1.6.2 Marginalised adults for the purpose of this programme includes:
- lone parents
 - looked after children
 - care leavers

- ex-offenders
- carers
- traveller communities
- long term NEET
- long term unemployed
- BME groups
- women
- those without basic skills

1.6.3 This funding will allow additional and alternative support to be made available to the groups detailed in para 1.5.2 and will provide individualised packages of support **particularly those with long-term physical or mental health problems, disabilities or behavioural issues** which will include:

- a diagnostic assessment of need and action plan detailing a personalised pathway to education employment or training.
- a personalised package assembled and delivered in the right sequence to meet individual needs and address personal barriers e.g. substance misuse, mental health conditions, housing, childcare, careers or financial advice
- motivational, life, basic and vocational skills training commissioned as required from a framework of providers
- connecting beneficiaries to and providing ongoing support when they enter further education, apprenticeships, self-employment/employment or training. This will address any issues that may arise with the intention of supporting individuals to remain engaged on their personalised pathway
- support for and engagement with the institutions/employers involved, to enhance the success rates of participants.

1.7 Impact of Pathways to Success

1.7.1 The outcomes the funder has set for the South Yorkshire programme are 3,601 participants (18+ year olds and those with multiple and complex barriers **particularly those with long-term physical or mental health problems, disabilities or behavioural issues**) of which:

- 612 will enter education or training on leaving
- 276 unemployed participants into employment, including self-employment, on leaving
- 448 inactive participants into employment or job search on leaving
- 792 participants in employment, including self-employment, 6 months after leaving
- 560 participants with childcare needs receiving childcare support

1.7.2 Sheffield's allocation of ESF funding will be £2.7m and cover the period 2019 to 2021, it will provide support for Sheffield residents with long term physical or mental health problems, disabilities or behavioural issues into employment education or training as follows:

Support 1,552 participants of which:

- 264 participants will have entered education or training on leaving
- 119 previously unemployed participants will enter employment on leaving
- 193 previously economically inactive participants will have commenced job search or entered employment on leaving and

- 341 former participants will be in employment 6 months after leaving
- 1.7.3 The Lifelong Learning Skills Libraries & Communities Service (LLSLC) has extensive experience of successfully managing and performing the role of accountable body for large European and central government funded contracts and Combined Authority projects including Opportunity Sheffield (£7.2m), Future Jobs Fund £13m, City Deal (£27.4m), Ambition SCR (£5m) and the £6.4m Grant for Apprenticeships.
- 1.7.4 For ***Pathways to Success*** Sheffield City Council will act as the lead agent for partners across South Yorkshire. It will do so as a logical extension to the role it has taken historically as accountable body for the Sheffield City Region wide projects mentioned above.
- 1.7.5 Sheffield City Council will enter into contractual arrangements with the other South Yorkshire local authorities that will deliver the programme. In consultation with the Director of Commercial Services and the Director of Legal and Governance, all contracts issued will incorporate the financial monitoring requirements of SCC and DWP/ESF (the funder).
- 1.7.6 Sheffield City Council will monitor the contracts issued on behalf of DWP/ESF. The onus will be on the contractors to provide evidence to support both their monitoring of quality and standards and the achievement of agreed outcomes and outputs as set out in their contracts.
- 1.8 **Match Funding**
- 1.8.1 As with all ESF funded projects, bidders are required to provide ***match funding known as the intervention rate***. Match funding can be cash or commissioned activities that are aligned to the ESF priorities detailed in the specification bidders respond to. The intervention rate for this programme is forty percent.
- 1.8.2 With £5.12 of ESF funding available over a 3 year period from 2019 to 2021 the match funding required is £3.41m (shared across the consortium of South Yorkshire Local Authorities). This provides a total value of £8.53m in activity to support those groups detailed in para 1.5.
- 1.8.3 This activity will improve outcomes for disadvantaged adults facing barriers to employment, particularly those with long-term physical or mental health problems, disabilities or behavioural issues by; providing a range of opportunities designed to build on achievements and outcomes to date and improve life chances
- 1.8.4 **Sheffield's allocation** of the ESF funding available is £2.7m with a match funding contribution of £1.47m for the life of the programme. Sheffield's contribution to the match funding required is in direct relation to the allocation of ESF it will receive.
- 1.8.5 The city's employment programmes *Sheffield's Working* and the *Sheffield 100* programme commission activity aligned to ESF priority 1.2 and 1.4 and are therefore eligible as match. It is therefore proposed that this activity is used as match **to enable an additional £2.7m to be drawn down into the city.**

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The City Council's Corporate Plan sets out our ambition to be Britain's fairest City through its priorities of:
- Tackling Inequalities
 - Being An In Touch Organisation
 - Better Health & Wellbeing
 - Thriving Neighbourhoods & Communities
 - Strong Economy
- 2.2 ***Pathways to Success*** is designed to have a positive impact on neighbourhoods and communities and provide equality of opportunity by:
- helping those individuals facing the greatest barriers to engage in and sustain education employment or training
 - providing opportunities which empower individuals to help themselves
 - supporting local people to gain the skills they need to get jobs and benefit from economic growth. Work can have a positive impact on health & wellbeing
- 2.3 £11.1m annual economic benefit arising from increased earnings and reduced demand on public services from previously economically inactive or unemployed adults resident in South Yorkshire moving into paid employment – does not include savings on benefits paid to claimants.
- 2.4 £4.8m annual economic benefit, arising from increased earnings and reduced demand on public services from previously economically inactive or unemployed Sheffield residents moving into paid employment – does not include savings on benefits paid to claimants.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The Council seeks to take advantage of the opportunity presented by this ESF call and the funding available. The Council is not required to carry out a consultation process in respect of these proposals.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 An Equal Opportunities Impact Assessment (EIA) has been completed and is attached.

4.2 Financial & Commercial Implications

- 4.2.1 Subject to satisfactory terms and conditions being agreed, SCC will become the Accountable Body and lead agent for the South Yorkshire Authorities.

4.2.2 Estimated Funding levels are summarised in the table below and are subject to confirmation in a finalised Funding Agreement.

Priority 1.4 Adults Aged 18+ with Multiple / Complex Barriers particularly those with long-term physical or mental health problems, disabilities or behavioural issues			
Pathways to Success. –	ESF Funding (£) (60%)	Match Funding (£) (40%)	Total (£)
Barnsley	732,515	587,214	1,139,729
Doncaster	882,751	709,025	1,591,776
Rotherham	804,188	644,670	1,448,859
Sheffield	2,700,346	1,472,334	4,172,681
Total	5,119,800	3,413,243	8,533,043

4.2.3 Key features of the draft ESF Funding Agreement (not exclusive) are summarised below. The Project Manager will need to read, understand and comply with all of the grant terms and conditions.

- Eligible Expenditure that has been defrayed on or after the Start Date may be claimed pursuant to the Funding Agreement.
- Carry out the Project Activities specified within and achieve the Targets within the time limits and the Key Milestone Dates.
- The Grant Recipient may task a Delivery Partner to carry out certain Project Activities and are liable for the acts of its Delivery Partners.
- Grant is conditional upon Match Funding being Committed and compliant with the Eligibility Rules.
- Notify the funder of any failure to achieve the required Match Funding.
- Expenditure must be defrayed in Grant Claims
- Comply with the monitoring, reporting, audit and grant claims procedures.
- If there is a shortfall or overspend in annual expenditure compared to the profile, the funder has no obligation to pay unused grant in the following year.
- Financial consequences may follow from a departure from the Expenditure Profile and may include grant reduction.
- Any Project changes must be approved by the funder.
- Comply with the Structural and Investment Funds Regulations and all relevant EU and national law.
- State Aid non-compliance may lead to repaying the Grant with interest.
- Default occurs in a number of scenarios including (not exclusive):-
 - Failure to comply with Conditions;
 - Project Activities are not commenced by 3 months after the Start Date.

- Expenditure is not claimed in line with the Expenditure Profile.
- Completion of the Project Activities has not been achieved by the Agreed Activity End Date.
- Change is made to the Project without the prior approval.
- An audit reporting is unsatisfactory.
- The Grant Recipient must comply with the grant terms and conditions or the grant is subject to clawback.
- SCC acknowledges that the funder may have overcommitted funds and that if there are insufficient funds to meet the full commitment under this Agreement, the funder may terminate this Agreement.
- Underperformance against the Targets may result in grant reductions.
- Notify the funder if other funding for the project arises.
- Recipient in relation to the Project, or an offer of the same, in respect of any aspect of the Project or the Project Activities (or any part of it or them).
- Provision of evidence to confirm the indicative Match Funding is fully committed.
- Enter into a legally binding agreement with Delivery Partners upon materially similar terms to this Funding Agreement.

4.3 **Legal Implications**

- 4.3.1 The Localism Act 2011 provides local authorities with a “general power of competence” which enables them to do anything that an individual can do as long as the proposed action is not specifically prohibited. A purpose of the Act is to enable local authorities to work in innovative ways to develop services that meet local need. The proposed Programme can be delivered through the council using its general power of competence. In addition, there is no specific statutory prohibition, preventing the Council from implementing the proposed Programme. The Council therefore is empowered to produce, implement and administer the Programme detailed in this report.

4.4 **Other Implications**

- 4.4.1 There are no specific environmental implications arising from the programme.

Aligned to the match funding required (Para 1.11 refers) the funding available covers the staffing required to manage the programme on a full cost recovery basis.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The Council could decide not to accept the grant. However, at this time there are no known alternative options to consider that offer additional support and funding for these groups and so this option is not recommended.

6. REASONS FOR RECOMMENDATION

- 6.1 Increasing employment levels is a critical challenge for the city which will have long lasting impacts if not addressed. This proposal is designed to make a sustainable difference to individuals who may not otherwise have the opportunity or support to pursue further education, employment or training.
- 6.2 Within the workless cohort those with multiple and complex barriers and those in marginalised communities are overrepresented.
- 6.3 This proposal aims to increase participation in the labour market and thereby improve social inclusion and mobility. It will provide additional opportunities and increase the support available for marginalised 18+ year olds and those with multiple and complex barriers **particularly those with long-term physical or mental health problems, disabilities or behavioural issues**



Author/Lead Officer of Report: (*Debbie Hanson, Health Improvement Principal*)

Tel: (0114 2735733)

Report of: Greg Fell
Report to: Cabinet
Date of Decision: 21st November 2018
Subject: Investigation of Implications for Water Fluoridation

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? (Children and Families)		
Which Scrutiny and Policy Development Committee does this relate to? (Health)		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? (<i>Insert reference number</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:-		
<p><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></p>		

Purpose of Report:

To request approval from Cabinet to enable the Local Authority to investigate the implications of water fluoridation in Sheffield including feasibility, costs, plant location, coverage and the implications for other Local Authority areas.

Recommendations:

To request Cabinet approve the Local Authority investigate the implications of water fluoridation in Sheffield including feasibility, costs, plant location, coverage and the implications for other Local Authority areas.

It should be emphasised that this is purely a fact-finding process to inform subsequent decision-making and that it does not represent a decision by the local authority to proceed with water fluoridation.

Following the outcome of this investigation, if the Local Authority takes the decision to proceed with the process set out in legislation, all the information gathered will be used as evidence in the formal feasibility report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

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>(Insert name of officer consulted)</i>
	Legal: <i>(Insert name of officer consulted)</i>
	Equalities: <i>(Insert name of officer consulted)</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: Greg Fell
3	Cabinet Member consulted: Jackie Drayton
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: Debbie Hanson
	Job Title: Health Improvement Principal
Date: 12th November 2018	

1. Background

- 1.1 The oral health vision is for all Sheffield residents to be able to speak, smile and eat with confidence and without pain or discomfort from their teeth or mouths.

The oral health improvement strategy 2018-21 identifies how Sheffield is tackling all areas to improve the cities oral health. However there are no artificial water fluoridation schemes in this area. As part of the strategy, Scrutiny agreed that Sheffield City Council should explore the implications of water fluoridation in Sheffield including the cost.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 Since April 2013 decision-making regarding water fluoridation has been the responsibility of local authorities. There is extensive legislation detailing the process required to be undertaken to be able to consider implementing a water fluoridation scheme.

Legislation requires that the following steps are undertaken:

- Develop an 'operable and efficient' proposal
- Make initial proposal to the Secretary of State and receive consent to proceed
- Consult with other affected local authorities (for minimum of 3 months)
- Form joint-committee with other affected local authorities
- A public consultation for a minimum of 3 months is required by law to ensure full and balanced hearing of all views.
- Final decision and 'formal proposal to the Secretary of State'
- Secretary of State to form an agreement with the water company if satisfied that process has been compliant with the statutory process
- Implementation

The findings from this investigation will inform the decision to proceed with the process specified by legislation above.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 No formal consultation has taken place on any proposal for a community water fluoridation scheme. Should a decision be taken to proceed, full public consultation will take place as part of the process identified above.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 This investigation is a technical exercise and so does not have implications in terms of equality of opportunity.

4.2 Financial and Commercial Implications

- 4.2.1 Although no budget stream was identified for the investigation, it will be funded through the public health grant.

Existing Public Health officers will be leading the investigation and Yorkshire Water have estimated their costs below.

Phase 1 £15-20k

Outline investigation based on water treatment facilities, their match with Authority priority areas and areas served by them with the aim of identifying major areas of overspill and those un-treated

Phase 2 circa £50k

More detailed review of priority areas (if different to whole Authority area) and consider at outline the feasibility of tailoring dosing points or supplies to make such a scheme more targeted in delivery

4.3 Legal Implications

- 4.3.1 See 2.1 regarding legislative process to progress to full decision regarding fluoridation. The Health and Social Care Act 2012, by amending the Water Industry Act 1991 (the Act), returned responsibility for those decisions to local authorities with public health responsibilities.

4.4 Other Implications

- 4.4.1 None

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 None

6. REASONS FOR RECOMMENDATIONS

- 6.1 We are asking for agreement to investigate the implications of water fluoridation for Sheffield because we need to understand the costs and extra work needed for the city should we proceed.

This first necessary step is to gain an understanding of the public water

supply arrangements in the Sheffield area. Key initial questions to be answered by Yorkshire Water are:

- Is it technically practicable for the responsible water company to fluoridate the geographic area of Sheffield?
- Will doing so necessitate also fluoridating other adjacent localities and, if so, will this involve other local authority areas?

Depending on discussions with the water company this may be essentially a desk-top exercise thereby minimising initial costs. It should be emphasised that this is purely a fact-finding process to support subsequent decision-making and that it does not represent a decision by the local authority to proceed with fluoridation.

Once the investigation has taken place and the full implications of the cost and infrastructure are available further discussions will take place as to whether to progress to the legislative stage of the process. Should this be the case, a full report will be brought back to cabinet for discussion and agreement made to progress further or not.

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REVENUE BUDGET & CAPITAL PROGRAMME MONITORING AS AT 30th SEPTEMBER 2018

Purpose of the Report

1. This report describes the budget monitoring position on the City Council's Revenue Budget and Capital Programme as at Month 6.

REVENUE BUDGET MONITORING

Summary

2. The Council's revenue budget is displaying a forecast overspend of £14.2m.
3. The position reported at Month 2 was £14.9m, and this was described as the worst case scenario. The Month 6 position represents only a modest improvement since this time. The most significant driver of this overspend continues to be cost and demand pressures within Social Care services, reflecting much publicised and nationwide problems within that sector.
4. The Council will continue efforts to mitigate this forecast overspend, including a review of Corporate expenditure and capital financing charges, accelerating some savings plans where possible and continuing to review non-essential spend. It is unlikely that this overspend will be addressed fully before year end, making an overspend position at year end the likely outcome.
5. The position split by Portfolio is summarised in the table below.

Portfolio	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
PEOPLE	231,404	215,935	15,470	↑
PLACE	191,308	191,918	(610)	↔
POLICY, PERFORMANCE & COMMUNICATION	2,548	2,131	417	↑
RESOURCES	40,185	40,061	124	↓
CORPORATE	(451,288)	(450,045)	(1,243)	↓
GRAND TOTAL	14,158	-	14,158	↔

6. In terms of the forecast outturn position of £14.2m overspend, the key reasons are:
 - **People** are forecasting a £15.5m overspend. The key reasons for this position are:
 - An overspend of £8.3m within Care & Support. The key reasons for this are the effects of increased activity within home care provision of £4.8m, supported living cost increases of £2.1m, the impact of unachievable savings of £1.1m, with some smaller movements both positive and adverse within the service.

