# **Public Document Pack**



MEETING:	Cabinet	
DATE:	Wednesday 15 November 2023	
TIME:	10.00 am	
VENUE:	Council Chamber, Barnsley Town Hall	
PUBLIC	https://barnsley.public-	
WEB LINK:	i.tv/core/portal/webcasts	

# **AGENDA**

- 1. Declaration of pecuniary and non-pecuniary interests
- 2. Leader Call-in of Cabinet decisions

#### **Minutes**

3. Minutes of the previous meeting held on 1 November 2023 (Cab.15.11.2023/3) (Pages 3 - 4)

# **Items for Noting**

4. Decisions of Cabinet Spokespersons (Cab.15.11.2023/4)

#### **Petitions**

5. Petitions received under Standing Order 44 (Cab.15.11.2023/5)

#### Items for Decision/Recommendation to Council

#### Children's Spokesperson

6. Ofsted's Inspection of Local Authority Children's Services in the Borough (2023) (Cab.15.11.2023/6) (Pages 5 - 26) RECOMMENDATION TO FULL COUNCIL ON 23 NOVEMBER 2023

# **Environment and Highways Spokesperson**

- 7. South Yorkshire Stages Rally 2023 (Cab.15.11.2023/7) (Pages 27 66)
- 8. Exclusion of Public and Press
  It is likely that the public and press will be excluded from this meeting during
  consideration of the items so marked because of the likely disclosure of exempt
  information as defined by the specific paragraphs of Part I of Schedule 12A of the
  Local Government Act 1972 as amended, subject to the public interest test.

# Regeneration and Culture Spokesperson

9. Community Asset Transfer (Cab.15.11.2023/9) (Pages 67 - 220) Reason restricted:

Paragraph (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)

# To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Cain, T. Cave, Franklin, Frost, Higginbottom, Howard, Makinson and Newing

Cabinet Support Members:

Councillors Bellamy, Bowser, Cherryholme, Moyes, Osborne, Peace and Sheard

Chair of Overview and Scrutiny Committee Chair of Audit Committee

Sarah Norman, Chief Executive

Wendy Popplewell, Executive Director Core Services

Carly Speechley, Executive Director Children's Services

Wendy Lowder, Executive Director Place Health and Adult Social Care for Barnsley

Matt O'Neill, Executive Director Growth and Sustainability

Anna Hartley, Executive Director Public Health and Communities

Neil Copley, Director of Finance (S151 Officer)

Sukdave Ghuman, Service Director Law and Governance (Monitoring Officer)

Michael Potter, Service Director Business Improvement, HR and Communications

Katie Rogers, Head of Communications and Marketing

Anna Marshall, Scrutiny Officer

Corporate Communications and Marketing

Please contact Sukdave Ghuman by email <a href="mailto:governance@barnsley.gov.uk">governance@barnsley.gov.uk</a>

Tuesday 7 November 2023

# Cab.15.11.2023/3



MEETING:	Cabinet
DATE:	Wednesday 1 November 2023
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

#### **MINUTES**

Present Councillors Cain, T. Cave, Franklin, Frost,

Higginbottom, Howard, Makinson (Chair) and Newing

**Members in Attendance:** Councillors Bellamy, Bowser, Cherryholme, Moyes,

Osborne and Peace

# 128. Declaration of pecuniary and non-pecuniary interests

Councillor Cave declared a non-pecuniary interest as a Trustee of Barnsley Youth Zone in respect of Minute Number 135.

Councillor Peace declared a non-pecuniary interest as a Member of the Police and Crime Panel in respect of Minute Number 133.

#### 129. Call-in of Cabinet decisions

The Deputy Leader reported that no decisions from the previous meeting held on 18 October 2023 had been called in.

#### 130. Minutes of the previous meeting held on 18 October 2023 (Cab.1.11.2023/3)

The minutes of the meeting held on 18 October 2023 were taken as read and signed by the Chair as a correct record.

#### 131. Decisions of Cabinet Spokespersons (Cab.1.11.2023/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 20 October 2023 were noted.

#### 132. Petitions received under Standing Order 44 (Cab.1.11.2023/5)

It was reported that no petitions had been received under Standing Order 44.

#### 133. Transfer of Police and Crime Commissioner Function (Cab.1.11.2023/6)

**RESOLVED** that Cabinet Delegate approval to the Head of Paid Service to give the Authority's consent to the making of an order to provide for both the Mayor of South Yorkshire to exercise functions of the Police and Crime Commissioner (PCC) in relation to South Yorkshire with effect from May 2024 and the reduction of the current mayoral term to align with the PCC election cycle in May 2024.

#### 134. Exclusion of Public and Press

**RESOLVED** that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u> <u>Type of Information Likely to be Disclosed</u>

135 Paragraph 3

#### 135. Barnsley Youth Zone Update (Cab.1.11.2023/8)

#### **RESOLVED** that Cabinet:-

- Delegate approval to the Service Director Regeneration and Culture to agree terms for a 125-year lease, the Development Agreement and Operational Agreement with Onside Barnsley Youth Zone Ltd; and
- Delegate approval to the Service Director Law and Governance to enter into a lease agreement for a period of 125 years, the Development Agreement and Operational Agreement with Onside and Barnsley Youth Zone Ltd; and
- 3. Delegate approval to the Service Director Regeneration and Culture to agree terms for a land transfer between SYPTE and BMBC. Service Director Law and Governance to complete a land transfer between SYMCA and BMBC; and
- 4. Give approval to increase the Council's previously approved total capital contribution, to support the construction and fit-out of the Youth Zone, by an additional £0.318m the release of capital funding by the Council being subject to the application of the conditions outlined in paragraph 4.7 of the report.

••	 	 	  Chair

#### BARNSLEY METROPOLITAN BOROUGH COUNCIL

REPORT OF THE: EXECUTIVE DIRECTOR (CHILDREN'S SERVICES)

# OFSTED'S INSPECTION OF LOCAL AUTHORITY CHILDREN'S SERVICES IN THE BOROUGH (2023)

REPORT TO:	CABINET
Date of Meeting	15 <sup>th</sup> NOVEMBER 2023
Cabinet Member Portfolio	CHILDREN'S SERVICES
Key Decision	No
Public or Private	Public

# Purpose of report

To inform Cabinet of the outcomes which have resulted following Ofsted's recent inspection of Local Authority Children's Services in the Borough.

# **Council Plan priority**

This report supports the following priorities and outcomes of the Council Plan:

- A "Healthy Barnsley" Through ensuring vulnerable children and young people are safeguarded from all forms of harm; maintain their wellbeing and are shielded as far as possible from the impact of poverty and inequality upon their potential.
- A "Learning Barnsley" Through which successful interventions, enable
  vulnerable groups of children and young people to achieve improved education
  outcomes, ensure active participation in the employment market and in
  sustainable communities.

#### Recommendations

That the outcomes of the recent inspection be submitted for consideration at the meeting of Full Council on 23<sup>rd</sup> November 2023.