- An overspend within Community Services of £456k due to the impact of a delayed MER scheme, partially offset by a vacancy saving for Community Support workers of £76k as well as other, smaller reductions in spend.
- An overspend of £6.6m against Children & Families budgets. This is mainly due to the impact of delays in realising the benefits of investment into recruiting foster carers and constraining demand for placements creating a pressure of £3.1m, increased staffing and non-staffing costs within Fieldwork services of £1.9m, delays in anticipated savings within Short Breaks and Direct Payments of £1.0m, and the full-year impact of the 2017/18 overspend of £460k.
- An overspend with Commissioning, Inclusion and Learning Services of £656k. This is due to unachieved savings within the tri-partite risk share agreement between the Council, CCG and Care Trust
- A reduction in spend of £405k within Business Strategy, mainly due to a forecast reduction in staffing costs and over-recovery of income within the service.
- There are a number of smaller movements within this position. **Appendix 1** provides a fuller picture on a service-by-service basis, including commentary as to the movement since Month 2.
- The **Place** Portfolio is forecasting a £610k underspend. The key reasons for this variance are the delivery of both sustainable and one-off reductions totalling £5.1m within expenditure budgets that will not affect service delivery and staff savings from a voluntary early retirement/severance scheme. This is offset by £4.5m of slippage in the delivery of planned budget savings on 'Place Change' Programmes and the Housing General Fund.
- The **Resources** Portfolio is forecasting an overspend of £124k. The key reasons for this are:
 - An overspend of £661k within Corporate Contracts & Discounts mainly due to a savings target of £400k being forecast as un-deliverable in 2018/19.
 - An overspend of £258k on Human Resources mainly due to £296k of additional pay pressures.
 - A reduction in spend of £597k in Central Costs due to a reduction against Former & Current Employee Pension Costs of 430k and a £149k reduction in spend following recalculation of recoverable charges from other Council funds.
 - A reduction in spend within Finance & Commercial Services of £192k following a review of expected income from bad debt recovery.

- **Policy, Performance & Communication** is forecasting an overspend of £417k due to an overspend on the advertising contract of £453k after delayed installation of advertising panels, the impact of increased electoral activity and voter registration of £86k offset by a reduction in spend of £111k of administration and support costs.
 - **Corporate** are reporting an underspend of £1.2m. This is due to income received as a result of investing cash balances that are earmarked for use later in the year to finance the capital programme, and debt costs avoided by the delay of scheduled borrowing
7. The overall overspend position has decreased by £750k since the Month 2 Report. The key reasons for this movement, by portfolio, are:
- **People Portfolio** is forecasting a £471k worsened position since Month 2. The key reasons for this, at service level, are:
 - An increase in overspend within Care & Support of £1.5m. The main reasons for this are £833k of growth in Learning Disabilities costs, £1.3m of increased costs in Home Care due to demand and higher levels of packages, offset by increased iBCF contribution of £600k.
 - An improved forecast within Community Services of £145k, mainly due vacancies savings of £134k.
 - An improvement within Children & Families of £251k, reflecting the use of remaining elements the social work investment fund to offset the increase in staffing costs.
 - An improvement of the forecast within Commission, Inclusion & Learning Services of £499k, mainly due to £330k of improvement of the Council's position within the Risk Share Agreement with partners in the Health sector.
 - An improvement within Business Strategy of £287k, largely due to continued over-recovery of income and underspends against staffing budgets.
 - **Place Portfolio** has remained at broadly the same position since Month 2, showing a £10k improvement in forecast.
 - **Resources Portfolio** has improved by £346k since Month 2. This is mainly due to the impact of delays in recruitment saving £218k, a review of the 60 Day Bad Debt Policy contributing £183k and £247k of improvement within Human resources mainly relating to vacancy savings and re-appraisal of payroll forecasts. These are offset by the impacts of recognition of the delay in anticipated savings

from the Early Payment Discount Initiative of £296k, and of a prudent review of traded services and expected demand of £122k.

- **Policy, Performance and Communications Portfolio** has worsened by £272k, which is entirely attributable to recognition of the overspend within the advertising contract.
- **Corporate Portfolio** has improved by £1.1m since Month 2, entirely due to the avoidance of debt costs due to delays in scheduled borrowing.

8. Fuller details of all reductions in spend and overspends, and descriptions of the movement since Month 2, within can be found in **Appendix 1**.

Public Health

9. Services funded by Public Health grant are showing a £428k reduction in expenditure against the original approved budget. Further details of the outturn position on Public Health are reported in **Appendix 2**.

Housing Revenue Account

10. The HRA income and expenditure account provides a budgeted contribution towards funding the HRA capital investment programme of £5.3m. As at Month 6 the account is forecasting a £163k adverse variance from this budgeted position.
11. Further details of the Housing Revenue Account can be found in **Appendix 3**.

Collection Fund

12. As at Month 6, the local share of the Collection Fund income stream is forecasting an overall in-year surplus of £4.9m, made up of a £2.0m surplus on Council Tax and a £2.9m surplus on Business Rates. This position is discussed in more detail within **Appendix 4**.

Corporate Risk Register

13. The Council maintains a Corporate Financial Risk Register which details the key financial risks facing the Council at a given point in time. The most significant risks are summarised in **Appendix 5** along with any actions being undertaken to manage each of the risks.

Capital Summary

14. The approved capital programme budget for 2018/19 at 30 September 2018 was £246.8m. The overall outturn of expenditure against this approved budget is forecast to be £220.1m, representing a variance of £26.7m.
15. Further monitoring of the Capital Programme is reported in **Appendix 6**.

Requests for approval of funding

16. There are two requests for funding within **Appendix 7**. The first relates to invest-to-save funding for the Place Change Programme, and the second relates to recognition of Government grant funding for adult social care.
17. The requests are described in greater details within **Appendix 7**.

Implications of this Report

Financial implications

18. The primary purpose of this report is to provide Members with information on the City Council's Budget Monitoring position for 2018/19, and it does not make any further recommendations that have additional financial implications for the City Council.

Equal opportunities implications

19. There are no specific equal opportunity implications arising from the recommendations in this report.

Legal implications

20. There are no specific legal implications arising from the recommendations in this report.

Property implications

21. There are no other property implications arising from the recommendations in this report this report.

Recommendations

22. Cabinet are asked to:
 - (a) Note the updated information and management actions provided by this report and attached appendices on the 2018/19 Revenue Budget Outturn.
 - (b) In relation to the Capital Programme, note the forecast Outturn position described in **Appendix 6**.
 - (c) Consider for approval the requests for funding within **Appendix 7**:
 - a. £2.1m funding relating to Place Change Programme on an invest-to-save basis.
 - b. £2.7m of additional funding to enable further reductions in the number of patients that are medically ready to leave hospital but are delayed because they are waiting for adult social care services.

Reasons for Recommendations

23. To record formally changes to the Revenue Budget and the Capital Programme.

Alternative options considered

24. A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Revenue Budget and the Capital Programme.

Dave Phillips
Head of Strategic Finance

PORTFOLIO REVENUE BUDGET MONITORING AS AT 30TH SEPTEMBER 2018

People Portfolio

Summary

1. As at Month 6, the Portfolio has a full year forecast outturn of an overspend of £15.5m on Cash Limit budgets and an overspend of £1.7m on DSG budgets. This is an increase of £471k on the cash limit overspend at Month 2 and an increase of £273k on the DSG overspend at Month 2. The key reasons, split into Service level, for the outturn position on the cash limit budgets are:

Care & Support (overspend of £8.3m)

- Learning Disabilities is forecasting an overspend of £3.5m. This is due to £2.1m of supported living costs increases due to market rates and TUPE costs, £1.1m relating to unachievable savings, and £256k against In-House Provider Services reflecting an overspend on short breaks and supported living.
- Long Term Care (LTC) Purchasing are forecasting an overspend of £4.8m. This is mainly due to increased activity in home care provision owing in part to improved pathway flows including reduced Delayed Transfers of Care and reduced length of stay in STIT, and also changes to the method of planning home care visits that better reflect the provision of care to service users. This causes an increase in costs where more staff and resources are needed to fulfil more overall contact time.
- Commissioning are forecasting an overspend of £369k. This is mainly due to the British Red Cross Equipment risk share agreement with the CCG. There is to be additional investment in specialist staff to triage equipment allocation with the intention of ensuring the right equipment is issued to support the individual's needs. It is expected that this approach will address some of the overspend issues.
- Access and Prevention are forecasting an underspend of £317k. This is mainly due to vacancies across the service.
- Safeguarding and Practice Development are forecasting an underspend of £77k. This is due to legal charges being lower than budget on Safeguarding and the secondment to a project of the team leader on Practice Development with backfill arrangements being at a lower grade.

Community Services (overspend £311k)

- The key reasons for this overspend are a delayed MER within Family & Community Learning causing a cost of £456k partially offset by a reduction in

spend within Community Support Workers of £76k due to vacancies, and other smaller underspends.

Children & Families (overspend of £6.6m)

- Placement budgets are forecast to overspend by £3.3m. This is largely due to the impact of delays in realising the benefits of investment into fostering and into constraining demand for care placements of £3.1m, and the full-year impact of the 2017/18 overspend of £460k.
- Fieldwork Services are forecasting a £1.9m overspend. This is mainly due to £1.3m increased staffing to deal with increased caseloads and £375k in non-staffing budgets due to increased transport costs and contact time for children in care.
- Health Strategy is forecasting a £1.0m overspend on Short Breaks and Direct Payments due to delay in anticipated savings.

Commissioning Inclusion and Learning Service: (overspend of £656k)

- Commissioned Mental Health Services is forecasting a £670k overspend. This is due to unachieved savings across all three organisations which form part of the risk share (the Council, the CCG and the Care Trust). It is anticipated that this position will improve as the tripartite agreement matures, and that the overspend for this service will reduce significantly.

Business Strategy (underspend of £405k)

- The main reasons for the business strategy forecast underspend of £405k is a combination of a forecast reduction in staffing costs and overachievement of income targets across the service. These have been partially offset by the £100k mandatory leave pressure (described above) for the service.

Financial Results

Service	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
BUSINESS STRATEGY - PEOPLE	11,136	11,541	(405)	↓
CARE & SUPPORT	114,764	106,420	8,344	↑
CHILDREN & FAMILIES	70,818	64,255	6,563	↓
COMMUNITY SERVICES	8,867	8,556	311	↓
COMM'G INCLUSION&LEARNING SERV	25,818	25,162	656	↓
GRAND TOTAL	231,404	215,935	15,470	↑

DSG

2. The following is a summary of the position on DSG budgets at month 6:

Portfolio	FY Variance Month 6 £000s	FY Variance Month 2 £000s	Movement £000s
BUSINESS STRATEGY - PEOPLE	309	287	22
CHILDREN AND FAMILIES	281	98	183
COMM'G INCLUSION&LEARNING SERV	1,156	1,088	68
COMMUNITY SERVICES	-	-	-
Grand Total	1,746	1,473	273

3. The key reasons for the forecast outturn position on the DSG position are:

Business Strategy (overspend of £309k)

- An overspend of £408k in the transport budgets is due to continued increase in demand and increases in costs.

Children and Families (overspend of £281k)

- Children with Disabilities Placements is forecasting an overspend of £298k, due to increase in demand and costs for these places.

Commissioning, Inclusion and Learning Services (overspend of £1.2m)

- This is mainly due to £761k forecast overspend on the SEND Growth Fund due to an increase in demand for special school places, £113k forecast overspend on Out of City SEN due to increased places and legal costs and £173k overspend on Independent Specialist Placements (ISP) due to an increase in demand and costs for these placements.
- There is also forecast staffing overspend of £80k in the SEN Early Years team.

Commentary

4. The following commentary comments on the main variances at service level reported in the last reported position at Month 2.

Care and Support

- The £8.3m overspend shown in the table above relates wholly to cash limit. This is an increase of £1.5m over the reported position at Month 2.
- The main reason for the movement in the cash limit forecast are:-
 - Access, Prevention and Reablement - £191k improvement mainly due to reduced staffing costs
 - Care & Support Commissioning - £78k worsened position due to additional equipment expenditure on the British Red Cross – Integrated Equipment Service.

- Learning Disabilities – £819k worsened position mainly due to £833k on client packages in supported living offset by a slight underspend on staffing £14k.
- Long Term Support is forecasting an overall worse position by £646k mainly due to increased costs on Home Care £1.3m which is due to higher numbers of clients, higher level of packages, a quicker route of triage to private provision and clients staying with us for longer. There is also increased cost of providing 20 beds through the 5Q initiative of £222k and an increased bad debt provision of £300k. This is partially offset by reductions in Nursing Care/Residential Care admissions £620k and an increased iBCF contribution of £600k.
- Locality Working is forecasting a £135k worsened position due to a more accurate reflection of staffing costs which is slightly offset by minor underspends within other divisions of Long Term Support.
- Safeguarding and Practice Development is forecasting a £129k worsened position mainly due to costs for Best Interest Assessors and recruitment to backfill a seconded post to the Whole Family Case Management Project.

Community Services

- The service is forecasting a £311k overspend relating to cash limit with no movement on the DSG position. This is an improvement of £145k since the Month 2 Report.
- The main reasons for the movement are: a reduced spend in Libraries £96k, additional SFA funding of £51k in Learning Difficulties & Disabilities and vacancies in Locality Management saving £134k offsetting the full impact of the delay in implementation of the MER in Learning, Skill and Employment creating a cost of £147k.

Children and Families

- The service is forecasting a £6.6m overspend relating to cash limit and a £281k overspend on DSG. This is a reduction in the overspend of £251k from Month 2 on the cash limit and an increase of £183k on the DSG overspend from Month 2.
- The main reason for the movement in the cash limit forecast is an improvement in the Fieldwork staffing budgets. This reflects the use of the remaining elements of the social work investment fund to partially offset the increase in social work staffing costs, within both the Fieldwork and Children Disabilities Team.
- The main reason for the movement in the DSG forecast is due to an increase in the forecast overspend on Children with Disabilities Placements of £160k due to an increase in demand and costs for these placements.

Commissioning, Inclusion and Learning Service

- The service is forecasting a £656k overspend relating to cash limit and a £1.2m overspend on DSG. This is a reduction in the overspend of £499k from Month 2 on the cash limit and an increase of £68k on the DSG overspend from Month 2.
- The main reason for the improvement in the cash limit position is the inclusion of the Care Trust budgets and achieved savings into the Risk Share agreement. Month 6 saw the first outturn which included information from all three organisations on Mental Health savings and resulted in a £330k improvement in the Council's position.
- The main reason for the movement in the DSG position is due to an increase in the forecast of £173k for Independent Specialist Placements (ISPs) due to an increase in demand and costs for these placements. This has been partially offset by small improvements in the forecasts across the service.

Business Strategy

- The service is forecasting a £405k underspend relating to cash limit and a £309k overspend on DSG. This is an increase in the underspend of £287k from Month 2 on the cash limit and a consistent position on the DSG overspend from Month 2.
- The main reason for the improvement in the cash limit position is an increase in income above forecast and an increase in the underspend against staffing budgets across the service.
- There are no significant fluctuations in the forecast DSG position from Month 2.

Request for funding

5. The Council expects to receive £2.7m of Government grant funding this year to enable further reductions in the number of patients that are medically ready to leave hospital

but are delayed because they are waiting for adult social care services. This grant award, and plans for associated spend, are explained in greater detail in **Appendix 7**.

Place Portfolio

Summary

6. The Place Portfolio is forecasting to be £610k under budget at Month 6.
7. The key variances include slippage in the delivery of planned budget savings on 'Place Change Programmes' and Housing General Fund (£4.5m), offset by both sustainable and one-off reductions in expenditure budgets which will not affect service delivery and staff savings from a voluntary early severance/retirement scheme (£5.1m).
8. Overall the position remains broadly the same as previously reported.

Financial Results

Service	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
BUSINESS STRATEGY & REGULATION	27,488	27,508	(20)	↔
MAJOR PROJECTS	62	89	(27)	↔
CULTURE & ENVIRONMENT	90,637	92,119	(1,482)	↔
HOUSING GENERAL FUND	3,005	2,470	534	↓
CITY GROWTH	28,065	27,512	554	↑
TRANSPORT AND FACILITIES MGT	42,051	42,220	(169)	↔
GRAND TOTAL	191,308	191,918	(610)	↔

Requests for funding

9. The Place Portfolio are requesting Invest to Save funding relating to Place Change Programme 2. This is outlined in more detail within **Appendix 7**. If this request were declined, there would be an adverse impact on the forecast outturn position.