#### 1. INTRODUCTION

- 1.1 <u>Ofsted's Framework for the Inspection of Local Authority Children's Services</u> (ILACS)
- 1.2 The current arrangements for the inspection of local authority children's services were introduced in 2017. The purpose of the inspection is to evaluate the effectiveness of the following domains:
  - 1. To help and protect vulnerable children at risk of harm.
  - 2. The experiences and progress of children in care.
  - 3. Arrangements for ensuring the stability of placements for children in need of care.
  - 4. The experience and progress of young people leaving care.
  - 5. The effectiveness of leadership and management, together with the impact this has had on the lives of children in need of help or protection.
  - 6. The quality of children's social work practice.
- 1.3 In September 2018, Barnsley MBC was the subject of a standard, main inspection under the ILACS Framework. The inspection resulted in a 'Good' outcome for all these domains and a 'Good' judgement for overall effectiveness.
- 1.4 This result also meant that, by the time Ofsted conducted its next main ILACS inspection of Local Authority Children's Services in the Borough, it would be a shorter inspection. Cabinet will recall that as part of the Framework, Barnsley has also been the subject of two related inspections which have related to, firstly, the multi-agency response to the identification of initial needs among vulnerable young people (July 2022) together with a Focused Visit on the progress and experience of young people leaving care (January 2023)
- Neither of these two related inspections led to a graded judgement and no concern was raised over provision, although a decline in the quality of practice had been noted. Barnsley was, also, the subject of a separate, Local Area Inspection of Services for Children and Young People with Special Educational Needs, upon which the outcomes were reported to Cabinet, in October 2021.
- 1.6 <u>Strengthening Children's Services In Barnsley</u>
- 1.7 In response to the significant challenges experienced by local authority children's services in all parts of the country, Barnsley MBC made considerable recurring and one-off investments to strengthen children's services, including in the following:
  - Measures to enhance the recruitment, retention and development of the

- Children's Social Care workforce, including ensuring manageable caseloads.
- Improving access to the integrated 'front door' to children's social care and emergency out of hours care.
- Enhancing early help and edge of care services, including contextual safeguarding, for vulnerable families with children as part of a preventative approach to formal intervention.
- To address the challenges facing the market for children's social care placements, including through directly managed local provision, closer to home and the recruitment and retention of Local Authority foster carers.
- To improve the life chances of young people leaving care.
- Helping improve outcomes for vulnerable children, through the quality of performance data and audits of practice.
- Development of a multi-purpose young people's 'Hub located at Commerce House.
- 1.8 The benefits yielded through these investments upon the quality of practice and provision formed part of the Local Authority's Self-Evaluation, in preparation for the latest, Annual Engagement Meeting with Ofsted. Early in September, the Local Authority was formally notified by Ofsted of its short, main inspection under the ILACS Framework.

#### 2. PROPOSAL

- 2.1 <u>Ofsted's Inspection of Local Authority Children's Services in Barnsley</u> (September 2023): Scope and Methodology
- 2.2 The scope of the ILACS short inspection was to evaluate the experience of the following groups of children and young people:
  - Those at risk of harm.
  - Children and young people referred to the Local Authority for whom urgent action needs to be taken to protect them.
  - Children who are subject to a child protection plan or who need continuing help or support.
  - Children and their families who are receiving help from Children's Social Care Services as there are concerns over their safety or welfare.
  - Children who are missing from education, including through exclusion.
  - Children and young people who are looked after, together with those who are detained under police powers as well as unaccompanied asylum-

seeking children.

- Young people leaving care.
- 2.3 In focusing upon the quality of social work practice with families, the methodology used is as follows:
  - Scrutiny and discussion of a sample of children's cases.
  - Meeting children and young people who are receiving help or protection, together with parents and carers, including foster carers and adoptive families.
  - Shadowing practitioners in their day-to-day work.
  - Observation of practice in single and multi-agency meetings, particularly those concerning the assessment and review of children's cases and child protection matters.
- 2.4 The duration of the inspection lasted for two weeks in which the inspection team was off-site in Week 1, whilst gathering and evaluating evidence and in Week 2, the team was on-site undertaking fieldwork. As part of this fieldwork Ofsted also sought to evaluate the following:
  - 1. The effectiveness of recruiting, assessing, training and supporting both foster carers and adoptive carers.
  - 2. Evaluation of the educational progress of children in care and young people leaving care.
- 2.5 Having been awarded a 'Good' judgement, following its previous ILACS inspection in 2018, Ofsted were looking for the answer to the following questions:
  - Has the quality and impact of children's social work practice been maintained in Barnsley?
  - Were there any areas of practice which had improved since the previous main ILACS inspection?
  - Were there any areas of practice which had deteriorated since the last inspection?
- 2.6 Outcomes of the Inspection
- 2.7 Appended to this report is Ofsted's letter on the outcomes of the inspection. Ofsted has awarded a 'Good' judgement in all the domains indicated within Paragraph 1.2 of this report and a 'Requires Improvement' judgement on the experience of children and young people in need of help or protection.
- 2.8 Overall, Ofsted has awarded Children's Services in Barnsley a 'Good' judgement for overall effectiveness. This has effectively restored the quality of our performance to that of the previous ILACS standard inspection in 2018.

- 2.9 In its inspection report, Ofsted praised the cross-party political ownership and senior management support for strengthening children's services in the Borough, through significant recent investments, together with the impact which had been made by the Children's Services Leadership Team and the further improvements envisaged.
- 2.10 As a result, Ofsted recommended a small set of improvements where the quality of practice could be enhanced in the following areas:
  - Ensuring the engagement of multi-agency local partners in key decisionmaking meetings.
  - The quality of recorded management direction to social workers at the point of referral and within the screening process for vulnerable children.
  - The identification and response to children who are the subject of private fostering arrangements.
  - The record of achievements and targets within personal education plans for looked after children.
- 2.11 These improvements will form part of the Barnsley Children's Services Board's Continuous Development Plan. Further details on these actions can be viewed in Ofsted's inspection letter.

#### 3. IMPLICATIONS OF THE DECISION

#### 3.1 Financial and Risk

- 3.2 The Director of Finance and/or his representative(s) have been consulted in the drafting of this report.
- 3.3 There are no direct financial implications arising from the outcome of the ILACAS inspection at this stage. The areas of improvement highlighted in Ofsted's recommendations already forms part of the Children Services Development Plan, which is funded from recurrent and non-recurrent investments.

# 3.4 Legal

3.5 There are no legal implications emerging through the ILACS main inspection. No suggestion was made that the Local Authority is not compliant with or failing in its statutory responsibilities towards children in need of help or protection, safeguarding children from harm or in meeting the needs of children in care and young care leavers.

#### 3.6 Equality

3.7 Similarly, no reference was made in Ofsted's report to any inequality in meeting the specific needs of vulnerable children and young people with protected characteristics under the Equality Act (2010) particularly during their

referral, assessment and review.

3.8 Principally through Barnsley's own annual Children's Social Work Health Check Survey, we know that our children's social care workforce is now more diverse than it has previously ever been and the insight and intuition which this provides, can further ensure that the quality and experience of vulnerable children and young people with specific characteristics is improved. This accords with our values as an organisation, particularly that of an '...inclusive Council that is representative of the communities it serves'

#### 3.9 Sustainability

3.10 There are no implications for sustainability in the Borough arising through the outcomes of Ofsted's inspection.

# 3.11 Employee

3.12 Ofsted acknowledges the steps being taken by the Local Authority to recruit, retain and enhance the skills and competencies of social workers and practitioners, together with their commitment and passion to support vulnerable young people in the Borough.

#### 3.13 Communications

3.14 Ofsted's inspection report was published on 27<sup>th</sup> October and the outcome together with the key messages emerging from the report have been disseminated with our partners in the Barnsley Children and Young People's Trust and will be shared through the Council's media channels.

#### 4. CONSULTATION

4.1 The Council's Senior Management Team has been briefed on the outcomes of the inspection, together with the next steps.

#### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The exclusive purpose of this report is to inform Cabinet of the findings of the recent Ofsted inspection of Local Authority Children's Services in the Borough. All local authorities in England are subject to the ILACS Framework as part of assuring Parliament and the public, on the overall effectiveness of local authorities in discharging their statutory responsibilities towards children and young people in need of help or protection, together with children in care and young people leaving care, during a period of unprecedented demand for services.

#### 6. REASONS FOR RECOMMENDATIONS

6.1 The outcome of the recent ILACS short inspection provides assurance to vulnerable children, young people, families and local communities over the quality of children's services in the Borough and to build upon these outcomes and provide outstanding children's services, support levelling-up and to help

make Barnsley truly a place of possibilities.

# 7. GLOSSARY

7.1 None, applicable.

# 8. LIST OF APPENDICES

8.1 Appendix: Ofsted's report on the inspection of local authority children's Services in Barnsley (October 2023)

#### 9. BACKGROUND PAPERS

9.1 If you would like to inspect background papers for this report, please email <a href="mailto:governance@barnsley.gov.uk">governance@barnsley.gov.uk</a> so that appropriate arrangements can be made

# 10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date
	Joshua Amahwe (16/10/2023)
Legal consultation & sign off	Legal Services officer consulted and date M P Farrell
	Marianne Farrell, Team Leader – Social Care, Legal Services (19/10/2023)

Report Author: Carly Speechley

**Designation:** Executive Director (Children's Services)





# Inspection of Barnsley local authority children's services

**Inspection dates:** 11 to 15 September 2023

**Lead inspector:** Anna Gravelle, His Majesty's Inspector

Judgement	Grade
The impact of leaders on social work practice with children and families	Good
The experiences and progress of children who need help and protection	Requires improvement to be good
The experiences and progress of children in care	Good
The experiences and progress of care leavers	Good
Overall effectiveness	Good

Following the last inspection in 2018, when the local authority was judged good overall, a joint targeted area inspection in 2022 and a focused visit of the Future Directions service in 2023 identified that some children's experiences and overall practice had weakened. Children's services has experienced significant workforce challenges. A high turnover of staff, managers and senior leaders, as well as increased service demand, has resulted in the slight decline in the quality of some services provided to children living in Barnsley in need of help and protection.

Following the appointment of the new executive director 14 months ago, a significant review across all service areas has resulted in a self-evaluation which is an accurate assessment of practice and child experience. This knowledge and action in response is driving improvement across the service, and in areas where practice had previously declined, improvements are now evident and embedding. There is now a strong and effective senior leadership team that has had a positive impact on the quality of social work practice. Considerable financial investment and a seamless alignment of corporate and political accountability have ensured that services for children in care and care leavers continue to be good. Senior leaders recognise there is still more to do to ensure that children in need of help and protection receive a good service and have active improvement plans in place.



# What needs to improve?

- The engagement of multi-agency partners, including in key decision-making meetings for children in need of help and protection, and the quality of referrals they make to children's social care.
- The quality of recorded management direction to social workers at the point of referral and within screening.
- The identification and response to children who live in private fostering arrangements.
- The record of achievements and targets within personal education plans.

# The experiences and progress of children who need help and protection: requires improvement to be good

- Not all children who need help and protection receive a good service. There has been a slight decline in some practice areas since the last inspection. The new executive director and senior leaders have responded quickly to identify new demands and understand where and why improvement is needed. Improvements are starting to have momentum, but there is further work to do to enable impact for all children.
- 2. The presence of early help workers in the integrated front door (IFD) brings added value and helps to inform effective decision-making. The right thresholds are applied for most children accessing support from early help services, and decisions made at the 'front door' for early help assessment are appropriate. Workers regularly visit children in line with their needs and this helps to build meaningful relationships. Assessments are timely in response to families' needs and resultant plans accurately identify the support required. Not all plans are SMART (specific, measurable, achievable, realistic and timely) enough to help monitor outcomes for children and to review their progress effectively.
- 3. Most children receive a proportionate response to contacts and referrals received within the IFD. Triage decisions are made by social workers who have the necessary skills and experience. Referrals are appropriately screened, and thresholds to access statutory services are generally applied consistently and appropriately. The quality of the information received from partners, particularly the police, is variable, leading to a high proportion of contacts recorded as information only. Senior leaders are aware of this and are actively addressing this within the partnership and wider regional police force area.
- 4. Written management oversight of referrals is basic but is mitigated by managers having detailed conversations with workers. At the screening stage, the quality and consistency of direction for social workers from managers regarding next steps are not always clear. IFD social workers capture children's histories and the subsequent impact on their current situation, but this is not yet consistently used to understand experiences for all children. Parental



- consent is appropriately considered and recorded. Where consent is not obtained, repeated attempts are made to contact parents, although this is not always evident in records of screening information for fathers.
- 5. The response to domestic abuse concerns is appropriate in the IFD. There is detailed analysis of families' histories to inform current decision-making. Workers have a solid grasp of the risks to children from witnessing domestic abuse while maintaining a good focus on children's safety. A review of the response to domestic abuse within the IFD has taken place within the partnership. This has led to the agreed physical presence of an independent domestic abuse adviser within the front door and the imminent implementation of a new model of practice to better support survivors and perpetrators. Leaders envisage these actions will add significant value to the identification of risk and support needs.
- 6. Most children who are at risk of criminal exploitation and gangs are being identified early in the referral process. Children at higher risk of exploitation and wider vulnerabilities receive timely, creative and bespoke support packages coordinated by social workers in the contextual safeguarding team. Social workers are successful in developing relationships with children to help divert them away from being criminally and sexually exploited. Risk assessments and 'find me' plans are regularly updated. Relationships with professional partners are becoming stronger, enabling effective positive diversion activities, mapping activity, hotspot identification and disruption of criminal activity.
- 7. When children go missing from home or care, return home interviews are mostly timely and identify why children go missing. Return home interviews do not always identify potential risks to children or detail what follow-up actions are needed to reduce further episodes of going missing to help keep children safe. Senior leaders have responded by increasing capacity within the service in line with demand and have strengthened processes in response to contextual harm and information-sharing with police partners.
- 8. The emergency duty team provides an effective response to children in need of help and protection out of hours. A recent review of the service and increased manager oversight have strengthened practice. Social workers visit children at times of crisis and appropriate checks are undertaken. Strategy meetings take place to determine appropriate multi-agency assessment of risk and next steps for children's safety out of hours.
- 9. Strategy meetings are timely and are used effectively to understand the needs and situations for children at risk of significant harm. The majority are well attended by partners, with comprehensive recording that makes clear the rationale and multi-agency evidence base for decisions and next steps, including when child protection enquiries are initiated. Historical information is fully evaluated to aid current decision-making for children. Resultant plans address the immediate steps needed to keep children safe.



- 10. Child protection investigations are completed swiftly and focus on the experiences and impact of potential harm to children, including from physical and emotional abuse. Workers are skilled and experienced at identifying the different types of risk that children face, including from parental new partners living in the home. Workers are persistent in ensuring that concerns about potential injury are followed up, and that children living at different addresses are spoken to as part of enquiries.
- 11. Assessments for children are strengths-based and demonstrate that social workers understand children's lived experience. Senior leaders recognise there is more work to do to embed the preferred strengths-based model of practice across children's services. Most assessments are detailed, with clear evaluation of strengths and risks, leading to appropriate recommendations for next steps. They contain effective information-gathering from partners that is used to help inform analysis. For most children, family history is accurately understood, including the impact on their current circumstances.
- 12. For most children in need of help and protection, planning following assessment considers their needs well and results in actions that generally make a positive difference. Actions are specific to children's individual needs. The effectiveness of this planning is weakened as timescales for actions are not consistently evident. Partnership working is not firmly embedded and does not consistently contribute to a reduction of risk or need for children across the service. Core group meetings are held regularly, but attendance from partners is variable and minutes are not consistently available for review to ensure that outcomes are met for children. Senior leaders are currently in consultation with senior members of the partnership to try to address this.
- 13. Work is in the main evidencing a timely and thorough response to addressing concerns relating to neglect. There are a small number of children for whom a previous lack of professional curiosity has led to the premature ending of support before positive change has embedded. More recently, when children's lives are not improving, they are benefiting from earlier authoritative decisions to escalate into pre-proceedings and swift applications to initiate care proceedings. Within the last six months, senior managers have strengthened the Public Law Outline process through the introduction of review mechanisms, and increased monitoring to minimise drift and delay for children. Letters before proceedings include too much social work and legal jargon, which makes it difficult for families to understand what is required of them to improve children's circumstances.
- 14. Children are visited at a frequency that meets their needs and level of risk. Social workers ensure that visits are purposeful and include meaningful discussions to help them understand children's aspirations and feelings. Creative and frequent direct work supports children to build trusting relationships with workers. Children are encouraged to take part in activities that will build their confidence and self-esteem.