Resources Portfolio

Summary

10. As at Month 6 the Resources Portfolio is forecasting a full year outturn of an overspend of £124k. The key reasons for the forecast outturn position are:
 - An overspend of £661k on Contract Rebates and Discounts. This is mainly due to the Early Payment Discount Project which budgeted a £400k contribution to the savings target but on current forecasts is not expected to deliver in 18/19. The project has been delayed by technical problems with the software and work is on-going to mitigate the overspend.

- An overspend of £258k on Human Resources. The forecast includes additional employee resources to implement the essential replacement of the existing HR Systems and 2019 pay projects at a cost of £140k, demand pressures on the Occupational Health Contract of £105k which reflect last year's costs and current demand levels. Funding solutions are being investigated for both of these expenditure items and approval will be brought forward to Members when complete. Mitigations also need to be found for two other pressures - the full year impact of re-grading Trade Union Conveners to Grade 7 of £156k but not reducing the number as agreed in the original proposal, and the increased cost of the Resourcelink Contract of £80k. These overspends are offset by an underspend in Learning and Development costs reflecting a reduced use of external training consultants.
- A reduction in spend of £597k on Central Costs. This is largely made up of a £430k reduction against Former and Current Employee Pension Costs and a £149k reduction in spend due to the recalculation of recoverable charges from other Council funds.
- A review of forecasted income under the 60 Day Bad Debt policy has resulted in recognition of increased income within Finance & Commercial Services of £183k.

Financial Results

Service	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
BUSINESS CHANGE & INFORMATION SOLUTIONS	2,421	2,390	31	↑
CORPORATE REBATES & DISCOUNTS	(1,137)	(1,798)	661	↑
CUSTOMER SERVICES	5,984	5,937	46	↓
FINANCE & COMMERCIAL SERVICES	6,257	6,449	(192)	↓
HUMAN RESOURCES	5,207	4,949	258	↓
LEGAL & GOVERNANCE	3,695	3,766	(71)	↔
RESOURCES MANAGEMENT & PLANNING	184	197	(13)	↔
TOTAL	22,611	21,890	720	↓
CENTRAL COSTS	17,418	18,015	(597)	↔
HOUSING BENEFIT	156	156	(0)	↔
GRAND TOTAL	40,185	40,061	124	↓

Commentary

11. The forecast outturn position for the Resources Portfolio has improved by £346k since Month 2. The principal reasons for this improvement are:

- £218k of improvement within Customer Services primarily due to delays in recruitment.
- £183k of improvement within Finance & Commercial Services due to the review of bad debt policy mentioned above.
- £247k of improvement within Human resources, due to a cash limit adjustment in relation to costs incurred in the 2019 Pay Project, and vacancy savings and re-appraisal of payroll forecasts.
- Recognition of the delay in achieving the savings planned for the Early Payment Discount Initiative, of £296k.
- The impact of a prudent review of traded services and expected service demands creating causing £122k of costs within Business Change & Information Solutions

Policy, Performance and Communications Portfolio

Summary

- At Month 6 the Portfolio is forecasting an overspend of £417k. The key reasons for the forecast outturn position, are an overspend of £453k on the budget for the advertising contract, £66k due to increased electoral activity and an offsetting £111k underspend on administration and support costs.
- Net income from advertising is down £453k due to a delayed installation of advertising panels. Discussions with the advertising contractors have identified actions which will reduce the overspend but not until 2019/20.
- Election costs vary from year to year and are equalised through a reserve. A constant annual budget is paid into the reserve each year and election costs are drawn down. The fund has been used to fund additional costs incurred by the Council on electoral registration, as voter numbers have increased and an increased level of electoral activity compared to previous years, resulting in increased draw down of funds from the reserve. Equalities & Involvement is currently working on a paper to identify the on-going pressures so mitigating options can be considered.
- The adverse movement since the Month 2 report is attributable to the recognition of the overspend within the advertising contract.

Financial Results

Service	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
POLICY, PERFORMANCE & COMMUNICATION	2,593	2,176	417	↑
PUBLIC HEALTH	(45)	(45)	(0)	↔
GRAND TOTAL	2,548	2,131	417	↑

Corporate Transactions

Summary

16. As at Month 6, the Corporate portfolio is showing a £1.2m underspend. The Corporate budget is made up of the following.

- Corporate expenditure: Council wide budgets that are not allocated to individual services, including capital financing costs and the provision for redundancy and severance costs.
- Corporate income: Revenue Support Grant, locally retained business rates and Council Tax income, some specific grant income and contributions to/from reserves.

17. The principal reason for the £1.2m underspend is increased income due to investment of cash balances that will be used later in the year to finance the capital programme and debt costs avoided by delayed scheduled borrowing. This has increased since Month 2, and entirely explains the reduction in forecast outturn.

Financial Results

18. The table below shows the items which are classified as Corporate.

Service	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
CAPITAL FINANCING	27,225	28,465	(1,240)	↓
CORPORATE ITEMS	(478,513)	(478,510)	(3)	↔
GRAND TOTAL	(451,288)	(450,045)	(1,243)	↓

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PUBLIC HEALTH BUDGET MONITORING AS AT 30th SEPTEMBER 2018

Purpose of the Report

1. To report on the 2018/19 Public Health grant spend across the Council for the month ending 30th September 2018.
2. The report provides details of the full year spend of Public Health grant compared to budget.
3. The net reported position for each portfolio/service area would normally be zero as public health spend is matched by a draw down of public health grant. For the purposes of this report, and in order to identify where corrective action may be necessary, we have shown actual expenditure compared to budget where there is an underspend position.

Summary

4. At Month 6 the overall position was an underspend of £428k which is summarised in the table below.

Portfolio	Forecast Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 2
PEOPLE	27,636	27,818	(182)	↓
PLACE	2,852	2,942	(90)	↔
DIRECTOR OF PH	1,814	1,970	(156)	↔
GRAND TOTAL	32,302	32,730	(428)	↓

5. The key reasons for the forecast positions spend are:
 - An £182k underspend in People as a result of underspending in Mental Health Commissioning Partnerships and Grants of £69k relating to contract underspends, underspends within the DACT (Drug and Alcohol Action & Co-ordination Team) relating to vacancies and non-pay savings of £71k and contract reduction of £53k, a voluntary contract delay within the Genetics service of £73k and underspends within residential rehab of £151k. This is offset by demand-led pressures for supervised consumption and needle exchange services of £115k and £81k respectively and an overspend on Enhanced Contraceptive Services of £45k.
 - £90k underspend in Place due employee savings on PH Infrastructure of £102k, partially offset by an overspend on the Adult Weight Management contract.
 - A £156k underspend in Director of Public Health mainly as a result of non-staffing savings and income over the budgeted amount within Public Health Intelligence, offset by a staffing overspend on Public Health DPH.

6. The key Reason for any significant movement since the Month 2 Report are as follows;

- The movement in People of £108k is mainly as a result of underspending in Mental Health Commissioning Partnerships and Grants of £121k.
- The movement in Place of £72k is largely as a result further underspends on salaries on PH Infrastructure.
- The movement in Director of Public Health of £24k is as a result of revised non pay costs.

HOUSING REVENUE ACCOUNT BUDGET MONITORING AS AT 30TH SEPTEMBER 2018

Purpose of this Report

- To provide a summary report on the HRA 2018/19 revenue budget for the month ending 30th September 2018, and agree any actions necessary.

Summary

- The HRA Business Plan is based on the principle of ensuring that investment and services required for council housing is met by income raised in the HRA.
- The HRA income and expenditure account provides a budgeted contribution towards funding the HRA capital investment programme. As at Month 6 the account is forecasting a £163k adverse variance from this budget position.
- This forecast adverse movement is mainly the result of increased repairs and running costs which have been partly offset higher than budgeted rental income and expected reductions in borrowing costs. The position on the account will be monitored throughout the year.

Financial Results

Housing Revenue Account (excluding Community Heating)	FY Outturn Month 6 £000s	FY Budget Month 6 £000s	FY Variance Month 6 £000s
1.NET INCOME DWELLINGS	(141,830)	(141,707)	(123)
2.OTHER INCOME	(6,267)	(6,295)	28
3.TENANT SERVICES INC REPAIRS & MAINT	87,057	85,968	1,089
4.DEPRECIATION-CAP FUND PROG	41,593	41,593	-
5.INTEREST ON BORROWING	14,330	15,161	(831)
6.CONTRIBUTION TO CAP PROG	5,117	5,280	(163)
Total	-	-	-

Community Heating

- The budgeted position for Community Heating is a draw down from Community Heating reserves of £419k. As at Month 6 the position is a draw down from reserves of £349k, a forecast improvement of £70k. This is mainly due to lower than expected usage due to the milder weather.

Community Heating	FY Outturn Month 6 £000s	FY Budget Month 6 £000s	FY Variance Month 6 £000s
Income	(2,298)	(2,471)	173
Expenditure	2,647	2,890	(243)
Total	349	419	(70)

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COLLECTION FUND MONITORING AS AT 30th SEPTEMBER 2018

Summary

1. In 2018/19 approximately £305.2m of the Council's expenditure is forecast to be financed directly through locally collected taxation. This taxation is initially collected by the Council and credited to the Collection Fund.
2. The Government receives 50% of the Business Rates collected (the Central Share) and uses this to finance grant allocations to local authorities. The Fire Authority receives 1% and the Council retain the remaining 49% as below.
3. Council Tax is distributed approximately 86% to SCC, 10% to the Police and Crime Commissioners Office and 4% to the Fire Authority. The SCC share is detailed below.

Income Stream	Budget 2018/19 £m	Billed to Date £m	Forecast Year End Position £m	Variance £m
Council Tax	(205.7)	(112.7)	(207.7)	(2.0)
Business Rates Locally Retained	(99.5)	(63.8)	(102.4)	(2.9)
TOTAL	(305.2)	(176.5)	(310.1)	(4.9)

4. As at the end of September, the local share of the Collection Fund Income Stream is forecasting an overall in-year surplus of £4.9m made up of a £2.0m surplus on Council Tax and a £2.9m surplus on Business Rates. This may seem a sizeable surplus however it represents only 1.6% of the budgeted income.
5. Due to Collection Fund accounting regulations, this surplus is not available for in-year use and will be fed into the budget process for 2019/20.

Council Tax

6. The forecast year end position for Council Tax is a surplus of £2.0m. This is primarily because of an additional £2.8m of Council Tax income offset by a £0.3m increase in exemptions and a £0.5m increase in discounts.
7. During the budget process for 2018/19, we predicted an increase in properties of 2290 from the baseline set in 2017/18. To date we have seen an increase of 1224 above that level, this has generated significant extra revenue.

Business Rates

8. The forecast year end position for Business Rates is a £6.0m surplus of which Sheffield's share is £2.9m. The £6.0m surplus is primarily made up of an increase on the Gross Rates Income Yield of £3.8m, a reduction in transitional protection payments of £2.9m, a reduction in the required appeals provision of £2.2m offset by

an increase of £3.8m on reliefs. Further analysis of the business rates position can be found on the following pages.

Collection Fund - Business Rates	Budget 2018/19 £m	Billed to Date £m	Forecast Year End Position £m	Variance £m
Gross Business Rates income yield	(255.7)	(262.5)	(259.5)	(3.8)
LESS Estimated Reliefs	34.0	36.5	37.8	3.8
Losses on Collection	3.0	1.3	2.5	(0.5)
Losses on Appeals re Current Year Bills	6.7	0.3	6.3	(0.4)
Increase (Decrease) due to appeals / bad debt provisions	0.0	(2.2)	(2.2)	(2.2)
Net Collectable Business rates	(212.0)	(226.6)	(215.1)	(3.1)
Transitional Protection Payments due from Authority	8.8	5.4	5.9	(2.9)
Cost of Collection allowance	0.8	0.8	0.8	0.0
Non Domestic Rating Income	(202.4)	(220.4)	(208.4)	(6.0)
Appropriation of net business rates:				
49.2% Sheffield City Council	(99.5)	(108.3)	(102.4)	(2.9)
1.0% SY Fire Authority	(2.0)	(2.2)	(2.1)	(0.1)
49.6% Government	(100.4)	(109.4)	(103.4)	(3.0)
0.2% Designated Areas	(0.5)	(0.5)	(0.5)	0.0
Total Appropriations	(202.4)	(220.4)	(208.4)	(6.0)

Gross Rates Income Yield

9. The Gross Business Rates Income Yield has, to date, increased by £6.8m compared to total budget. This primarily down to two large hereditaments being added to the list post budget setting amongst a number of other smaller increases. The Gross Business Rates income yield used in the budget was based on a total rateable value for the city of £535m. This rateable value had risen to £542m by March 2018.
10. As part of the 2018/19 budget setting process, we built in expected decline in gross business rates due to large scale retail redevelopments. For the period of the redevelopment, it is expected that business rates income will drop due to affected hereditaments appealing their rateable value. The development was expected to commence in the 3rd quarter of 2018/19 however this is now not expected to start until the 4th quarter at the earliest. Should this delay in the development continue, then the surplus for 2018/19 will increase.

Reliefs and Discounts

Reliefs	Budget 2018/19 £m	Billed to Date £m	Forecast Year-End Outturn £m	Variance £m
Small Business Rates Relief	11.5	11.5	11.5	0.0
Transitional Relief	(8.8)	(5.4)	(5.9)	2.9
Mandatory Charity Relief	22.7	23.0	23.6	0.9
Discretionary Relief	1.2	0.3	0.4	(0.8)
Empty Property / Statutory Exemption	6.4	6.8	7.3	0.9
Partly Occupied Premises Relief	0.3	0.0	0.1	(0.2)
New discretionary reliefs	0.7	0.2	0.8	0.1
	34.0	36.4	37.8	3.8

11. Most reliefs and discounts are generally awarded in full at the point of billing at the start of the year. The total level of reliefs awarded to the end of September amounts to £36.4m which is £2.4m above the £34.0m in the budget. These are expected to rise to £37.8m by year end. The increase in reliefs is primarily due to transitional relief payments not being as significant as expected.
12. The most significant variations are in relation to mandatory charitable relief and transitional relief. The mandatory charitable relief is currently £0.3m over budget, however historically a number of additional applications are received during the year so this has prudently been increased to a £0.9m overspend. Transitional relief is based on the change in Gross rates payable charges between 2017/18 to 2018/19 and is subject to fluctuation dependant on appeals being granted in either year.

Appeals

13. Appeals are notoriously difficult to forecast due to the volatility of the process. The 2018/19 Council budget anticipated £6.6m of in year refunds resulting from appeals. We are gradually seeing Challenges (Appeals) flowing through for the 2017 list however they are at a much lesser rate than under the previous scheme. The quality of management information that we receive from the Valuation Office is poor and this is currently being followed up with them.
14. Losses on Appeals/Increase in Appeals Provision are currently forecast to be £2.2m under budget (see paragraph 17) however this position is very fluid and will require careful monitoring in the coming months.
15. At the 2017/18 year end, Sheffield City Council followed Government guidance in establishing a suitable appeals provision for the 2017 Ratings list. This established an Appeals provision of £35m carried forward into 2018/19.
16. The two major issues relating to appeals concerned ATM's and Virgin Media. The case concerning ATM's was recently dismissed at an Upper Tribunal (Lands Chamber). The case has been forwarded to the Court of Appeal and should have

been heard in summer 2018 however to date there has been no ruling either way. As the case is still effectively live, it is prudent to maintain the provision until all legal avenues have been exhausted.

17. Virgin Media had a number of very specific appeals which could have potentially seen it all but removed from the Sheffield Valuation list. The VOA has notified us that all appeals have now been withdrawn which has seen £2.2m released from the provision and increased the collection fund surplus this year.

Conclusion

18. The forecast in year position of a £4.9m surplus on the Collection Fund is healthy however there are still six months of the year remaining, careful monitoring will be required to ensure that this position remains at this level.
19. The delay in the major retail development has had a positive impact on the current in-year surplus, should this be delayed further, the in-year surplus will increase further.
20. Sheffield City Council currently retains 50% of all business rates however it will retain 75% from 2020/21. The aforementioned development is expected to take several years to complete and so any delay now will result in a business rates income being lower for longer under the 75% regime. This will have a negative impact on future budgets.

CORPORATE RISK REGISTER

AS AT 30th SEPTEMBER 2018

1. This Appendix provides a brief overview of the main financial risks facing the Council in 2018/19 and beyond. A more detailed schedule of these risks will be monitored by the Executive Management Team to ensure that the risks are mitigated.