- 15. Disabled children and their families benefit from social workers who comprehensively understand their needs. Social workers are creative in developing multi-agency support and care packages for disabled children and their families when they are in crisis.
- 16. The response to children who are privately fostered is mostly weak. Assessments are descriptive and do not provide assurance that the arrangements are meeting children's needs. Work is not child-focused and does not consider the best interests of children or include wider considerations around parental oversight and agreement to the arrangements. Leaders are aware of these shortfalls and have ensured that there is now a dedicated worker to assess private fostering arrangements. Training and awareness-raising are under way to strengthen practice.
- 17. Experienced workers understand their responsibilities and demonstrate a robust response to referrals when allegations are made against people working with children. Staff promote awareness of the service and ensure that professionals are trained and understand their responsibilities in protecting children.
- 18. There are clear procedures, policies and systems in place to check the location of children missing education and those who are electively home educated. These are understood by schools. Leaders carry out their statutory duties to protect children. The virtual school has a comprehensive plan for supporting children with a social worker which extends beyond statutory duties to ensure increased support for children. Weekly monitoring of their attendance is live, and a dedicated learning and engagement mentor works closely with school teams and social workers. There are some gaps in records for those children electively home educated, which does not assist managers with overall oversight of children's progress.
- 19. When children who are 16 to 17 years old present as homeless, there is a timely and seamless response supported by the homelessness key worker because of the improvements in joint working between housing and children's social care. Outcomes for children are effective, often at times of crisis, facilitated by workers who clearly explain the options available to children, and their rights and entitlements, including to become looked after. Subsequently, some children come into care, while others are supported through mediation to safely remain with their family and family networks.

# The experiences and progress of children in care: good

20. Decisions for children to enter care are appropriate and timely with clear recorded management rationale. Swift action is taken to find the most appropriate homes for children when they are at risk, or when plans determine this is the right decision. Most children in care live in suitable and stable homes which meet their needs. There is insufficient local provision for children in care with complex needs, including unaccompanied asylum-seeking children who move into the local area through the National Transfer Scheme. Senior leaders



- are aware of these issues and are working effectively within the council and with sector partners to create more local capacity for children, or to make safe arrangements for children to live out of area.
- 21. If it is not possible for children to return to live with their parents, appropriate and timely plans are made for children's permanent care. There is a strong emphasis on the earliest engagement and inclusion of family members. This has recently been further strengthened by routine family group conferencing. Children benefit from extensive efforts by social workers to assess family members and to support children remaining within their family network where it is safe to do so. Children's needs are carefully considered by their social workers, including relationships with their brothers and sisters. This has resulted in an ever-increasing number of children living safely with family and friends, with high numbers of children achieving permanence through special guardianship orders, with enhanced support packages for children and their carers where needed.
- 22. For those children who leave care and return home to their families where it is safe to do so, there is appropriate assessment, planning, monitoring and support provided to enable successful reunification.
- 23. There is strong senior management oversight and increased visiting for the small number of children who live in unregistered children's homes. For those children who live in unregistered supported accommodation, senior leaders have been proactive in ensuring that those services have made the required applications to Ofsted.
- 24. Most children's assessments and care plans comprehensively identify their needs and are regularly reviewed by social workers to monitor their progress in all aspects of their development. Social workers capture children's views about their care and their voices help to shape their care planning. Children understand their rights and entitlements and have access to advocacy and independent visitors should this be needed.
- 25. The independent reviewing officer (IRO) footprint is visible on children's records and helps ensure progression of children's care plans. Social workers and IROs keep in touch about children's developments and work collaboratively with children. Children are actively involved and encouraged to be part of their reviews by social workers and IROs, which means important decisions about their plans are made with them. A restructure of the IRO service since the last inspection has enabled a much stronger focus on care planning for children in care.
- 26. Children's health needs are quickly identified and are consistently reviewed. Children access timely dental and optical care. Children who need more specialised emotional support and interventions benefit from swift access to child and adolescent mental health services as there is priority access and ongoing interventions for children in care.



- 27. Social workers speak confidently and cohesively about the past experiences and needs of children they are working with. They understand children's likes, interests and aspirations because they take time to build trusting relationships with children through frequent visiting in response to children's needs. Children's records are written to them in a warm and sensitive manner, to assist in bringing records alive should children wish to read them in adulthood. Planned, reliable and meaningful direct work with children helps strengthen these relationships and helps children retain stability in their homes.
- 28. Disabled children in care benefit from stable relationships with their social workers, who visit them regularly. Social workers spoke warmly about children and have a comprehensive understanding of their life experiences, personalities and interests. Children's voices are evident in recordings, and where children have difficulties communicating, social workers are skilled in gathering their wishes and feelings.
- 29. Family time is routinely promoted and prioritised in children's care plans to ensure that children maintain appropriate family links with those who matter to them. Social workers also go over and above to ensure that safe reconnections are made with family members who may have lost touch. Social workers recognise the importance of the 'Barnsley community' and what this means for individual children's sense of belonging.
- 30. Most children in care make progress in relation to their attainment across key stages, except for those children in early years. This is linked to a significant number of children with special educational needs and/or disabilities within this cohort. The virtual school is committed to ensuring that every child and young person has access to a quality education. Schools speak highly of the virtual school service. The virtual school is supported by senior leaders in the local authority. While currently personal education plans reflect children's attendance, educational outcomes and achievements, it is difficult to see thereafter the plan for further development or how children's aspirations and targets will be achieved.
- 31. Unaccompanied asylum-seeking children receive high levels of support to access appropriate accommodation. Most children are making progress in foster care with their education, individual interests and learning English. Cultural and religious needs are prioritised, and children are supported to live out of area if their needs cannot be achieved locally. Personal advisers are persistent in assisting children with their legal status and leave to remain. Social workers do not routinely undertake a written initial assessment of children's situations to understand their experiences and needs. This is mitigated by social workers and personal advisers who know children well and develop suitably focused pathway plans at the outset. Senior leaders had identified this as an area for development prior to this inspection.
- 32. The fostering service is currently under review. Notwithstanding the challenges within this service, there continues to be a strong emphasis on recruitment,



assessment, training and support for carers. Fostering and adoption panels provide high scrutiny and effective decision-making to safeguard children. The local authority's three hub-based models of support are a real strength and afford foster carers the chance to build cohesive support networks with other families. This builds a community around the child and extends foster family relationships.

- 33. Adoption planning is actively and carefully considered for children at the earliest opportunity to secure their futures. There has been a decline in the number of children being adopted, which is in line with the national trend and is not reflective of a lack of action on the part of the local authority or regional adoption agency (One Adoption South Yorkshire RAA). Matching is carefully considered, and introductions are based on a full understanding of children's needs. Adopters are supported by enthusiastic and knowledgeable social workers. In preparation for children being adopted, life-story work happens at the earliest opportunity and creative and thoughtful life storybooks are completed to help children understand their childhoods as they grow.
- 34. Children and young people have a plethora of opportunities to be involved in shaping the future of children's services and providing their views, including through the Care4us and care leaver groups. They are involved in interviews of senior leaders, and they are also invited to some senior leadership meetings. Children enjoy the experience of afternoon tea and cake with the mayor and speak positively about this opportunity to meet with and share their thoughts with leaders and councillors.

# The experiences and progress of care leavers: good

- 35. The experiences and progress of care leavers have markedly improved since the focused visit earlier this year, where some areas for improvement were identified. The response to young people is now consistently good. An increase in capacity through the creation of another Future Directions team has significantly improved care leavers' experiences and the support available to them.
- 36. Children in care are increasingly being allocated a personal adviser shortly after they are 16 years of age. This arrangement allows young people to develop meaningful and trusting relationships with workers who will continue to support and befriend them into adulthood.
- 37. Personal advisers have a detailed knowledge of young people's needs and histories. There are strong, supportive and respectful relationships between care leavers and their workers. Personal advisers are persistent in making sure that young people receive the right levels of visiting and help that meet their individual needs. Consequently, care leavers are confident in asking for additional help and reassurance when needed.