Corporate Risks

Capital financing costs

2. The Council currently maintains a substantial but manageable under borrowed position (i.e. The Council has used reserves to cash-flow capital spend, rather than borrow externally) to help support the revenue budget and mitigate residual counterparty default risk on cash investments. In operating with an under borrowed position the Council exposes itself to interest-rate risk. This risk is exacerbated by the uncertainty created by the on-going Brexit negotiations. Recognising this, our Treasury Management function maintains a regular dialogue with the Director of Finance and Commercial Services and the Executive Director of Resources to monitor the risk and review mitigation opportunities.

Business Rates

3. Following the advent of the Government's Business Rates Retention Scheme in April 2013, a substantial proportion of risk has been transferred to local government, particularly in relation to appeals, charitable relief, tax avoidance, hardship relief and negative growth.
4. There has been a concerted effort by the Valuation Office Agency to clear outstanding appeals prior to and following the launch of the 2017 Revaluation. As at 30th September 2018, there were still over 500 properties relating to the 2010 valuation list with a rateable value of approximately £85m under appeal in Sheffield.
5. Not all of the £85m rateable value noted above is at risk and not all the appeals will be successful. However due to the uncertainty around these factors a prudent provision was taken during 2017/18 to mitigate the loss of income as a result of successful appeals.
6. As part of the Business Rates Retention Scheme, there is a built-in revaluation process every five years to ensure the rateable values of the properties remain accurate. This process was delayed for 2 years but eventually came into effect from 1 April 2017. This has seen all hereditaments in Sheffield revalued and assigned a revised rateable value. There is the potential that there will be a large number of appeals due to this revaluation which has been taken into account when compiling the 2018/19 budget.

7. The appeals process following the 2017 Revaluation has also changed and is now known as Check, Challenge, Appeal. The aim of this system is to reduce the number of spurious and speculative appeals and reduce the time taken to process genuine appeals.
8. To date, the number of appeals processed appears to be reduced on previous years however there has been very little management information relating to the number of outstanding appeals. We are continuing to press the Valuation Office on the quality of the management information that we receive..
9. Up to the point at which the General Election was called for June 2017, the local government sector was working on the assumption that 2019/20 would see the implementation of 100% business rates retention, the implications of which were covered in significant detail in last year's MTFS.
10. However, the Provisional Local Government Finance Settlement (Dec 17) announced that only 75% of business rates would be retained by Local Authorities. The new level of retention is set to be implemented in 2020/21. The Council still expects this increase to replace existing grants such as RSG and the Public Health grant, and as such we expect this to have no overall impact on the Council's net financing position.
11. The Council's financial position is significantly determined by the level of Business Rates and Council Tax income. Each of these may be subject to considerable volatility, especially give the legislative changes above, and will require close monitoring and a focus on delivering economic growth to increase our income and on delivering outcomes jointly with other public sector bodies and partners.

Medium Term Financial Strategy

12. In July 2018, the Cabinet Member for Finance and Deputy Leader approved a report of the Executive Director of Resources entitled Medium Term Financial Strategy (MTFS) 2018/19 to 2022/23. This report provided an update of the Council's MTFS to reflect the budget decision of the Council for 2018/19 and the potential impact on the next 5 years of the Government's plans for deficit reduction. This report established the planning scenarios for the medium term.
13. The report on the MTFS indicated that there would be ongoing reductions in Revenue Support Grant (RSG) as outlined in the December 2015 Autumn Statement, which covers the period to 2020/21. The reductions in RSG since 2013/14 are now expected to exceed £155m including 2019/20.

Implementation of savings proposals

14. The MTFS described a net revenue funding gap of £39.5m by 2022/23. This position assumes the delivery of £72m of savings in that term. The risks of delivery of savings in all years specific areas such as adults' and children's social care is considerable,

given the increasing demand pressures and the levels of savings that have been achieved in previous years. These risks are underscored by the need for the Council to identify and deliver additional savings to be able to address the £39.5m gap. The risk is that non-delivery of budgeted savings will create a threat to the medium term financial sustainability of the Council.

15. To mitigate this, officers are working on the safe and legal implementation of budget proposals by:
 - (a) Ensuring that there is a thorough understanding of the impact of proposals on different groups and communities, including undertaking Equality Impact Assessments for budget proposals and discussed with Cabinet Members;
 - (b) Carrying out appropriate, meaningful consultation activity with affected communities and stakeholders, and ensuring that where the proposal affects a supplier or provider, that they undertake appropriate consultation and equalities work with service users; and
 - (c) Discussing budget proposals with affected members of staff in advance of them being made public, and putting in place MER processes where required, in consultation with HR.

Pension Fund

16. External bodies whose pension liability is underwritten by the Council are likely to find the cost of the scheme a significant burden in the current economic context. If they become insolvent the resulting liability may involve significant cost to the Council.
17. The greatest risks to the Council are those schemes at risk of their pension fund closing in a deficit position. The deficit when the fund crystallises is based upon a 'least risk basis' calculation by the actuary, which results in a significantly higher deficit than if calculated on an ongoing basis. The Triennial Review which covers 2017-20 highlights the total liabilities being underwritten by the Council for external bodies is £10.4m. This figure is on an ongoing, rather than least risk, basis. In the worst case, if these funds were to crystallise, the potential liability could be much higher.
18. These risks are continually reviewed to ensure that any impacts of potential crystallisations are minimised.

Economic Climate

19. There is potential for current adverse economic conditions to result in increased costs (e.g. increased homelessness cases) or reduced revenues.
20. The Council seeks to maintain adequate financial reserves to mitigate the impact of unforeseen circumstances.

External Funding

21. The Council utilises many different grant regimes, for example central government, Sheffield City Region and EU. Delivering projects that are grant funded involves an element of risk of grant claw back where agreed terms and conditions are not stringently adhered to and evidenced by portfolios. In order to minimise risk strong project management skills and sound financial controls are required by Project Managers along with adherence to the Leader's Scheme of Delegation to approve external funding bids.
22. As SCC funding reduces, portfolios are increasingly seeking out new sources of external funding, both capital and revenue. EU funding contracts have more complex conditions, require greater evidence to substantiate expenditure claims and are less flexible on timescales and output delivery targets. This increases the inherent risk in projects which are EU funded. Furthermore as the Council reduces its staff resources a combination of fewer staff and less experienced staff increases the risk of non-compliance with the funding contract conditions and exposes the authority to potential financial claw back.
23. Moreover, the pressure on the General Fund means that Service Managers are forced to seek more external funding such that the general level of risk associated with grants is increasing because of the additional workload this creates amongst reduced and potentially inexperienced staff.
24. The result of the referendum on EU membership does not in the short term change the risk profile of EU grants.

Taxation

25. As a general rule, the Authority is able to recover the majority of the value added tax (VAT) incurred on its payments to suppliers, i.e. its input tax. There are, however, special rules surrounding the recovery of input tax relating to supplies that are deemed 'exempt' from VAT, e.g. selling, leasing and letting of commercial land and buildings, education and insurance services. The VAT Act 1994 allows local authorities to recover input tax incurred in providing VAT-exempt supplies, so long as the tax attributable to exempt activities is less than 5% of the VAT incurred on all goods and services purchased.
26. The Council took advantage of its partial exemption position when making an exempt lease to a strategic partner as part of the Heart of the City development, delivering substantial savings. The Council has agreed a 7-year average partial exemption calculation with HMRC due to the spikes in construction costs which result in a breach in a couple of individual years. Any breach of the agreed threshold over the term would lead to substantial VAT recovery by HMRC.

27. Building the lease into the Authority's 7-year average partial exemption calculation leaves us at just below 4% in terms of the 5% limit, i.e. headroom of just over 1%. As a result, continual monitoring of our partial exemption position is vital in ensuring that we do not breach and also to inform decision-making on future projects being undertaken by the Authority.
28. Land and property transactions potentially pose one of the greatest risks of partial exemption breach. The Tax Team currently engages with colleagues in the Property Services team on at least a monthly basis to establish whether planned land and property transactions are likely to cause any partial exemption issues. In addition to this, communications are due to be issued in the next month to Heads of Service in portfolios making exempt supplies, which will further raise awareness of the partial exemption issues currently being faced by the Authority. Furthermore, systems have been developed internally to enable effective monitoring.

Treasury Management

29. The Council proactively manages its counter-party risk. Counterparty risk arises where we have cash exposure to bank and financial institutions who may default on their obligations to repay to us sums invested. Counterparty risk has diminished over the last few years as banks have been obliged to improve their capital funding positions to mitigate against future financial shocks. However, the UK's decision to leave the European Union has the potential to intensify these risks as the UK's decision to exit the EU creates significant political, economic, legislative and market uncertainty which is unlikely to be resolved in the short term. The Council is continuing to mitigate counterparty risk through a prudent investment strategy, placing the majority of surplus cash in AAA rated, highly liquid and diversified funds.
30. As part of the 2018/19 budget process, we developed Treasury Management and Investment Strategies, both of which were based on discussions with members and senior officers about our risk appetite. This included a review of our counter-party risk to ensure it is reflective of the relative risks present in the economy. A cautious approach was adopted whilst the uncertainties created by the exit from the EU are resolved and the level of market volatility returns to normal levels. Given the profound nature of the exit from the EU, we will continue to review our Treasury Management and Annual Investment Strategies during 2018/19 to ensure we have the ability to respond appropriately to market volatility.
31. The Council is also actively managing its longer term need for cash. Cash flow requirements show that the Council will require new borrowing in the coming years to finance capital investment. The uncertainties caused by the UK exit from the EU will require the Council to remain vigilant to interest-rate risk, and will draw down loans in a timely manner to militate against borrowing costs rising above our target rates.

32. The Council is continuing its efforts to ensure full compliance with the increasingly stringent requirements of Payment Card Industry Data Security Standard (PCI DSS). PCI DSS is a proprietary information security standard for organizations that handle branded credit cards from the major card schemes including Visa, MasterCard and American Express. Work continues to improve systems and control measures; following the major system upgrade and the introduction of secure manual telephone system during 2017/18 which brought significant improvements to the handling of card data and to reflect the changing nature of the Council's card data environment.
33. A key supplier of card payment services [Santander] have indicated that they will withdraw from the market with effect from 22nd April 2019 and we therefore have to move card payment traffic to another provider at relatively short notice. Unfortunately this has come at a time when the contractual situation for our other key supplier of card payment services [Capita Software Services] is subject to a prolonged contractual negotiations they is limiting our ability to put alternative provision in place in a timely manner – putting collection of circa £12m worth of card payments each year. This situation may be further exacerbated by further contractual changes as a result of the Tech2020 programme.
34. The Council currently has one advance payment outstanding with a major supplier in return for a saving on the contract cost. There is a risk to the Council that having received payment that this company may fail to deliver the services due under the contract. This is mitigated by the existing contract protections, financial evaluation of the company and parent company guarantee. Also as goods and services are delivered against this contract, the level of exposure reduces over time. Due to impending changes to service provision, the arrangement will cease in December 2018.
35. IFRS 9 introduces a new expected credit loss model which broadens the information that the Council is required to consider when determining its expectations of impairment. Under this new model, expectations of future events must be taken into account and this will result in the earlier recognition of larger impairments. Given the Council has a number of loans that have been award on a 'non-commercial' basis, there is the potential that impairment provisions on these loans will increase and impact on revenue budgets.

Welfare Reforms including Universal Credit

36. A programme of welfare reforms, introduced in 2013, led to cuts in a range of benefits including Housing Benefit (HB) and Council Tax Support posing a risk to residents' ability to pay their rent and council tax and therefore increases in arrears.
37. The most significant reform, the introduction of Universal Credit (UC) which replaces HB for those of working age, began to be rolled out in Sheffield in 2016 with full take

up expected in 2023 or later. After a pause, UC will start bring rolled out across Sheffield in November 2018.

38. UC poses a significant financial risk to the Council as support towards housing costs, which is currently paid through HB direct to the Housing Revenue Account will in most cases, under UC, be paid directly to individuals. It is estimated that this could double or even treble the cost of collection and increase rent arrears to £15m by the end of 2020/21. However, impacts are uncertain at present as there is limited data available therefore estimates will be reviewed as we learn from the roll out.
39. The Council administers a locally funded hardship scheme to provide extra support to residents who cannot pay their council tax and a government funded scheme which supports those who cannot afford to pay their rent (a review of these, and other , discretionary schemes is currently underway which aims to consolidate these different support schemes). The Council will also continue to take robust action to recover arrears from those who simply will not pay. It is however committed to not evicting a tenant as a result of arrears due to delays in universal credit payments.
40. There is also a UC Project Working Group which is supporting the roll-out of UC and taking steps to ensure the Council is prepared for full take up.

People Risks – Children Young People and Families

Education Funding

41. Schools are entitled to receive a proportion of the Council's Dedicated Schools Grant (DSG) which Schools Forum have decided can be de-delegated back to CYPF to fund central services. Academies can on conversion choose whether to buy into those services thus creating a potential funding gap. Up to £500k could be at risk to centrally funded services should Academies choose not to buy back those services funded from de-delegated DSG from the local authority.
42. If an academy is a sponsored conversion then the Council will have to bear the cost of any closing deficit balance that remains in the Council's accounts. In 2018/19 this cost to the Council is estimated at around £500k and remains a risk for any future conversions, especially with the expansion of the academy conversion programme.
43. As part of transition to a National Funding Formula, when all funding allocations to schools will be directly managed by Education Funding Agency, Sheffield school forum is expected to review and approve all previously held centrally held allocation subject to a limitation of no new commitments or increase in expenditure over the next two years. These historical commitments are now part of central school block and school forum approval is required each year to confirm the amounts on each line. Expenditure in centrally held funding amounts to around £8m.

Children's Social Care

44. There has been an increase in demand and costs for services for children social care both in terms of placement costs, fieldwork costs and support costs.
45. A number of transformational projects have been put in place to manage the increasing demand and costs within available resources. These include preventing children coming into care and ensuring appropriate family based services, thereby avoiding the need for high cost, out of city placements. Implementation of these programmes is contingent upon cross service and cross portfolio working.

People Risks – Adult Social Care

46. In 2018/19 we have a significant partnership arrangement with the CCG which includes various funding streams for core services in Adult Social Care. There is a risk that these funding streams are not sustainable long term and there would be a risk to the Council delivering core services should this funding cease.
47. In 2018/19 it is proposed to enter a new pooled budget arrangement with the Clinical Commissioning Group and the Sheffield Health and Social Care Foundation Trust to manage Mental Health services jointly within the Better Care Fund and identify savings through a new joined up approach to delivering services. Work needs to continue to ensure this new arrangement works for all partner organisations and that the clients receive the right level of support irrespective of where the funding of the service happens.
48. For 2018/19 we have put in measures to address the budget gap on all Adult Social Care Purchasing both Older People and Learning Disabilities however the risk remains that continued demand pressures increasingly affect our position to balance. Demand management plans within service should address some of the continued pull on resources and potentially redress some of the continued increases seen over the last two years.
49. There is a risk around legislation changes imposed by central government on future funding of social care and the potential impact on client contributions to their care.
50. For 2018/19 there is a risk that providers will seek to increase their fees, given the current level of over spend on the ASC budgets this will cause increased pressure.

Place Risks

2018/19 Revenue Budget savings

51. The Place budget comprises three significant contracts - Streets Ahead programme, Waste Management and the South Yorkshire Passenger Transport Levy – which together absorb the major part of the portfolios General Fund support. The Portfolio cannot meet projected reductions in local authority funding by only reducing costs in the services that share remaining part of the General Fund budget without a significant

reduction to those services. Thus in the 2015-16 Business planning round, the Portfolio's strategy was based on reducing the cost of these contracts to preserve the other services.