- 38. Personal advisers ensure young people's well-being and safety at times of crisis, advocating for them, while also supporting them to develop their independence skills. For those young people who require a higher level of support because of mental health needs, relationship breakdown or those who are parents, their needs are suitably met with high aspirations and nurture from their workers.
- 39. Young people benefit from timely and regularly reviewed pathway plans that are completed with personal advisers. Not all assessments for care leavers consistently include their aspirations or translate into planning. Senior leaders have identified the quality and consistency of recording within pathway plans and records more generally as an area of improvement.
- 40. The local offer has been refreshed and there is an accessible and comprehensive guide which care leavers understand. Senior leaders adapt the offer depending on individual needs and bespoke requests are frequently met when requested, including financial support to access private housing and Wi-Fi. Council tax exemption is not provided as standard but a review of this is under way.
- 41. Unaccompanied asylum-seeking children who become care leavers receive high levels of practical and emotional support. Personal advisers know their needs and prioritise diversity and culture when considering appropriate accommodation, links to friends and family, and wider support.
- 42. Professionals have high aspirations for care-experienced young people, encouraging and supporting them to continue their education and training. A considerable number of care leavers are being assisted at university and there are a wide range of education and employment opportunities, including work experience and apprenticeships within the council. Further plans are under way to extend apprenticeships within the council and wider community. The targeted information advice and guidance service is readily available to help care leavers to access a variety of learning and employment opportunities. The local authority's education and employment data requires further refinement and specialist consultants have been sourced to address this issue.
- 43. Most young people are living in suitable, safe accommodation that meets their needs and receive the right levels of support to help develop their independence and confidence. Where possible, care leavers are encouraged to remain in 'staying put' arrangements with their foster carers to access longer-term help and stability. Sufficiency challenges in relation to accommodation for care leavers are reflected in the experiences of a very small number of young people who need to access accommodation in times of crisis. Leaders have responded within their strategic action plan to develop accommodation options for care leavers locally within the next two years.



# The impact of leaders on social work practice with children and families: good

- 44. There is strong political support and a cohesive relationship between the corporate and political leadership within the council. A commitment to sustained investment and a prioritisation of children's safety and positive outcomes are palpable and underpin the culture. The lead member for children is an ardent advocate for children, and with the chief executive and executive director for children they operate as an entirety, mirroring their steadfast aim to be 'One Council' with children and young people at its heart.
- 45. Oversight at corporate parenting and performance boards is unyielding. This enables effective review and scrutiny on areas to further grow and achieve for children across the whole partnership. The collective aim is to make Barnsley 'the place of possibilities' for children and their families. The challenges in the local area are well understood and an accurate understanding of practice by senior leaders is directing improvement. This includes a pledge to further invest in and strengthen edge of care services, and further commitment to increasing apprenticeships for children in care.
- 46. The chair of the safeguarding partnership recognises the skill of the executive director in bringing partners together and reforming relationships. Leaders are cognisant that they have more to do to continue to strengthen the strategic partnership arrangements needed within service delivery arrangements to protect the most vulnerable children and families. This includes police responses within the IFD and assessment teams, availability of accommodation for children aged over 16 and children in care in the local area, and the response to those children who are privately fostered.
- 47. The executive director and leaders have a comprehensive understanding of the quality of services provided to children. They have responded swiftly and effectively to prioritise areas of most urgent need within children's services. Leaders have equally managed to retain their sights on more longer-term improvements, successfully guided by the challenge and oversight of the independent development board chair, who holds local authority members and partners to account to drive the quality of practice and pace of change. The self-evaluation demonstrates an accurate, candid and well-rounded analysis of improvement in the previous 12 months and further developments. Notably, the senior leadership team has a solid grasp of the needs of families within Barnsley and services are reflective and aspirational of the local community. A new hub for children and young people is a testament to this and provides practical help and opportunities to socialise. This ensures that children and young people have a sense of community and support in their lives.
- 48. The majority of children in care live with Barnsley foster carers. Senior leaders recognise the challenges in supporting more children to live locally. The fostering service has undergone redesign and received increased investment, and a newly commissioned marketing consultant is helping to tackle local



- sufficiency challenges. Senior leaders are aware that they have more to do to tackle these national challenges and plans are well under way. Substantial investment and expansion within preventative services is enabling a quicker response to help children remain safely within their family networks.
- 49. An embedded quality assurance framework and detailed tracking and oversight of learning actions are leading further practice improvements across children's services. This is strengthened by the executive director's oversight and involvement in practice audits, which includes visits to families. Social workers are positive about auditing practice and perceive it as a transparent and collaborative learning process from which they benefit.
- 50. Leaders have experienced strategic and operational challenges since the migration to their new electronic recording system. This has impacted on their ability to consistently gather and analyse data about staff performance and the impact for children and their families. This has resulted in some manual workarounds. Senior leaders have ensured that this remains a key priority to resolve. Further investment has been ringfenced and the use of external consultants to strengthen the performance management framework is in place. This ensures that senior leaders can reliably provide members and corporate leaders with an accurate and tight grasp of how services are performing and improving children's lives. Nonetheless, there is considerable scrutiny of operational performance by senior leaders through frequent performance clinics and weekly operational meetings.
- 51. Significant investment in the workforce and an unremitting drive to retain staff through generous incentive schemes have halved the use of agency staff since the arrival of the executive director. A creative and canny approach in converting a considerable number of agency staff to permanent and in attracting staff outside of Barnsley has contributed to this. Consequently, leaders have achieved a reduction in workers' caseloads through a considerable injection of resources across the IFD, EDT, assessment and Future Directions teams. This has undoubtedly led to improved workforce stability and wider improvements to practice for children and young people.
- 52. Staff in Barnsley benefit from a bespoke and thoughtfully commissioned array of training and resources to help improve practice across children's services resulting from a new practice development hub. A new managers course is also enabling a much sharper focus on practice improvement. Leaders are aware that they have more to do to improve the quality and consistency of supervision across the majority of children's services to create continued progress for children and their families.
- 53. Staff enjoy working in Barnsley. They feel heard. They collectively speak of the improved changes to practice because of the visibility and involvement of the executive director and senior leadership team, which is described as commonplace. The executive director, through their determination and vision, has created a culture of learning, honesty and care within the workforce.



Operational policies are frequently updated and provide clarity and direction. The approachability of senior leaders and quality of training are seen as considerable strengths by staff. They feel supported and speak positively about the impact of supervision from their managers.





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#### **BARNSLEY METROPOLITAN BOROUGH COUNCIL**

REPORT OF: EXECUTIVE DIRECTOR GROWTH AND SUSTAINABILITY

TITLE: SOUTH YORKSHIRE STAGES RALLY 2023

REPORT TO:	CABINET
Date of Meeting	15 November 2023
Cabinet Member Portfolio	Environment and Highways
Key Decision	Yes
Public or Private	Public

# **Purpose of report**

To request Cabinet to consider, and if minded approve, granting the issue of a Motor Race Order, on the basis that there are no grounds for objection, for a closed road rally within the borough and managed and delivered by South and Hallamshire Motor Club on 10<sup>th</sup> December 2023.

# **Council Plan priority**

- Healthy Barnsley does not relate to this proposal
- Learning Barnsley does not relate to this proposal
- Growing Barnsley there is the potential of a boost in income for local businesses such as cafes and hotels
- Sustainable Barnsley does not directly relate to this proposal however, the event organisers will be providing funding for carbon offset
- Enabling Barnsley does not relate to this proposal

#### Recommendations

#### That Cabinet:

- 1. Consider the application made by Sheffield and Hallamshire Motor Club for the Council to issue a Motor Race Order to allow them to hold a closed road rally in the borough on Sunday 10<sup>th</sup> December 2023
- **2.** If Cabinet are satisfied there are no reasonable grounds for objection, agree to the issue on a single time basis a Motor Race Order for this event.

#### 1. INTRODUCTION

- 1.1 Road racing on the public highway is normally unlawful. However, the Road Traffic Act 1988 was amended to create a controlled process which can make road races lawful in certain circumstances. Road races must be approved by the local Highway Authority and a relevant motorsport governing body. Such bodies must be approved by regulations made by the Secretary of State.
- 1.2 The process for a lawful road race is as follows:
  - a. The promotor of an event applies for a motor racing order to an approved governing body (in this case to *Motorsport UK*).
  - b. The governing body undertakes public consultation.
  - c. The governing body issues a permit for the race.
  - d. The promotor, having received a permit, makes an application for a motor racing order to the highway authority at least six months before the event.
  - e. The highway authority decides whether or not to make an order.
- 1.3 If a Motor Racing Order is made then the event is lawful and a number of road traffic and other offences do not apply to people who participate in the event, so long as they act in accordance with the Order.
- 1.4 The Highway Authority may not make the motor race order unless it is satisfied that:
  - a. Adequate arrangements have been made to allow the views of the local community to be taken into account, and
  - b. The person proposing to promote the event has shown that the event is commercially viable, and
  - c. Effective arrangements have been made to involve local residents, the police and other emergency services in the planning and implementation of the event.
- 1.5 In deciding whether or not to make an order the Highway Authority must consider anything it considers relevant and it must also consider:
  - a. The likely impact of the event on the local community, and
  - b. The potential local economic and other benefits (in respect of tourism or otherwise)
  - c. Any other local considerations that the Council thinks relevant.
- On June 6th 2023 Council representatives received notification from the Sheffield and Hallamshire Motor Club that they had successfully secured a race permit and wish to progress the necessary activities with the Council to secure a Motor Race Order to hold a closed road rally in the Penistone East and Penistone West wards. The closed road rally would consist of:
  - A four-stage event using category 3 and 4 roads in rural areas and villages in the west of the Barnsley borough;

- b. The event will be held on Sunday 10th December 2023;
- c. There will be 120 competitors in the event;
- d. The maintenance area will be based in the grounds of Magna, Sheffield Road, Rotherham. Competitors will drive under normal highway conditions to, from and between the competitive stages and will be subject to normal highway regulations and restrictions when not driving on closed road sections:
- e. A map of the route can be found in Appendix Bii.
- 1.7 Motorsport UK issued the necessary permit on 5<sup>th</sup> June 2023 (permit number 129759). In considering and issuing this permit the explicit "no objection in principle" from both South Yorkshire Police and the Council (as the Highway Authority) was required. No objection in principle was provided by the Council and South Yorkshire Police (who in providing this noted a number of concerns including in relation to safety: risk to spectators and residents, disruption to residents and local businesses, risk of protest, road safety, lessons learnt from an incident at a similar event in the East Riding of Yorkshire in February 2023 all of which are considered in appendix C.v).

#### 2. PROPOSAL

- 2.1 It is proposed that Cabinet consider the application made by Sheffield and Hallamshire Motor Club, and if minded, approve the issue of a Motor Race Order on the basis of there are no grounds for objection.
- 2.2 In order to make a Motor Race Order the Highway Authority has to consider the following points:
  - a) Adequate arrangements have been made to allow the views of the local community to be taken into account.

#### Evidence and analysis –

The Council convened a multi-agency Safety Advisory Group including representatives from the emergency services and Council services. The Group has met monthly since autumn 2022 to consider both highway and events safety themes, including the approach taken by the club to engage residents and community stakeholders.

Within this meeting consultation is held with colleagues from the fire service, police, ambulance service and Barnsley Council's licensing and regulatory services team. South Yorkshire Police's current view of the event is one of non-objection in principle.

It is a requirement of the application process that Sheffield and Hallamshire Motor Club undertake thorough consultation with all affected residents and businesses. The motor club has compiled a log of those properties affected and consulted. During the period 30/09/2023 to 21/10/2023 representatives from the club visited 287 properties, of which 111 we're spoken to directly with the remainder being left an information letter. 17 residents requested support

during the event ranging from accommodating pre-arranged appointments (i.e. vets, shopping, care support) to specific timed access for livestock welfare visits and family events.

The club have also exhibited at the Penistone show.

To date, two formal complaints have been received about the proposed event by the Council and dealt with using the Council complaints process. Some residents have concerns regarding lack of access to their properties for a non-essential road closure, comparing the event with a road closure for highway resurfacing or utility works. Complaints have also been received from event venues and a local Café who sells Christmas trees, with the road closures impacting their business at key times. The organiser's have actively attempted to ameliorate these concerns with various proposals. Comments have been posted on local social media groups with a mix of both positive and negative commentary. The club is yet to release the Residents Handbook which sets out, amongst other things, how residents can safely leave and return to their properties, but this will be released w/c November 6<sup>th</sup>.

The motor club have had detailed discussions on their proposals with both Penistone East and West members and the MP for Penistone and Stocksbridge. Both the MP and Conservative and Liberal Democrat members fully support the event.

Appendix C1 sets out in detail the scope of public consultation and local resident engagement that the organisers have undertaken.

It is felt that the organisers have demonstrated a good understanding of the need to consult and liaise with the local and business community and have undertaken this, responding to specific local concerns when raised.

b) The person proposing to promote the event has shown that the event is commercially viable;

#### Evidence and analysis -

Financial information has been presented to Council Officer's showing the costs of holding the event, administration and planning costs, set up and delivery costs, entry fees charged and sponsorship income. This shows that the projected income exceeds the cost of running the event.

c) Effective arrangements have been made to involve local residents, the police and other emergency services in the planning and implementation of the event.

#### **Evidence and analysis -**

The Council convened a multi-agency Safety Advisory Group including representatives from the emergency services and Council services. The Group has met monthly since autumn 2022 to consider both highway and

events safety themes. An ongoing action log has been maintained and there are currently no outstanding actions of sufficient concern to object to the issue of a Motor Race Order (albeit this does not preclude any arising following issue of the Order, therefore the proposed Order includes a clause for the Council to withdraw the order at any time if outstanding concerns of merit remain).

Within this meeting consultation is held with colleagues from the fire service, police, ambulance service and Barnsley Council's licencing and regulatory services team. South Yorkshire Police's current view of the event is one of non-objection.

Appendix C1 sets out in detail the scope of public consultation and local resident engagement that the organisers have undertaken.

The consensus of opinion from all blue light partners is the event is being well organised and there are no material matters outstanding that suggest the event cannot progress as described.

- 2.3 It should be noted that whilst Motorsport UK have granted a rally permit having been satisfied that the organisers have taken steps to run the event in a reasonably safe way, it is not possible to entirely eliminate all risks. A recent similar event in the East Riding of Yorkshire on 26<sup>th</sup> February 2023 resulted in serious injuries to a member of the public. There are multiple residential properties on the route with the walls of dwelling parts of some residential properties are within a metre of the carriageway surface.
- 2.4 The rural nature of the rally routes means there are few opportunities for local businesses to capitalise on any spectators. It is likely there will be overnight stays for drivers and their attendant teams, which will benefit local hotels and guest houses. A designated spectator area which will hold up to 800 people is being staged by the Organisers which will bring additional footfall to the area. This may in turn lead it increased footfall in Penistone town centre. Since the maintenance base is in Rotherham, this benefit will be enjoyed mostly by businesses outside the Barnsley borough. Sheffield and Hallamshire Motor Club have prepared reports on the matters below with these show in Appendix C:
  - a. Consultation arrangements and outcomes
  - b. Financial viability
  - c. Community impacts and mitigations (including mitigation of impacts on individual households/properties)
  - d. Economic and community benefits

#### 3. IMPLICATIONS OF THE DECISION

#### 3.1 Financial Considerations

3.1.1 Consultations have taken place with representatives of the Director of finance (S151 Officer).

- 3.1.2 The organisers will make a financial contribution of approximately £5,000 to Barnsley Council, which will cover agreed costs incurred to create the necessary legal orders and ensure appropriate scrutiny of the route.
- 3.1.3 The organisers will also make a financial contribution of £1,500 to the Council to pay for green initiatives, offsetting any negative carbon impacts.
- 3.1.4 If the event goes ahead further financial impacts could occur which are not currently budgeted for and will require appropriate governance approval if they are to occur.
- 3.1.5 A considerable amount of officer time has had to be dedicated to this application via a core group of officers. Whilst not incurring additional direct costs to the Authority, this has diverted officer focus and time from other priorities. In addition, wider involvement of officers and partners (notably the emergency services) have dedicated time to the application.
- 3.1.6 The race is to be fully insured by the organiser and therefore no financial impact would occur to BMBC if insurance was required to be activated.
- 3.1.7 Sheffield and Hallamshire Motor Club have indicated that a further event may be proposed for autumn 2024 and potentially future years afterwards. A review of the economic benefits and value for money will be undertaken should approval be granted for rally in 2023 so that this can be considered as part of any future application. This report will be presented back to Cabinet at a future date. Any future application will require appropriate governance and financial implications will be considered accordingly at this stage.