52. The South Yorkshire Transport Levy has been successfully reduced and savings have now been agreed and are moving towards implementation with effect from April 2018 from within the Streets Ahead and Waste Management contracts.
53. The Portfolio has also developed further strategic interventions including reducing the level of support to Sports Trusts, and is embarking on a Place Change Programme to review all the other services seeking a business-like approach to service delivery. Realising the efficiencies and opportunities within these reviews are crucial to the Portfolio delivering a sustainable balanced position going forward. Delivery of the Sports Trusts savings will be dependant on the performance of the Council's partners and the general leisure market conditions. This is being carefully monitored.
54. The Portfolio undertakes a number of complex, high profile capital projects which require strong cost control from the sponsor and project manager. Experience in 2017/18 has shown that this discipline is not present in all projects and has exposed the portfolio on occasions to find funding from the Revenue Budget to fund overspends.
55. Furthermore, the Council has agreed a number of contingent liabilities relating to developments within the city centre. If these were to crystallise there would be an immediate Revenue and Capital Budget impact

Housing Revenue Account Risks

56. There are a number of future risks and uncertainties that could impact on the 30 year HRA business plan. Work is continually ongoing to assess the financial impact of these. Identified risks to the HRA are:
 - **Welfare Reform /Universal Credit:** the Government's welfare reform continues to be a significant risk to the HRA. The risk to income collection will continue to become increasingly difficult as Universal Credit and continues to be rolled out. Mitigations are in place such as funding additional officers to manage the impacts of welfare changes on affected tenants. Work is continually ongoing analysing the financial risk to the business plan.
 - **Interest rates:** fluctuations in the future levels of interest rates have always been recognised as a risk to the HRA. These are managed through the Council's Treasury Management Strategy.
 - **Repairs and Maintenance:** existing and emerging risks within the revenue repairs budget include unexpected increased demand (for example due to adverse weather conditions)

Capital Programme Risks

Project Cost Control

57. There is an inherent risk within all the programme of overspending on any single project as a result of unforeseen circumstances (e.g. ground conditions or contamination) or poor management and planning. The Council has made significant improvements in the management of capital projects including improved risk management, however, in the event of an overspend it will have to use its own limited resources to plug the gap.

Housing Growth

58. There is a risk to delivering the full scope of major schemes such as Park Hill and other housing growth schemes because of the instability in the housing market. This could result in schemes ‘stalling’, leading to increased costs of holding the sites involved and delayed realisation of the projected benefits including New Homes Bonus and Community Infrastructure Levy. Along with capital receipts these funding streams form key elements of the Growth Investment Fund. Any reduction in these funding streams will limit the Council’s investment capacity.

Olympic Legacy Park

59. The Council supports the on-going development of the Olympic Legacy Park to regenerate the Lower Don Valley. Some parts of the infrastructure need private party or external funding to realise the vision. The Council has an obligation to provide a number of facilities to the educational establishment facilities on site against a very tight timescale. If the other site developments do not proceed in time, the Council may have to step in with funding which will place additional strain on the funding of the capital programme.

Heart Of the City 2 (formerly Sheffield Retail Quarter)

60. The Council committed to incur around £62m to acquire land and carry out initial feasibility work to develop a plan for the retail quarter in the city centre. A further budget of £27m was approved for the appointed development manager to take forward the pre-construction phases of the scheme.
61. The Council has also approved a further £89m for the construction of the first building and associated public realm. The office accommodation of the building has been pre-let to HSBC on a 25 year lease, with options to exit at years 10 and 15. This means the Council carries the longer term vacant property risk on the office and also on a more periodic basis for retail and food and beverage units created as shorter leases expire.
62. The route for delivery of the remainder of the Heart of the City II has changed since originally approved. The Council will no longer be looking to deliver the scheme as one “big bang” corporate development and then be reliant on a single developer. It is

envisaged that delivery will now be done via an incremental measured block by block approach, working within the approved masterplan, which can be delivered comprehensively over time but not necessarily by a single developer and/or the Council. This approach mitigates the Council's risk and financial exposure and delivers momentum.

63. This phased approach to delivery also allows for future changes in the scheme to reflect changes in shopping habits/behaviours and the expectations of shoppers and users of the city centre.
64. The remainder of the £27m budget is now allocated across the development blocks to complete its own pre-construction phase. On completion of that phase further funding will be sought through the capital approval process to develop the properties.
65. The scheme is being funded through prudential borrowing which will be repaid primarily from the rental value created from the various types of property and from the increased Business Rates that the completed scheme will produce (known as Tax Incremental financing (TIF)). The financing costs are being capitalised while the scheme is in development. There is a risk that if the scheme ceases to be active that the financing costs of circa £4m pa will have to be provided for from existing budgets. The long term impact of the phased delivery has been built in to the Medium Term Financial Strategy.
66. A programme of development of this size carries with it significant levels of risk across a number of areas. These risks are amplified because of the length of the development programme and because of the uncertainties caused by the rapidly changing retail landscape and the unknown effect of Brexit.
67. In order to mitigate those risks stringent governance will be exercised over the progression of the scheme so that additional cost commitments will only be made if there is tangible evidence that scheme has positively achieved its pre-conditions and that the demand, rental levels and costs can be evidenced to be in line with or an improvement on base assumptions.

Schools' Expansion programme

68. In February 2016 the Cabinet approved a report setting out the need to provide additional places in primary, secondary and Sixth Form establishments. The immediate demand for places in the next three years will require the Council to commit funds ahead of receipt from central government. The latest estimate of the gap is a maximum of £21m in 2018/19 after mitigating action. Initial forecasts indicated sufficient funding to repay the cash flow would be received from Government by 2021/22. However, the recent announcement of a lower than expected settlement for 2020/21 (£6.4m compared to £10m expected), and further emerging pressures in the programme will require this assumption to be revisited.

69. In the event of a change of government policy which further reduced the financial support available to local authorities' capital programmes, the Council would very probably be faced with a greater affordability gap in the schools' capital programme than has already been identified above, requiring it to contribute its own capital resources.
70. The Council already faces pressure to maintain the condition of the school building estate so there is a limited opportunity to divert funds earmarked for maintenance to support the school place expansion programme. The Council has taken steps to minimise this exposure by challenging the construction industry to build to a specific cost target against Education Funding Agency standards, and, matching the provision of some 16–18 year places to demand.
71. Basic Need funding allocations for the purpose of school expansion are now confirmed up to 2020/21. The modelling of the Schools Capital Programme has been revised in light of the recent funding announcement reducing the forecast allocation to £6.5m p.a. from £10m for 21/22 and 22/23. Any further reduction in these estimated amounts will delay the timescale for the repayment of the cash flow and also any future investment.

CAPITAL PROGRAMME MONITORING AS AT SEPTEMBER 2018

1 - Statement of Budget Movement

The table below summarises the movement in budget from month 2 to month 6, and provides the Capital programme budget position as at September 2018.

	2018/19	2019/20	Future	Total	Comments
Month 2 Approved Budget	253.1	100.4	308.8	662.3	The key changes to the programme from month 2 to month 6 are: - ADDITIONS: * £38m increase relating to approval of budgets for Block B and C of Heart of the City 2 construction budgets. * £4.5m Brown Bins Implementation * £1.7m - Schools Maintenance Works * £1m - Portobello Cycle Route. - REPROFILES * These changes largely relate to the re-allocation of budgets across Heart of The City 2 projects to reflect the new staged delivery profile.
Additions	8.8	19.7	18.4	46.9	
Variations	3.2	-0.7	-2.5	0.0	
Reprofile	-19.7	6.8	10.5	-2.3	
Slippage and Acceleration	1.4	-1.4	0.0	0.0	
Month 6 Approved Budget	246.8	124.7	335.3	706.8	

2 - Top 20 Projects by value as at September 2018

The table below summarises the Top 20 projects in the Capital Programme by budget value in 2018/19. This group accounts for 71% of the 2018/19 capital programme. The major in-year and all-year variations are explained in sections 4 and 5 below.

PROJECT	Current Year								Remaining Life of Project					Comments
	YTD Actual	YTD Budget	YTD Variance	FY Outturn	FY Budget	FY Variance	Variance %	Delivery Forecast RAG	All Years Outturn	All Years Budget	All Years Variance	Variance %	Delivery RAG	
Srq Offices	25,478	23,906	1,571	35,427	35,431	(4)	0.0%	A	35,427	35,431	(4)	0.0%	A	
Pitched Roofing & Roofline	5,335	9,764	(4,429)	11,974	24,074	(12,100)	-50.3%	G	44,574	44,574	(0)	0.0%	G	See Item 4.1
Astrea Academy	9,247	8,858	390	19,981	20,959	(979)	-4.7%	A	21,959	20,959	1,000	4.8%	A	See 4.8
Msf Finance	6,373	6,373	0	12,945	12,945	0	0.0%	NR	91,091	91,091	0	0.0%	NR	
Meadow School	8,960	9,465	(505)	9,720	10,871	(1,152)	-10.6%	G	10,464	10,884	(420)	-3.9%	G	See 4.7
Kitchen/bathrm Planned Replmt	4,565	5,332	(767)	8,058	8,043	15	0.2%	G	18,202	18,202	(0)	0.0%	G	
Electrical Strategy	3,684	3,317	367	7,658	7,314	343	4.7%	G	30,430	30,430	(0)	0.0%	G	See Item 5.3
Shelford Retail Quarter 2	1,139	2,739	(1,600)	6,052	6,671	(618)	-9.3%	G	6,671	6,671	(0)	0.0%	G	Slippage on remaining acquisition & contingency
Brownfield Site	32	-	32	6,220	6,220	(0)	0.0%	NR	8,817	8,817	(0)	0.0%	NR	
Programme Management Costs Gf	2,710	2,710	(0)	5,419	5,420	(1)	0.0%	G	13,549	13,550	(1)	0.0%	G	
New Build Coun Hsg Ph 4a	144	1,732	(1,588)	360	4,691	(4,331)	-92.3%	G	15,046	15,046	(0)	0.0%	G	See Item 4.2
Brown Bin Implementation	(1,375)	1,375	(2,751)	4,488	4,488	-	0.0%	NR	4,488	4,488	-	0.0%	NR	
Devonshire Quarter	-	-	-	4,463	4,463	-	0.0%	NR	5,100	5,100	-	0.0%	NR	
Knowledge Gateway	1,784	1,657	127	4,518	4,409	109	2.5%	G	4,863	4,863	0	0.0%	G	Slight acceleration against approved budget
Council Hsg Acquisitions Prog	2,026	1,983	43	4,876	4,049	827	20.4%	G	12,625	12,625	(0)	0.0%	G	See item 5.2
Communal Areas-low Rise Flats	2,846	1,565	1,281	5,695	3,770	1,926	51.1%	G	19,970	19,970	0	0.0%	G	See item 5.1
Disabled Grants	1,081	1,354	(273)	2,618	3,361	(743)	-22.1%	G	10,618	11,361	(743)	-6.5%	G	See item 4.10
Digital Incubator	1,046	1,070	(24)	3,269	3,314	(45)	-1.4%	NR	3,474	3,474	(0)	0.0%	NR	Minor slippage on grant profile
Ecclesall Permanent Extension	3,055	2,776	279	3,480	3,201	279	8.7%	G	3,480	3,201	279	8.7%	G	See item 5.4
A Palatine Chambers Block	58	1,321	(1,263)	2,508	2,508	0	0.0%	NR	4,305	4,305	0	0.0%	NR	
Top 20 Value	78,189	87,298	(9,109)	159,730	176,203	(16,473)	-9.3%		365,154	365,042	112			
Rest of Programme	20,172	29,255	(9,083)	60,388	70,517	(10,129)	-14.4%		341,049	341,719	(671)			
Total Capital Programme Value	98,361	116,553	(18,192)	220,118	246,720	(26,602)	-10.8%		706,203	706,762	(558)			
% of Programme within the Top 20	79%	75%	50%	73%	71%	62%			52%	52%	-20%			

3 - Current Year to date and Forecast Outturn Position

The forecast outturn position is £26.6m below budget. This represents an increase of £12.5m from the £14.1m below budget reported at Mth 2. The majority of this variance is accounted for in Housing Investment where the annual budget review due in December will address these issues and re-profile the budget more accurately and Housing Growth where new council housing delivery budgets are under review. Further details are given below and in sections 4 and 5.

BOARD	YEAR TO DATE			FULL YEAR			Comments
	Values in £000	Actual	Budget	Variance	Forecast	Budget	
HEART OF THE CITY II	28,047	32,776	(4,729)	53,329	54,528	(1,199)	£600k slippage each on contingency budget and Portobello Cycle Route.
HOUSING INVESTMENT	23,435	29,230	(5,794)	55,465	72,687	(17,222)	See items 4.1, 4.3, 4.4, 4.5, 4.6, 4.9, 5.1, 5.3
PEOPLE CAPITAL & GROWTH	27,844	29,335	(1,491)	45,377	48,132	(2,755)	See items 4.7, 4.8, 4.10, 5.4, 5.5, 5.5, 5.7, 5.9. In addition £695k saving on Brunswick Mechanical project
QUALITY OF LIFE	7,712	8,547	(836)	20,705	20,763	(58)	
HOUSING GROWTH	3,203	5,170	(1,967)	18,580	22,676	(4,097)	See item 4.2
ECONOMIC GROWTH	3,393	4,467	(1,074)	10,045	10,079	(34)	
TRANSPORT	2,108	2,895	(788)	8,320	8,676	(356)	Main forecast underspends including Better Buses Schemes £250k (Savings), HGV Routing - £125k (Incorrect forecast), 20mph Schemes £38k (Saving), Anti-Idling - £37k (Incorrect Forecast), and a forecast overspend Little Don Link of £141k.
ESSENTIAL COMPLIANCE & MAINT	1,816	3,085	(1,268)	6,944	7,847	(902)	Main forecast underspends: - Condition Surveys - £529k - Slippage - Moorfoot Lifts - £347k - Slippage
GREEN & OPEN SPACES	804	1,049	(244)	1,353	1,331	21	
Grand Total	98,361	116,553	(18,192)	220,118	246,720	(26,602)	

4 - Top 10 Forecast Slippage against Full Year Budget

The table below illustrates that of the £26.4m main forecast underspends against budget, £9.4m relates to delays in schemes in delivery or where contract has been awarded. while the remainder relates to expected savings / re-profiling of allocations not yet committed.

Business Unit	Board	FY Budget	FY Variance	Explanation
4.1 Pitched Roofing & Roofline	HOUSING INVESTMENT	24,074	(12,100)	REPROFILE - Still forecasting approx. £12m to complete the current contracts. The remaining budget will need to be slipped forward into 2019/20 onwards to support the business case for the next phases of roofing works. Review of contracts ongoing.
4.2 New Build Coun Hsg Ph 4a	HOUSING GROWTH	4,691	(4,331)	SLIPPAGE - Only fees incurred to date as a result of slippage in the programme. Construction forecast incorrect and not reflective of current position. Year to date budget/actual: original fee forecast not as contractors cash flow. Budgets to be reviewed and amended for November cycle. Slippage CAF to be processed.
4.3 Ewi Non-traditional 2	HOUSING INVESTMENT	1,976	(1,976)	REPROFILE - No outputs or spend currently expected during this financial year - A high level project review took place on 20th August for EWI Phases 2 and 3. It was agreed that the project business case, project delivery timescales, output specifications and CDS's commission would be reviewed. Further updates will be provided for the October cycle.
4.4 Hanover Tower Block Cladding	HOUSING INVESTMENT	2,425	(1,715)	SLIPPAGE - Current year forecast to be updated based on revised programme. Only a portion of construction costs will be expended this financial year.
4.5 Ewi Non-traditional1	HOUSING INVESTMENT	2,187	(1,320)	SLIPPAGE - No actual programme budget spend to date however there have been some fees spent. Details of project cash flow and archetype prices are to be provided by contractor before an accurate expenditure profile can be forecast.
4.6 Garage Strategy-improvement	HOUSING INVESTMENT	1,836	(1,211)	SLIPPAGE - Spend to date is only for contractor's surveying costs. the original planned start on site date for July 2018 has now been revised to January 2019 pending finalising details of garage scope of works review following receipt of tenders. Tranche 1 addresses have now been agreed and will be released to the contractor with a view to confirm anticipated expenditure on the revised programme. A CAF will be submitted in December 2018 to re-profile this.
4.7 Mercia School	PEOPLE CAPITAL & GROWTH	10,871	(1,152)	REPROFILE/SAVING - Outturn forecast for all years accurate based on final account estimate and review of external consultant fees. CAF variation to be processed October cycle. Forecast for current year is accurate based on final account estimate and review of external consultant fees. YTD variance due to forecasting only. No change or impact on all year anticipated expenditure. OVERALL FORECAST FOR SCHEME IS £420k SAVING
4.8 Astrea Academy	PEOPLE CAPITAL & GROWTH	20,959	(979)	SLIPPAGE/OVERSPEND - Due to 6 month delays caused by statutory utility providers, and large amounts of unexpected rock excavation on the new build site CDS are currently forecasting a £1 million overspend on the project. This includes no allowance for refurbishment of the former caretaker's house. OVERALL FORECAST FOR SCHEME IS £1m OVER BUDGET
4.9 Ewi Non-traditional 3	HOUSING INVESTMENT	867	(867)	REPROFILE - No outputs or spend currently expected during this financial year. A high level project review took place on 20th August for EWI Phases 2 and 3. It was agreed that the project business case, project delivery timescales, output specifications and CDS's commission would be reviewed. Further updates will be provided for the October cycle.
4.10 Disabled Grants	PEOPLE CAPITAL & GROWTH	3,361	(743)	REPROFILE - The grant has doubled over the last 2 years from £1.95m in 2015/16 to £4.172m in 2018/19. However the demand has remained around the same level. Extra funding has been given to OT resource - yet to see increases from this. Exploring other legitimate uses of the grant via the Better Care Funding Board. DCLG confirmed that grant can be slipped forward.
Total		73,248	(26,394)	

5 - Top 10 Forecast Overspends over Full Year Budget

The table below indicates that approx. £923k of main current in year forecast overspends could result in additional calls on council capital funds. These relate to the Schools Growth Expansion Programme which is already overcommitted (£500k) and will impact on timescale of repayment of GIF. Forecast overspend on Little Don Link cycle route will increase call on LTP. FRA works at Sorby House and Bankwood school will impact on corporate and school building condition allocations respectively.