# 4. Risk Implications

- 4.1 Motor sport has obvious inherent risks. Whilst Sheffield and Hallamshire Motor Club have satisfied Motorsport UK that the rally aspects of the event will be run safely, as illustrated by the incident in East Riding in February 2023, risks cannot be eliminated. The Council will not be the organiser for or deliver/manage the event however, in the event of any incident there is the potential for the approval process to be questioned. The extent of this would likely depend on the seriousness of the incident, and whether the incident involved only those competing in and/or delivering the event or members of the public. Therefore, Cabinet must be satisfied that the Council has undertaken reasonable due diligence if the decision to grant a motor race order is made. It should be noted that the Council's own Regulatory Services are the enforcing authority for motorsport workplace health and safety, not the Health and Safety Executive (HSE). So should a work-related incident occur Regulatory Services may be the investigating authority.
- 4.2 Whilst the proposed rally will not be delivered by the Council and therefore will not directly impact Council staff, there are ancillary risks. Council staff will need to undertake pre and post event highways assessments exposing them to business as usual risks. In addition, in the event of any major incident

Council staff may be required to respond as part of routine emergency response arrangements. However, Council staff will not be on/in the rally route in any official capacity albeit they may be present in the 'rally control' as liaison along with representatives of the emergency services.

- 4.3 The closure of any roads has the potential to impact on the response to an emergency incident. Inherent to the draft Motor Race Order is a clause for the Council to stop the event in emergency circumstances to facilitate any necessary emergency response and/or if concerns regarding safety arise and are not suitably mitigated by the organisers.
- 4.4 The closure of roads and exclusion of normal road users and pedestrian has the potential to disrupt communities and individuals' right to a private life. However, the closure of roads for events is not uncommon or without precedent in the Council (e.g. Tour de Yorkshire, town hall based events). Sheffield and Hallamshire Motor Club have consulted communities affected, considered community impacts and put in place, in their view, reasonable mitigations as outlined in appendices Ci and Ciii (including provision to not adversely impact those who rely on home based health services and/or domiciliary care services when the roads are closed).
- 4.5 The event is unlikely to generate as much economic benefit for local hospitality industry as originally envisaged when the project was first muted, as the maintenance area is located in Rotherham MBC area and the proposed event in Penistone the evening before the rally has been cancelled. A designated spectator area which will hold up to 800 people is being staged by the Organisers which will bring additional footfall to the area. This may in turn lead it increased footfall in Penistone town centre.
- 4.6 This report has been submitted earlier than the decision could actually be made to allow Sheffield and Hallamshire Motor Club sufficient time to market the events, process entries and make final arrangements etc. Given this it must be noted there are residual/ongoing risks that will be outstanding and which will remain subject to due diligence via the Safety Advisory Group such as final arrangements for spectator areas and the facilities required, set up and clear down arrangements. On this basis the Motor Race Order again includes a clause for the Order to be withdrawn if safety concerns are not addressed to the satisfaction of the Safety Advisory Group or Council.

# 5. Legal

- 5.1 The creation of a Motor Race Order suspends the rules of the road, meaning if the requirements of the order are followed the driver cannot be prosecuted for offences such as speeding or causing death by careless driving.
- In deciding whether to approve the issue of the Motor Race Order, Cabinet must be satisfied there are no reasonable grounds for refusal. In coming to its decision, Cabinet must only take into account relevant considerations, namely the tests set out in sections 1 & 2 above. It should not take into account any irrelevant considerations.

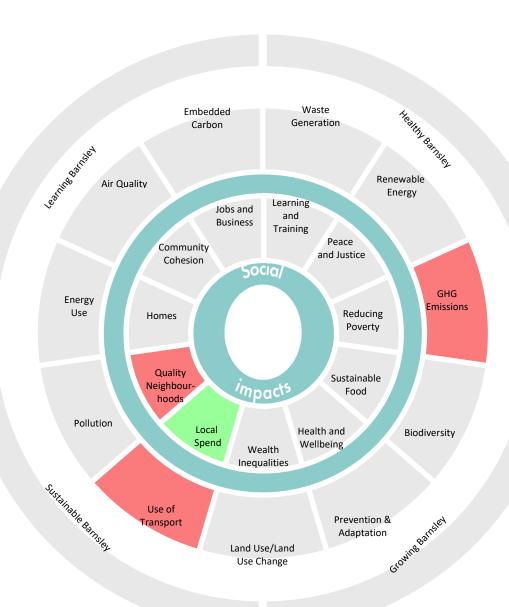
5.3 The Council's own Regulatory Services are the enforcing authority for motorsport workplace health and safety, not the HSE. Regulatory Services have confirmed this position with the HSE.

# 6 Equality

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
  - a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
  - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding
- 6.2 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

# 7 Sustainability

- 7.1 The rally will use high powered cars powered by internal combustion engines being driven at high speeds. These are naturally not as efficient as standard road cars. There will also be a considerable support operation required consisting of additional vehicles, generators etc, which will contribute to the carbon footprint of the event. There is currently no active travel alternative to rallying, however the car rally will make a financial contribution of £1,500 to the Council to pay for green initiatives such as insulation in an attempt to make the event carbon neutral.
- 7.2 Concerns have been raised at similar events with regard to impact on wildlife. At a similar event in Essex consultation was held with the RSPB, who confirmed they did not expect an event such as this would impact on nesting birds and other wildlife. Whilst noise levels will be higher than normal traffic, vehicles must still comply with relevant noise legislation with the rally cars meeting Motorsport UK requirements with cars subject to scrutineering.
- 7.3 The sustainability wheel is show below:



# 8 Employees

- 8.1 The organisation and preparation of legal documents for the event has already required a significant draw on the resources of Council employees.
- 8.2 The event falls during the winter maintenance period so additional hours and shifts may be required to facilitate access to the proposed route (for which if outside or in addition to priority one and two gritting routes a charge may be applied to Sheffield and Hallamshire Motor Club however, a service cannot be guaranteed.
- 8.3 Condition surveys of the highway prior to and post the event will be a significant undertaking for Barnsley Council, as will the rectification of any damage caused by the event.
- 8.4 The event will be delivered and marshalled by the Sheffield and Hallamshire Motor Club however a number of Council employees may either be present in the 'rally control' or required to be available in the event of any incident.

#### 9 Communications

- 9.1 A robust communications strategy is required to ensure highway users are fully aware of the proposed road closures. Sheffield and Hallamshire Motor Club are leading on communicating with affected residents and businesses. This is not a Council event and therefore it is proposed that all communications are driven by the motor club.
- 9.2 The event if agreed could lead to increased calls to the Council in the immediate period before and during the event regarding road closures and diversions. It is proposed that an automated message be placed on the Council's customer contact line diverting referring these enquiries to Sheffield and Hallamshire Motor Club as the event organisers.
- 9.3 For safety reasons the event requires the complete closure of the route to vehicles and pedestrians. There is therefore the potential for considerable disruption to residents and service users on the day of the event, and potentially a day before and after the event to enable set up of the event (for example placing hay bales in the road for protection). The organisers would stop the rally at a safe point to allow emergency vehicles access to the route.
- 9.4 The organisers are aiming to accommodate all reasonable requests for access.
- 9.5 The organisers will issue a Residents Handbook to everyone living on the route which has details of the events and the relevant contact telephone numbers.