Business Unit	Board	FY Budget	FY variance on budget	Explanation
5.1 Communal Areas-low Rise Flats	HOUSING INVESTMENT	3,770	1,926	ACCELERATION - The current overspend of £1.5m is due to £1.559m being slipped from 2017/18 into 2019/20 and 2020/21 during September 2017 when the project CAF was approved. At that time the QS was reporting an underspend. However this was for 'in year' (2017/18) expenditure and not for the overall programme expenditure. Since then additional communal work have been identified and added into the programme. Therefore a further CAF will be submitted in December 2018 to bring forward budget allocations from 2019/2020.
5.2 Council Hsg Acquisitions Prog	HOUSING GROWTH	4,049	827	ACCELERATION - No change to date, the forecast outputs have been proposed to increase substantially, so an increase in the budget to reflect this needs to be approved. We have a few months' budget provision even if the numbers of purchased properties increases, but if we are to achieve the increased outputs a substantial budget adjustment needs to be in place before December 2018.
5.3 Electrical Strategy	HOUSING INVESTMENT	7,314	343	ACCELERATION - Electrical Work carried out by Keepmoat as part of the elementals contract is to be charged against this budget, details of this are currently being collated. The anticipated charge to this scheme so far this year equates to £174k with a potential projected expenditure of £300k over budget. Currently no all years overspend forecast
5.4 Ecclesall Permanent Extension	PEOPLE CAPITAL & GROWTH	3,201	279	OVERSPEND - All years forecast variance is an estimate based on assessments by CDS cost manager. Negotiations with contractor to agree final account position. Update to be provided on progress and outcome in next monthly report.
5.5 Totley Primary Perm Extn	PEOPLE CAPITAL & GROWTH	1,807	236	OVERSPEND - Overspend confirmed due to additional costs attached to Pedestrian Crossing and associated Red Zone. £210k overspend estimated at this stage following receipt of all design and installation costs. Some minor items still require clarification. Meetings with CYP client held to reasons and extent of overspend
5.6 General/rtb Acquisitions Chs	HOUSING GROWTH	636	157	ACCELERATION -The targets for acquisitions have recently been increased by approximately 20%, and therefore the current projected expenditure until March 2019 exceeds the approved budget allowance. A CAF will be submitted in December 2018 to seek approval to increase the budget to reflect the new stretch target.
5.7 Fra 16-17 Bankwood	PEOPLE CAPITAL & GROWTH	15	152	OVERSPEND - Forms part of overall net £500k overspend on previous year Schools FRA programme. Report to be brought forward to Capital & Growth Board to allow budget adjustments to be brought forward.
5.8 Little Don Link (cycle Route)	TRANSPORT	222	142	OVERSPEND - £11k consultants fees recharged two months earlier than expected. Some additional SCC fees due to additional questions and consultations required through the planning process. All Years Overspend - Part of scheme to be funded in 18/19 from LTP current expectation £395k amounting to £136k overspend as a result of; Increased security, delay to project start, increased cost for remaining tree clearance (see 5.1), cost of setting up bond, ground conditions requiring increased capping, additional bollards to satisfy land owner, drainage solution at Wortley Road, YW protection slab, additional tree felling
5.9 Fra 16-17 Lydgate Junior	PEOPLE CAPITAL & GROWTH	-	131	AWAITING APPROVAL - NO HIGHLIGHT REPORT - Budget variation to draw down from main allocation to be brought forward.
5.10 Fra 16-17 Sorby House	ESSENTIAL COMPLIANCE & MAINT	319	115	OVERSPEND - NO EXPLANATION ON HIGHLIGHT REPORT
Total		21,334	4,307	

6 - Key Issues and Risks

Key Issues

- Forecast overspends at Astrea Academy, Ecclesall Infants and Totley Primary placing additional pressure on Schools Expansion Programme
- Proposed cost of funding expansion of EIS sporting facility to accommodate Don Valley Oasis Academy indoor sports facilities at a cost of £1.5m to Schools capital programme
- Additional costs relating to provision of outdoor sporting facilities at Astrea Academy placing additional pressure on Schools capital programme

Key Risks

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Scheme Description	Approval Type	Value £'000
<p>Request for Invest to Save Funding - Place Change Programme</p> <ol style="list-style-type: none"> 1. The Place budget faces increases in cost from demand and inflation of between £2m and £3m per annum. Nearly 70% of the net cost of Place is accounted for by several large items to which the Council is contractually committed and has limited room to manoeuvre. The remaining spend goes towards a wide range of services, some of which the Council has a statutory duty to provide. Other services are discretionary that we choose to spend money on because they bring a benefit to the people of the city. These cost pressures, amounting to up to £9.7m by 2023/24, will have to be managed by those remaining activities. The preferred strategy is to make those services sustainable either through improving their efficiency or recovering the true cost of providing those services through fees paid by the user. 2. A key strand of the portfolio's business/service planning is the Place Change Programme (PCP2) within SCC2020. PCP2 aims to deliver a financially sustainable organisation that ensures value for money in all activities and is able to deliver priorities at a sustained reduced net cost. 3. There will be a fundamental review of operations to identify efficient ways of working, alternative sources of funding and opportunities to reduce overheads. The future design and operating model for Place will be composed of three areas of: Strategy & Policy, Operations, and Investment and Growth. Governance arrangements will be more transparent and the decision making process simpler. 4. The programme will also seek to change the culture of how resources are managed, bringing a more business-like approach in order to generate savings to preserve the valuable services which the Portfolio provides. This includes an improved customer journey and enhanced partner relationships by operating in a customer-centric and cohesive way 5. The project will utilise internal and external expertise to build new structures and ways of working. A significant effort will be required to overhaul data management systems in order to provide better performance and financial management information. Portfolio management will see the true cost of services and be able to identify unit costs. 6. There is an initial investment requirement for Programme support of £2.1m until the planned project completion in October 2020. It is proposed that this be funded from reserves on an 'invest to save' basis, with annual repayment over 6 years commencing in April 2019 at an estimated £354k per annum. 7. PCP2 aims to deliver around £2.5m per annum saving over the next 5 years. 	Invest to Save	2,122

Scheme Description		Approval Type	Value £'000																												
<p>Winter funding for Adult Social Care Services</p> <p>1. The Secretary of State for the Department of Health and Social Care (DHSC) wrote to Council Leaders on 17th October 2018 to set out details of additional funding for Councils that had been announced at the Conservative Party Conference on 2nd October 2018. The funding is intended “to enable further reductions in the number of patients that are medically ready to leave hospital but are delayed because they are waiting for adult social care services”. Sheffield’s funding is £2,705,263 for 2018-19. The proposed allocation of this funding to specific schemes is set out in the table below.</p> <p>2. The Council’s proposed focus of the funding is threefold:</p> <p>a. To add adult social care capacity at peak times in winter where existing flex is likely to be insufficient to meet demand (proposals i, iv, viii, x, xi, xii, xiii, xiv, xv)</p> <p>b. To continue funding of existing schemes that are due to expire and would have a negative impact on winter if this was allowed to happen (proposals ii, iii)</p> <p>c. To help enable a strategic shift into improved prevention and demand management in recognition of the challenge to Sheffield presented by the Care Quality Commission’s Local Area Review (proposals v, vi, vii, ix). Also to release £1.6m of funding into preventative commissioning, hopefully to be augmented by a similar commitment from partners</p>		Grant Funding	£2,705																												
	<table border="1"> <thead> <tr> <th></th> <th>Activity</th> <th>Duration</th> <th>Cost (£k)</th> </tr> </thead> <tbody> <tr> <td>i.</td> <td>Two additional van rounds for community equipment provider to ensure deliveries keep pace with winter demand</td> <td>01.11.2018 – 28.02.2019</td> <td>40</td> </tr> <tr> <td>ii.</td> <td>Extend SCCCC Hospital to Home Service to second year, supporting people to transfer home quickly and avoiding waits for other support</td> <td>01.11.2018 – 31.10.2019</td> <td>66</td> </tr> <tr> <td>iii.</td> <td>Extension of Care Home Trusted Assessor scheme to ensure people can return promptly when ready</td> <td>01.11.2018 – 31.03.2019</td> <td>31</td> </tr> <tr> <td>iv.</td> <td>3.0 FTE social care capacity to ensure move-on from Active Recovery “convalescence beds” being commissioned over this winter</td> <td>01.12.2018 – 31.03.2019</td> <td>34</td> </tr> <tr> <td>v.</td> <td>3.0 FTE social work / prevention capacity to support people who are at risk of hospital admission in Front Door Response Team and GP Collaborative</td> <td>01.12.2018 – 30.09.2019</td> <td>135</td> </tr> <tr> <td>vi.</td> <td>13.0 FTE “Home First” social work / OT / prevention worker capacity to work preventatively with people at key points and appropriately reduce homecare use</td> <td>01.12.2018 – 30.09.2019</td> <td>416</td> </tr> </tbody> </table>		Activity	Duration	Cost (£k)	i.	Two additional van rounds for community equipment provider to ensure deliveries keep pace with winter demand	01.11.2018 – 28.02.2019	40	ii.	Extend SCCCC Hospital to Home Service to second year, supporting people to transfer home quickly and avoiding waits for other support	01.11.2018 – 31.10.2019	66	iii.	Extension of Care Home Trusted Assessor scheme to ensure people can return promptly when ready	01.11.2018 – 31.03.2019	31	iv.	3.0 FTE social care capacity to ensure move-on from Active Recovery “convalescence beds” being commissioned over this winter	01.12.2018 – 31.03.2019	34	v.	3.0 FTE social work / prevention capacity to support people who are at risk of hospital admission in Front Door Response Team and GP Collaborative	01.12.2018 – 30.09.2019	135	vi.	13.0 FTE “Home First” social work / OT / prevention worker capacity to work preventatively with people at key points and appropriately reduce homecare use	01.12.2018 – 30.09.2019	416		
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vii.	0.5FTE Service Manager capacity (Access) to maintain focus on hospital discharge but still develop strategic work on Equipment and Adaptations	01.12.2018 – 30.09.2019	15		
viii.	Contribution to increasing Council homecare costs within 2018-19, ie £2.3m in-year cost increase for first 6 months of 18/19 ahead of winter	01.04.2018 – 31.03.2019	1,600		
ix.	2.0 FTE Grade 5 additional Brokers to improve speed of placing work with independent sector homecare providers	12.11.2018 – 30.09.2019	58		
x.	Block payment to homecare providers inflating forecast payment of spot purchase hours by 6% over specified weeks	17.12.2018 – 07.01.2019	82		
xi.	Transport costs for homecare providers to enable taxi provision for non-drivers covering driver staff who are on leave	24.12.2018 – 07.01.2019	32		
xii.	Additional payment of £7.50 per hour for 4 weeks after pick up date to homecare providers for each new person supported within specified weeks	24.12.2018 – 07.01.2019	48		
xiii.	Winter pressures funding for independent sector providers to ensure business continuity in adverse weather and further winter holidays	07.01.2019 – 31.03.2019	93		
xiv.	Extension of Council commissioned care home “Somewhere Else to Assess” 20 beds at current block contract rate rather than spot purchased rate	01.11.2018 – 30.04.2019	21		
xv.	Purchasing of high specification mattresses for all 40 “Somewhere Else to Assess” SCC / CCG beds to release equipment delivery capacity	01.11.2018 – 30.04.2019	35		
<p>3. This Integrated Better Care Fund funding can provide the Council’s contribution towards a whole system investment in prevention and early intervention for older people that is overseen by the Health and Wellbeing Board as part of the response to the Care Quality Commission’s Local Area Review on the support available for older people. Neither the Council nor key partners will be able to sustain increasing demand for traditional services in the longer-term without a whole system focus on prevention and early intervention.</p> <p>4. In line with the conditions of this funding set down by DHSC, the totality of the grant will be spent on providing adult social care services, in addition to funding already planned; and the Council has discussed this with local NHS partners. The Council will be required to confirm what additional volumes of care and support the additional funding will purchase by returning a central template to DHSC.</p> <p>5. It should be noted that this request relates to the acceptance of the grant funding only. In relation to the allocation of funding proposed above, the usual Council policies relating to recruitment and procurement will be followed.</p>					

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Author/Lead Officer of Report:
Damian Watkinson,
Finance Manager

Tel: 0114 273 6831

Report of: *Eugene Walker*

Report to: *Cabinet*

Date of Decision: *21st November 2018*

Subject: *Capital Approvals for Month 06 2018/19*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
- Expenditure and/or savings over £500,000		<input checked="" type="checkbox"/>		
- Affects 2 or more Wards		<input checked="" type="checkbox"/>		

Which Cabinet Member Portfolio does this relate to? ***Finance and Resources***

Which Scrutiny and Policy Development Committee does this relate to?
Overview and Scrutiny Management Committee

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? *(Insert reference number)*

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

"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)."

Purpose of Report:

This report provides details of proposed changes to the Capital Programme as brought forward in Month 06 2018/19.

Recommendations:

- Approve the proposed additions and variations to the Capital Programme listed in Appendix 1, including the procurement strategies and delegate authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contract
- Approve the acceptance of accountable body status of the grant funding detailed at Appendix 2
- Delegate authorisation to The Head of Commercial and Business Development, in consultation with the Director of Legal and Governance to:
 - accept ERDF funding in respect of the Grey To Green 2 project if offered;
 - authorise the corresponding budget increase to the project; and
 - award the resulting increased construction contract as detailed at Appendix 3.

Background Papers:

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>Tim Hardie</i>
	Legal: <i>Sarah Bennett</i>
	Equalities: No
<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>Eugene Walker</i>
3	Cabinet Member consulted:	<i>Councillor Olivia Blake Cabinet member for Finance and Resources</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>Damian Watkinson</i>	Job Title: <i>Finance Manager Business partner Capital</i>
	Date: 12/11/18	

MONTH 06 2018/19 CAPITAL APPROVALS

1. SUMMARY

- 1.1 A number of schemes have been submitted for approval in line with the Council's capital approval process during the Month 06 reporting cycle. This report requests the relevant approvals and delegations to allow these schemes to progress.
- 1.2 Below is a summary of the number and total value of schemes in each approval category:
- 3 additions of specific projects to the capital programme creating a net increase of £155k;
 - 13 variations creating a net increase of £4.374m;
- 1.3 Further details of the schemes listed above can be found in Appendix 1.

2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

- 2.1 The proposed changes to the Capital programme will improve the recreational leisure facilities, schools, roads and homes used by the people of Sheffield, and improve the infrastructure of the city council to deliver those services.

3. BACKGROUND

This report is part of the monthly reporting procedure to Members on proposed changes to the Council's capital programme.

4. OUTCOME AND SUSTAINABILITY

- 4.1 By delivering these schemes the Council seeks to improve the quality of life for the people of Sheffield.

5. OTHER IMPLICATIONS

5.1 Finance Implications

The primary purpose of this report is to provide Members with information on the proposed changes to the City Council's Capital Programme further details on each scheme are included in Appendix 1 in relation to schemes to be delivered and Appendix 2 in relation to grants to be accepted.

5.2 Procurement and Contract Award Implications

This report will commit the Council to a series of future contracts. The procurement strategy for each project is set out in Appendix 1. The award of the subsequent contracts will be delegated to the Director of Financial and Commercial Services.

5.3 Legal Implications

Any specific legal implications in this report are set out in Appendix 1, Appendix 2 in relation to grants to be accepted and Appendix 3 in relation to additional delegations of authority requested.

5.4 Human Resource Implications

There are no direct Human Resource implications for the Council.

5.5 Property Implications

Any specific property implications from the proposals in this report are set out at Appendix 1.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Revenue Budget and the Capital Programme.

7. REASONS FOR RECOMMENDATIONS

- 7.1 The proposed changes to the Capital programme will improve the services to the people of Sheffield

- 7.2 To formally record changes to the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the capital programme in line with latest information.
- 7.3 Obtain the relevant delegations to allow projects to proceed.

Finance & Commercial Services | Commercial Business Development

November 2018

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Scheme name & summary description		Value £'000
A	Economic growth	
	New additions	
	None	
	Variations and reasons for change	
Page 207	<p>Tinsley Art project / M1 Gateway</p> <p>Scheme description</p> <p>The project was originally approved in 2013 to create a major piece of art on the site of the demolished Tinsley Cooling Towers, designed in conjunction with public consultation.</p> <p>What has changed?</p> <p>The project has experienced delays as a result of an unsuccessful funding application resulting in a funding gap; and a consequential need to revise the scope of the project and identify further funds. As a result, £204k funding will be moved into the next financial year.</p> <p>Variation type: -</p> <ul style="list-style-type: none"> [slippage] 	204
	<p>Funding Third party contributions</p>	
	<p>Procurement n/a</p>	
	<p>Grey to Green Phase 2 (Part One)</p> <p>Scheme description</p> <p>This project is part of the Castlegate Kick Start Programme.</p> <p>The area has been in decline for many years due to the loss of a distinctive economic role, yet it remains a main gateway into the city centre and forms the setting of, or route to, most central hotels. The principal aim of the project is assist with the regeneration of the area by making Castlegate and Exchange Street a location for start-ups and new investment (particularly in cutting-edge technology and creative businesses), as well as attracting new forms of city centre living. It will also contribute to a rediscovery of the historic and landscape heritage of the quarter. The main objectives are:-</p>	4,362

- To create a distinctive and attractive setting for investment and economic regeneration
- To improve connectivity for pedestrians, cyclists and public transport
- To reconnect the riverside hotel and business district as well as Victoria Quays to the core city centre
- To promote reduced flood risk and a climate resilient district through increased surface water storage
- To establish a place for people , outdoor events and vitality
- To provide a setting to 'kick start' the regeneration of Castle House (former Co-op), the Old Castle Market site and other council owned sites on Exchange St and Broad St West

What has changed?

Following initial feasibility, the total cost of the proposed project (including the current project spend) is £5,083k. Approval is being sought to add the full project funding and progress the procurement.

The planned outputs are as listed:-

- Pedestrianise Castlegate and narrow redundant carriage ways on Exchange Street/Place to create a setting for development plots, public event space, Sustainable Urban Drainage and meadow planting areas to transform the public realm and improve the environment.
- Redirect bus routes from Castlegate via Exchange Place and Blonk Street, including a new bus gate at Blonk Bridge.
- Extend green and open space corridors with pedestrian and cycle priority to create a gateway to the city centre, particularly for the adjoining hotel cluster and riverside business district.
- Create potential development sites from highway land at Exchange Place/Wharf St

The full project funding is as follows:-

	£k	
SCRIF	3,320	** refer to the Grants for Acceptance section
Section 106	1,243	(Of which £325k previously approved for detailed design)
Growth Investment Fund	340	(£396k originally approved £56k applied to feasibility for Castle Hill Project)
Early Measures Fund	80	
Castle House Development	50	
Canal & River Trust	50	
	5,083	

Variation type: -

- [budget increase]
- [procurement strategy]

Funding | See table above

Procurement | Construction contractor by competition via the YORcivil2 framework

		Public art commissions via closed competitive tender. Archaeology watching brief to be administered by SYAS.	
	Procurement	Construction contractor by competition via the YORcivil2 framework Public art commissions via closed competitive tender. Archaeology watching brief to be administered by SYAS.	
Page 209	Digital Incubator Scheme description This project is to establish a new facility providing work space, business incubation and other services for entrepreneurs and small and medium sized businesses (SMEs) based in the Sheffield City Region whose ambitions and business models rely on digital technologies and their applications. Sheffield City Council is acting at the Accountable Body for a grant of £3.5m. What has changed? £50k of the approved funding is to be transferred to the Grey 2 Green Phase 2 project, which will deliver works to the frontage of Castle House. Variation type: - <ul style="list-style-type: none"> [budget decrease] 		(50)
	Funding	-50k Department of Culture, Media & Sports	
	Procurement	N/A	
B	Transport		
	New additions		
	Wellington Street Car park Why do we need the project? Sheffield City Centre has 21 car parks that are managed by Parking Services and offers around 724 spaces. Most of the car parks are located on areas of land designated for redevelopment that is intended to support the City's regeneration and economic growth.		27.2

How are we going to achieve it?

The Council owns an area of tarmac land at the corner of Wellington Street and Fitzwilliam Street and on 21st of September 2017 the Cabinet Member for Finance approved the temporary use of the land as pay and display car park. The new car park will create 15 parking spaces in total (18 off-street spaces but with a loss of 3 on-street parking spaces in creating the new car park) and will provide some mitigation for the impact on traffic management by providing some off street parking in an area of high demand.

The cost of creating the car park is £27.2k and it is currently expected to be retained for 5 years. The project will be funded by prudential borrowing with an expected payback period of 3 years. Over the full 5 year period, it is estimated the amount of surplus income generated will be £41k.

What are the benefits?

The creation of the new car part will help sustain parking income.

When will the project be completed?

By end of March 2019

Funding Source	Prudential Borrowing	Amount	27.2	Status		Approved	
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Procurement	Groundworks via closed competitive tender using Sheffield contractors. Miscellaneous sundry works undertaken in-house.						
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Variations and reasons for change

Little Don Link

Scheme description

The Council has a corporate objective of increasing active travel as part of its overall transport strategy designed to improve travel choice and tackle congestion. This project was originally approved with an to objective to reduce traffic congestion and improve air quality through Stocksbridge and Deepcar by providing a new cycle route along the Little Don River and connect Stocksbridge and Deepcar to Barnsley, Northern Sheffield and the Peak District.

The project is now in phase 2 of the proposed works to link North Sheffield through to the northern Peak District at Langsett, connecting Deepcar into Fox Valley at its western end and Wharncliffe Woods at its Eastern End.

What has changed?

The scheme was initially approved to be funded from Sustainable Transport Exemplar Programme (STEP) which ended on 31 March 2018. Due to programme delays, it was not possible to deliver the full scheme within the STEP funding deadlines.

In order to progress the works to completion and take into account increased construction costs relating to the issue of the delay, £130k Local

	Transport Funding is to be added to the budget. Variation type: - <ul style="list-style-type: none"> [budget increase] 		
	Funding	Local Transport Plan £130k	
C	Quality of life		
	New additions		
	None		
	Variations and reasons for change		
	None		
Page 211	Green and open spaces		
	New additions		
	None		
	Variations and reasons for change		
	Norfolk Park CCTV & Paths (Phase 2) Scheme description Recent investment has refurbished Norfolk Heritage Park Playgrounds and is creating a new link from the new housing site down into Jervis Lum. The site is now much busier as a result and having invested £275K in the new play areas we would like to ensure the park and playground remains safe and secure. What has changed? Additions to the scheme to use some of the contingency: CCTV - The current CCTV system does not have good surveillance of the refurbished woodland play area due to tree cover and position and quality of cameras. The project will upgrade the system to allow better surveillance of this area to reduce likelihood of vandalism and antisocial behaviour. Path Works - The project will also deliver a new stretch of tarmac footpath which will improve accessibility by linking the existing footpath at the		18/19: +20 19/20: <u>-2</u> Total 18

Page 212	<p>Beeches Bank end of Jervis Lum to the main path around Norfolk Park.</p> <p>Additions to the scheme to requested by Service: Barrier Gate - The current access gate into the site remains open throughout the day for the numerous vehicles which need to access the Centre in the Park. However, this also means unauthorised vehicles are entering a busy park. The project will add a power barrier which can be managed by the staff at the Centre in the Park to allow better control of vehicles entering the site.</p> <p>Variation type: - Change of Scope, Budget Increase, and Reprofile</p> <p>Previous Years Spend £60K 2018/19 currently £226K + £18K + £2K from 19/20 = £246K 2019/20 currently £8K + £-2K = £6K TOTAL currently £294K + £18K = £312K</p>		
	Funding	£9K additional S106 (1363) approved + £9K Revenue Contribution to Capital for the Barrier Gate, and £9K existing Contingency	
	Procurement	<p>CCTV upgrade via the corporate security contract.</p> <p>Path works via the non-highways measured term contract.</p> <p>Barrier gate via closed competitive tender using Sheffield contractors.</p>	
	<p>Rethinking Parson Cross Phase 2</p> <p>Scheme description</p> <p>Parson Cross District Park is an area of Council owned green space in Parson Cross that currently suffers from a lack of visibility, is much underused and has poor connections with the surrounding neighbourhood. In addition, it is in an area of health inequality.</p> <p>What has changed?</p> <p>SCC Parks has developed a masterplan for the Park and Phase 1 delivered playground improvements and a new footpath link. Final costs for a North South footpath link (with tree works) and a new gate to improve access to the SuDS are now known and have been put forward and approved as Phase 2. These works are expected to be delivered before the end of 2018/19.</p> <p>Variation type: - Budget Increase</p> <p>Previous Years Spend £66K 2018/19 currently £1K + £55K Phase 2 = £122K TOTAL currently £67K + £55K Phase 2 = £122K</p>		55
	Funding	£25K S106 and £30K Public Health	

	Procurement	<p>Footpath works via the non-highways measured term contract.</p> <p>Tree Works by closed competitive tender using Sheffield contractors.</p> <p>Gate supply and install by closed competitive tender using Sheffield contractors.</p>	
E	Housing growth		
	New additions		
Page 213	<p>Housing Growth Programme (HGP) Site Feasibility 2018</p> <p>Why do we need the project?</p> <p>There is a shortfall of affordable housing in Sheffield and an emerging aspiration to deliver 3,000 council homes in the next 10 years. Within the HRA Business Plan, there is approval to deliver an additional 1,600 Council homes, of which 350 have already been added to the stock. This proposal seeks to maximise the use of Council land for new council housing, by taking a logical and sequential approach to understanding the development opportunity and constraints of 10 sites, the findings of which will enable the development of an affordable housing programme and enable the development of market facing tender documents for cost and time efficiencies</p> <p>In February 2015, the Council approved the revised Housing Growth Business Plan, including a mixed programme of new build to renew the Council’s housing stock. This project will examine the viability of this across 10 identified Sheffield sites. If not addressed now, SCC will not deliver the housing units to meet our commitments regarding increased capacity within the city.</p> <p>How are we going to achieve it?</p> <p>CDS to carry out staged feasibility studies on the 10 sites to establish suitability and viability for future investment. Feasibility studies are to be based on identified housing needs for each of the HMAs (Housing Market Areas) which will be provided by the Strategic Housing Service Manager. OBCs will be then be brought forward for each site or clusters of sites based upon the findings.</p> <p>What are the benefits?</p> <p>The overall objective is to identify sites for direct delivery (design and construction) by SCC, as part of the Stock Increase Programme.</p> <p>Benefits:</p> <ul style="list-style-type: none"> • Greater understanding of costs and implications for developing SCC owned sites through – technical review, commission surveys, concept designs and updates cost estimates • Develop recommendations for a viable housing delivery strategy for implementation through individual or combined site development (separate business cases anticipated) • Facilitate the direct development of housing sites which will generate additional income to SCC via council tax receipts <p>Outputs:</p> <p>Feasibility assessment will consist of:</p>		74

Executive Summary Report, 10 Site Specific Reports, Concept Master Plan for each Site, Update of Master Programme Data When will the project be completed? Completion of Feasibility Report in November 18. Completion of development of sites will be reported in the OBCs.							
Funding Source	HRA Stock Increase Programme	Amount	£74,000	Status	Funding held specifically for Stock Increase (Q0087)	Approved	Yes
Procurement		Feasibility work undertaken in-house by the Capital Delivery Service. Surveys via closed competitive tender.					
Variations and reasons for change							
Page 214	New Build Phase 2 - Weaklands Scheme description To deliver approximately 38nr new build affordable Council homes that will diversify the existing housing stock and build on the 51nr properties delivered in New Council Housing Phase 1 and property numbers acquired as part of the Council Housing Acquisitions Project.						18/19: +83
	What has changed? The scheme reverted to Initial Business Case status and was approved in August to use the existing plans produced for the first scheme, and consider changes/savings that can be achieved without the requirement to resubmit a planning application. At that time the existing budget was slipped into 2019/20 apart from the amount needed for the IBC fees of £18K, and £2K spend that had already taken place in 2018/19. As a result of this initial work it's been discovered that the section of land to the east of Weakland Way on site A is currently under lease to the Home Group. Negotiations to buy back the lease have commenced but may not be complete or to agreeable terms by the construction start date. This will affect the delivery of 2nr units on Site A, reducing the overall delivery to 36 units. Estimated costs to deliver these 36 units are now known and the budget for delivering those can be correctly profiled.						19/20: +1,079
Variation type: - Reprofile Previous Years Spend = £244K 2018/19 currently £20K + £83K = estimated spend £103K 2019/20 currently £4,249K + £1,079K = estimated spend £5,328K 2020/21 currently <u>£1,922K - £1,910K = estimated spend £12K</u>						20/21: <u>-1,910</u>	
						Total: -748	

	<p>TOTAL currently £6,435K - £748K = estimate spend £5,687K</p> <p>£748K will be moved back to Q0087 for re-allocation.</p>		
	Funding	HRA and 1-4-1 Receipts -£748K	
	Procurement	Design and build contractor by competition via the YORbuild2 framework.	
Page 215	<p>Stock Increase Programme</p> <p>Scheme description</p> <p>The HRA block allocation for the Stock Increase Programme</p> <p>What has changed?</p> <p>£74K HRA only drawdown to 97558 HGP Site Feasibility 2018, see above.</p> <p>£748K moved back from 97553 New Build Phase 2 - Weaklands which has more allocation in the BU than needed for the current planned project, see above.</p> <p>Net £674K</p> <p>Variation type: - Budget Increase</p> <p>2020/21 currently £11,681K + £674K = £12,355K</p> <p>TOTAL currently £77,265K + £674K = £77,939K</p>		20/21: +674
	Funding	HRA +£450K (70% of £748K - £74K), 1-4-1 Receipts +£224K (30% of £748K)	
	Procurement		
	F	Housing investment	
	New additions		
	None		
	Variations and reasons for change		

	None							
G	People – capital and growth							
	New additions							
Page 216	Astrea – Sports Pitch – Feasibility & Design Why do we need the project? <ul style="list-style-type: none"> Astrea Academy is a new through Primary and Secondary School on the site of the old Pye Bank Primary school. Issues regarding the identification of a site for the provision of outdoor sports provision have now been resolved. The near-by Stanley Fields site has been identified as the preferred site for these facilities to be provided and feasibility and design work will now commence. How are we going to achieve it? <ul style="list-style-type: none"> In-house design and project team to produce design package, planning application, tender package and contract for construction work. What are the benefits? <ul style="list-style-type: none"> Astrea Academy will have access to improved sports facilities The local community will have access to improved sports facilities The appearance of the site at Stanley Fields will be improved When will the project be completed? <ul style="list-style-type: none"> 30/08/2019 							54
	Funding Source	People –CYP Basic Need Allocation	Amount	£54,430	Status	Provision for the total project cost of up to £1m made from the People – CYP Basic Need Allocation	Approved	Yes
	Procurement		In-house design via the Capital Delivery Service. Surveys via closed competitive tender.					
	Variations and reasons for change							
	Early Years 30hr – St Thomas School Scheme description <ul style="list-style-type: none"> Development of additional Early Years 30 Hour child care places for working families in the Chancet Wood / Meadowhead area. Part of a 							-37

	<p>£1.2m small grants scheme pass-porting money from DfE Early Years Capital funding to projects.</p> <p>What has changed?</p> <ul style="list-style-type: none"> Project completed for £185k, but school informed by the DfE (Department for Education) that they are allowed to claim VAT back from HMRC, being an Academy. <p>Variation type: -</p> <ul style="list-style-type: none"> [Budget decrease]: as the council is no longer required to fund the school for the £37k of VAT that can be recovered by them from HMRC as now an Academy. <table border="1" data-bbox="161 571 1935 667"> <tr> <td data-bbox="161 571 315 667">Funding</td> <td data-bbox="315 571 1935 667">The DFE has clawed back this amount of grant from the council and the school has repaid the council this same amount from that which they were originally funded.</td> </tr> <tr> <td data-bbox="161 667 546 730">Procurement</td> <td data-bbox="546 667 1935 730">N/A: no change: Provider responsible for own procurement.</td> </tr> </table>	Funding	The DFE has clawed back this amount of grant from the council and the school has repaid the council this same amount from that which they were originally funded.	Procurement	N/A: no change: Provider responsible for own procurement.	
Funding	The DFE has clawed back this amount of grant from the council and the school has repaid the council this same amount from that which they were originally funded.					
Procurement	N/A: no change: Provider responsible for own procurement.					
Page 217	<p>Early Years 30hr – Twinkle Nursery</p> <p>Scheme description</p> <ul style="list-style-type: none"> Development of additional Early Years 30 Hour child care places for working families in the Chancet Wood / Meadowhead area. Part of a £1.2m small grants scheme pass-porting money from DfE Early Years Capital funding to projects. <p>What has changed?</p> <ul style="list-style-type: none"> Project not proceeding: Provider (Nursery) decision. The DfE has allowed £7.4k to be kept towards administration and management costs already incurred by the Council <p>Variation type: -</p> <ul style="list-style-type: none"> Budget decrease: of £29.9k from original allocation of £37.3k Scope has changed as the project will no longer go ahead, following a decision by Nursery. <table border="1" data-bbox="161 1225 1935 1321"> <tr> <td data-bbox="161 1225 315 1321">Funding</td> <td data-bbox="315 1225 1935 1321">The DFE has clawed back the £29.9k from the council, being the amount left after allowed management fees, with the nursery never having had, thus never having to repay the council, any of the original funding.</td> </tr> <tr> <td data-bbox="161 1321 546 1385">Procurement</td> <td data-bbox="546 1321 1935 1385">N/A: no change: Provider responsible for own procurement.</td> </tr> </table>	Funding	The DFE has clawed back the £29.9k from the council, being the amount left after allowed management fees, with the nursery never having had, thus never having to repay the council, any of the original funding.	Procurement	N/A: no change: Provider responsible for own procurement.	-30
Funding	The DFE has clawed back the £29.9k from the council, being the amount left after allowed management fees, with the nursery never having had, thus never having to repay the council, any of the original funding.					
Procurement	N/A: no change: Provider responsible for own procurement.					
H	Essential compliance and maintenance					

	New additions		
	None		
	Variations and reasons for change (please specify all that apply: budget increase / budget reduction / reprofiling / scope change / procurement)		
Page 218	Corporate Buildings Essential Replacement Programme – Condition Surveys 17-19 Scheme description <ul style="list-style-type: none"> The operational estate suffers from an acute backlog maintenance liability, with various common building elements now at the point of failure. Data on the SCC estate at present is not extensive or of a high quality. A substantial amount of work is needed to update the level of information required to meet the aim of implementing a Property and Asset Management Strategy (PAMS) to manage the SCC estate. What has changed? <ul style="list-style-type: none"> Contract extended to future years, following completion of initial test sites having to be undertaken first. Variation type: - <ul style="list-style-type: none"> Slippage of £440k from 18/19, with £220k being slipped into each of years 19/20 and 20/21 to match contractor’s estimated cash flow on extension of contract. 		18/19: - 440 19/20: + 220 20/21: + 220
	Funding	N/A: no change to existing funding (Capital receipts)	
	Procurement	N/A: no change to procurement route	
	Asbestos Removal Framework Scheme description <ul style="list-style-type: none"> T&FM and Capital Delivery Service commission a large number of maintenance and refurbishment projects across the SCC estate. Such projects, in older buildings, have a risk of asbestos and under The Control of Asbestos Regulations (CAR) 2012 Act and responsibility for management of asbestos is placed on SCC as duty holder. It is therefore necessary to commission a Refurbishment & Demolition (R&D) survey prior to the commencement of any construction work. If asbestos is identified, it is necessary to manage or remove it. A consultant was procured in 2016; the contract ended in March 2018. What has changed? <ul style="list-style-type: none"> The original contractor’s contract was not extended due to delivery issues. Future asbestos works are now to be dealt with on a revised Asbestos Term Contract, following the appointment of two new suppliers. 		

	<p>Variation type: -</p> <ul style="list-style-type: none"> Budget decrease: transfer of remaining £66.2k budget on this project to a separately managed budget, the Asbestos Term Contract 18-20 project, to cover pressures on future asbestos works going forward. 			
	Funding	No change: both projects funded from Capital receipts		
	Procurement	N/A: no change to procurement route (Full competitive tender process with an OJEU compliant advert and PQQ plus NEC Professional Services Contract with SCC Amendments). Existing contract not extended due to delivery issues.		
Page 219	<p>Asbestos Term Contract 18-20</p>			+ 66
	<p>Scheme description</p>			18/19: - 36
	<ul style="list-style-type: none"> T&FM and Capital Delivery Service commission a large number of maintenance and refurbishment projects across the SCC estate. Such projects, in older buildings, have a risk of asbestos and under The Control of Asbestos Regulations (CAR) 2012 Act and responsibility for management of asbestos is placed on SCC as duty holder. It is therefore necessary to commission a Refurbishment & Demolition (R&D) survey prior to the commencement of any construction work. If asbestos is identified, it is necessary to manage or remove it; An original consultant was procured in 2016. The contract was not extended in March 2018 due to delivery issues. Two new Consultants have been awarded contracts to undertake these works, which will continue to March 2020 (followed by an option to extend for a further 2 years (1 + 1) to March 2022). 			19/20: + 36
	<p>What has changed?</p>			
<ul style="list-style-type: none"> Future asbestos works now dealt with on BU 93528 Asbestos Term Contract 18-20, following the subsequent movement of the budget and novation of contract to two new suppliers. 				
<p>Variation type: -</p>				
<ul style="list-style-type: none"> Budget increase: transfer of remaining £66.2k budget on BU 90086 Asbestos Removal Framework to the new Asbestos Term Contract 18-20 project going forward on BU 93528, to cover pressures on future asbestos works. Slippage: £36k to be slipped from expected spend in 18/19 to spend in 19/20, immediately following £66k of funding has being re-assigned to this project. 				
	Funding	No change: both projects funded from Capital receipts		
	Procurement	No change to existing procurement route (Full competitive tender process with an OJEU compliant advert and PQQ plus NEC Professional Services Contract with SCC Amendments); but new Contract Award made to cover works to be managed under a distinct Business Unit going forward (BU 93528).		
I	Heart of the City II			

	New additions	
	None	
	Variations and reasons for change	
	None	

	Scheme name / business unit / summary description of key terms	Funder	Value £'000
A	Economic growth		
	<p>94028 Grey to Green Phase 2</p> <p>The project is a package of Sustainable Urban Infrastructure and public realm investments around Exchange Street, Exchange Place and Castlegate. The 'Grey to Green Phase 2' project under the Sheffield City Centre SCR LGF investment programme. It is a continuation of the Grey to Green Phase 1 project which improved the corridor between West Bar and the Courts.</p> <p>The package will involve four interlinked project investments in the area to the north-west of Sheffield City Centre, which is the location of the majority of the City's largest hotels. The project will reclaim 2.4ha of highway left redundant following improvements and rerouting of Sheffield's Inner Ring Road. The enhancements will provide high-quality public realm including landscaping, sustainable urban drainage, new pedestrian and cycle routes and reconfigured traffic management designs in the area on both sides of the River Don.</p> <p>£3.320m is available from Sheffield City Region Investment Fund to support this project.</p> <p><u>Financial and Commercial Implications.</u></p> <p>Key features of the proposed draft Funding Agreement (not exclusive) are summarised below:</p> <ul style="list-style-type: none"> • The SCR grant of up to £3,320,000 covers the period: 1/4/2018 to 31/3/2019 • Comply with EU Rules including: EU Structural and Investment Funds Regulations, State Aid Rules and any other applicable EU Regulations, Directives and Guidelines. 	Sheffield City Region Investment Fund	3,320

	<ul style="list-style-type: none"> • Achieve the “Project Longstop Date” – (to be finalised) • Grant only used for Eligible Costs/the delivery of the Project and shall not be used for any other purpose without the prior written agreement of the Authority. • No changes to the Project without funder approval. • Procure the commencement of the Works within 30 days from the date of the Funding Agreement coming into force. • Complete by the Completion Date, ensuring all Project Outputs/Outcomes are achieved by the required dates. • Any part of the Grant allocated to a particular Financial Year is only available for that Financial Year only unless approved for carry forward by the funder. • If Grant is not claimed in accordance with the profile then SCC must inform the funder. • Funder will retain 5% retentions until practical Completion or when the Project Outputs and/ or Project Outcomes have been fully achieved. • The Grant is subject to clawback if the terms and conditions are not complied with including (not exclusive): <ul style="list-style-type: none"> - There is a failure to keep and maintain the records specified in this Agreement; - The Grant has not been used for the purpose intended - Not made satisfactory progress with the delivery of the Project; - The Recipient obtains any form of duplicate funding in relation to the 		
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	<p style="text-align: center;">Project</p> <ul style="list-style-type: none"> • SCC must Comply with all EU Rules and ensure that all requirements of the EU Rules [and GBER] are met in relation to the Project; • SCC has informed the Authority of any other public funding applied for or awarded against the Eligible Costs covered by this Agreement. • Records shall be maintained for 10 years. • If Project Outputs are not reached for any part of the Project then the funder shall be entitled to request repayment from SCC to the proportionate value of the Project Outputs not met. • The Grant is subject to clawback to the extent that the Project Outcomes and Outputs are not achieved • SCC may make representations re: the extent to which the Project Outcomes/Outputs have been achieved / not been achieved and the reasons for this. • Repaid grant sums to be repaid at Authority interest thereon at the greater of: <ul style="list-style-type: none"> (a) 4% per annum above the Base Interest Rate. (b) A rate determined by the Commission or any competent court to be required in order to ensure compliance with the EU Rules. • Start date: 1 April 2018; Completion of physical works date: 31 March 2020; completion of job outputs date: by 31 March 2029. • Outputs: Deliver the agreed sustainable urban drainage and public realm improvements by the end of March 2020. When completed and approved by SCR 50% of the grant will be removed from any clawback. 		
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	<ul style="list-style-type: none"> Outcomes – gross FTE jobs. 50% clawback will until at least 466 gross fte jobs have been created. The Project Manager will need to read, understand and comply with all of the grant terms and conditions. <p>Procurement</p> <ul style="list-style-type: none"> All public sector procurement is governed by and must be compliant with both European Legislation and UK National Law. In addition, all procurement in Sheffield City Council must comply with its own Procurement Policy, and internal regulations known as ‘Contracts Standing Orders’ (CSOs). Contracts Standing Orders requirements will apply in full to the procurement of services, goods or works utilising grants. All grant monies must be treated in the same way as any other Council monies and any requirement to purchase/acquire services, goods or works must go via a competitive process. 		
B	Transport		
	None		
C	Quality of life		
	None		
D	Green and open spaces		
	None		
E	Housing growth		

	None		
F	Housing investment		
	None		
G	People – capital and growth		
	None		
H	Essential compliance and maintenance		
	None		
I	Heart of the City II		
	None		

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Scheme name & summary description		Value £'000
A	Economic growth	
Page 227	<p>Grey to Green Phase 2 (Part Two)</p> <p>In addition to the main Grey To Green Scheme set out in Appendix 1, a bid has been submitted for European Regional Development Funds (ERDF) to a value of £836k to deliver works complimentary to this scheme. These works would be limited to Castlegate and include:</p> <ul style="list-style-type: none"> • Additional Sustainable Urban Drainage • Additional cycling lanes • Additional footways • Additional tree planting • Renewed street furniture and lighting. <p>These works have therefore been pulled together into a separate scheme, which includes all of the Part One works with the addition of the works to Castlegate (the Part Two scheme). We will only award the Part Two scheme should the ERDF bid be successful and we decide to accept the grant in early 2019.</p> <p>It is proposed, therefore that the decisions to:</p> <ol style="list-style-type: none"> 1) Accept the ERDF grant subject to confirmation of acceptability of terms 2) Approve the resulting increase to the Grey To Green Phase 2 Budget 3) Award the Part Two construction contract to the value which includes the additional works to Castlegate <p>be delegated to the Head of Commercial Business Development in consultation with the Director of Legal and Governance.</p>	836
	Funding	European Regional Development Fund

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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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SHEFFIELD CITY COUNCIL'S
STATEMENT OF PRINCIPLES
Gambling Act 2005

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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.

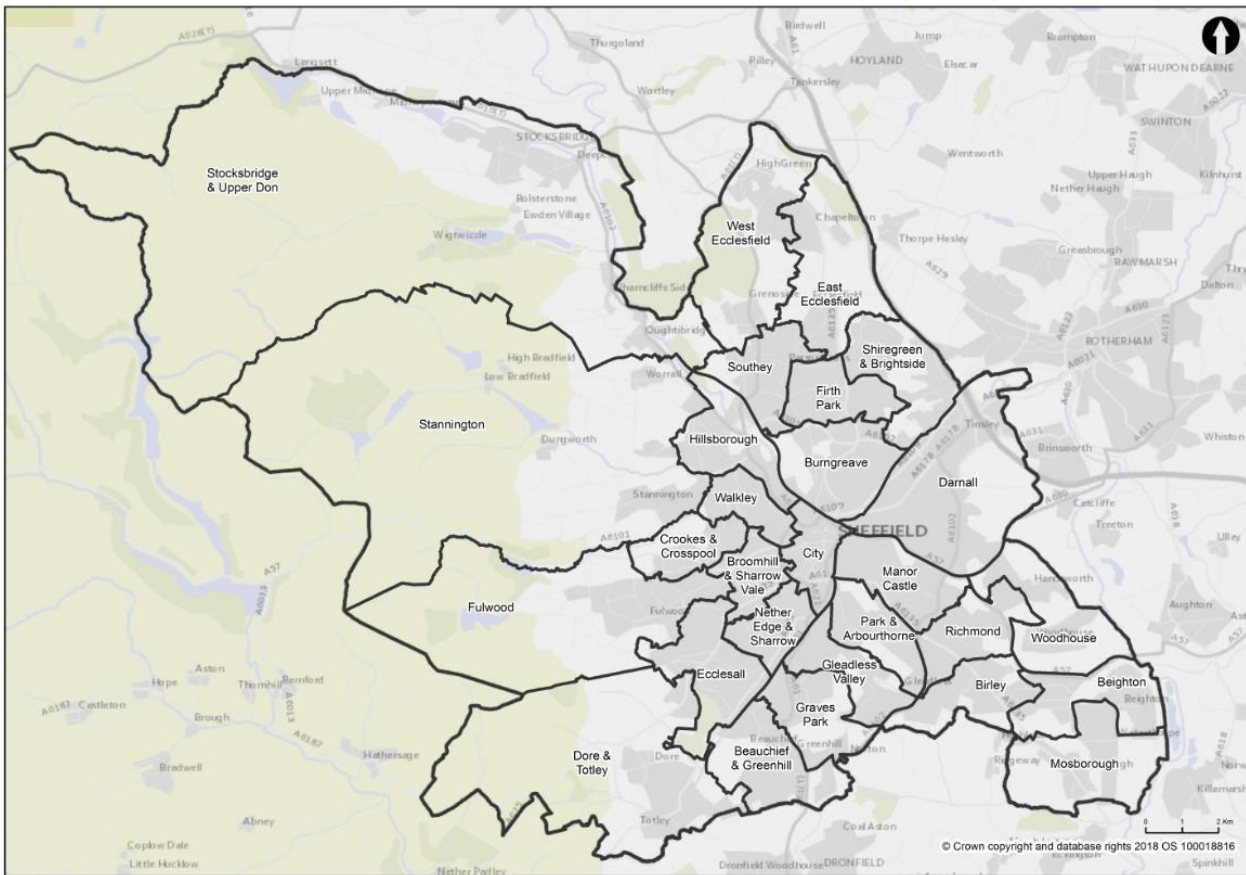
Sheffield is located fairly centrally in Britain in the metropolitan county of South Yorkshire. Lying directly to the east is Rotherham, from which it is separated by the M1 motorway. On its northern border is Barnsley Metropolitan Borough and to the south and west is the county of Derbyshire. Sheffield 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 issued 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
Popleston 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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