# 10 CONSULTATION

- 10.1 It is a requirement of the application process that Sheffield and Hallamshire Motor Club undertake thorough consultation with all affected residents and businesses. The motor club has compiled a log of those properties affected and consulted. They have also exhibited at the Penistone show.
- 10.2 The motor club will make three visits to all properties affected by the event to speak with the occupier, and provide written information.
- 10.3 As part of the pre-event analysis and discussion, Barnsley Council has organised monthly Safety Advisory Group (SAG) meetings. Within this meeting consultation is held with colleagues from the fire service, police, ambulance service and Barnsley Council's licencing and regulatory services team. South Yorkshire Police's current view of the event is one of non-objection.
- 10.4 The motor club have had detailed discussions on their proposals with both Penistone East and West members and the MP for Penistone and Stocksbridge. Both the MP and Conservative and Liberal Democrat members fully support the event.
- 10.5 Following routine consultation on the necessary temporary traffic regulation orders (TTROs) required to facilitate the event, the Council has received 3 responses to date requesting further details. This consultation information was posted to social on November 3<sup>rd</sup> by a member of the public which has prompted various complaints/concerns from residents (23 at 7th November 2023) including in relation to impacts on businesses, access to properties, risks to people and property and how the nature of the events fits with the Council's green agenda. All concerns relating to access and business impacts have been referred to Sheffield and Hallamshire Motor Club as the event organiser.

## 11 ALTERNATIVE OPTIONS CONSIDERED

- 11.1 The alternative would be to refuse to approve the Motor Race Order. This would mean the event cannot take place as it would not be able to be held lawfully. The grounds for refusal would need to be reasonable and relevant to the requirements set out in S.1.4 and S 1.5 previously.
- 11.2 Refusal of the event would remove the risk of damage to property and Barnsley Council's highway asset. It would also remove the risk of death and serious injury caused by accidents as a result of the rally.
- 11.3 Refusal of the event would also eliminate the inconvenience that some residents would experience.
- 11.4 Refusal to approve the event would also mean Barnsley lose any potential economic benefit of overnight stays in local hotels and additional revenue for catering outlets.

# 12 REASONS FOR RECOMMENDATIONS

12.1 Having considered the application and supporting information, Officers see no grounds for objection and recommend the issue of a Motor Race Order to the event organisers.

#### 13 GLOSSARY

 Motor Race Order – legal order allowing motor racing on the public highway, made under the Road Traffic Act 1988, <u>section 12</u> as amended in 2015.

# 14 LIST OF APPENDICES

Appendix A: Financial Implications – not required as detailed within the report Appendix B: Draft Motor Race Order

- i. Motor Race Order
- ii. Map of proposed route

Appendix C: Reports from Sheffield and Hallamshire Motor Club:

- i. Consultation arrangements and outcomes
- ii. Financial viability
- iii. Community impacts and mitigations (including mitigation of impacts on individual households/properties)
- iv. Economic and community benefits
- v. Summary incident report and lessons learnt from the incident in East Riding in February 2023

# **15 BACKGROUND PAPERS**

[Details of background papers **MUST** be included]

If you would like to inspect background papers for this report, please email <a href="mailto:governance@barnsley.gov.uk">governance@barnsley.gov.uk</a> so that appropriate arrangements can be made

# 16. REPORT SIGN OFF

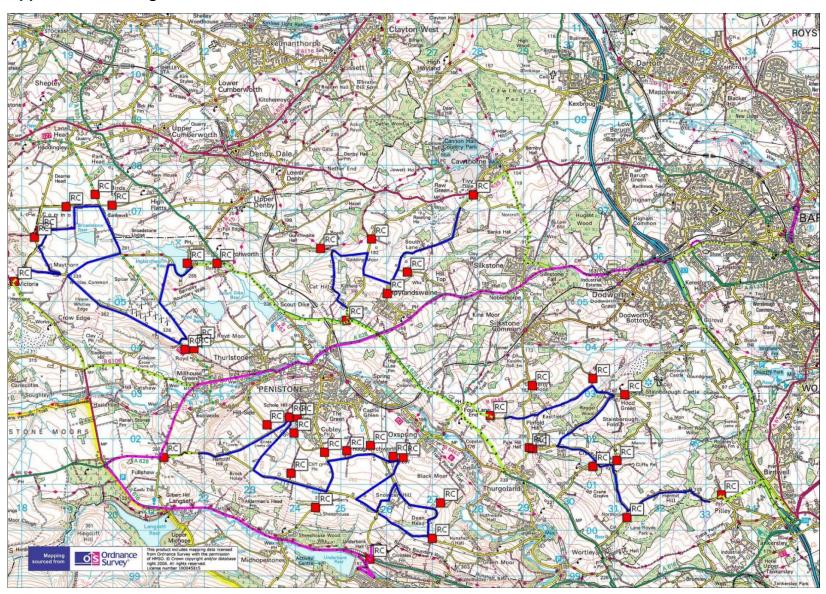
Financial consultation and sign off	Ashley Gray – Strategic Finance Business Partner 24/10/2023
Legal consultation and sign off	Sukdave Ghuman 7 November 2023

# **Report Authors:**

- Simon Dobby; Head of Corporate Health, Safety and Emergency Resilience
- Matthew Bell; Head of Highways and Engineering
- John Finch; Head of Culture and Visitor Economy

Date: 7 November 2023

# Appendix Bii – Stage Route Overview



# Appendix Ci:

# summary of consultation arrangements and outcomes (provided by Sheffield and Hallamshire Motor Club)

White's Bakery,
Penistone, South Yorkshire Stages
Consultation arrangements and outcomes
Report for BMBC Cabinet Report (As September 2023)



#### Introduction

Sheffield and Hallamshire Motor Club (S&H) have undertaken consultation in 2 ways in line with Motor Sport UK's (<a href="https://www.motorsportuk.org/wp-content/uploads/2019/08/2019-07-24-guideline-document-outlining-the-application-process.pdf">https://www.motorsportuk.org/wp-content/uploads/2019/08/2019-07-24-guideline-document-outlining-the-application-process.pdf</a>) prescribed process for all properties affected by the event.

1. Visiting every property directly affected by the road closures 3 times prior to the event. (All properties either on the route or their access to the highway network is blocked by road closures).

If the residents are at the property at the time of the visit they are spoken to about the event. If they have any concerns or objections, these are recorded and are given a letter with S&H contact details, should they require additional information. If there is no one present at the property a letter with contact details and brief information about the event is posted at the property. Resident Handbook (see appendix 1) is issued on the 3<sup>rd</sup> visit.

**2. Public consultation**. Attending major local events, via the democratically elected bodies and social media

# Social Media

Hollywood Media have been engaged to promote the event on social media to both the motorsport community and local residents, safety and spectator information is a critical part of the event information that will increase as we get closer to the event start.

The 3 local bus companies have been contacted and will be advised of the details of the ceremonial start and the road closures.

# Updates as of 25th September 2023

# 1. Visiting every property directly affected by the road closures

To date all properties have been visited for the first time. The relevant ward councilors have been very supportive in assisting with these visits.

Number of properties visited 1st time	357
Number of residents spoken to	209
Number of letters where no resident present	148

- There have been several requests for additional information which have satisfied residents.
- There have been 2 formal objections:

- 1. Relating to a property at the side of the road, additional protection in the form of extra, large round bales has been proposed, this has been approved by MSUK Safe Delegate at a recent site visit and relayed to BMBC SAG and Highways Department
- 2. A local business, we are currently negotiating the use of a field as a spectator location and propose to offer the affected business the catering outlet and a stall for their other business.

The second round of visits commenced start September; third visits will take place in October.

# Second round of PR visits (September)

Objective: populate pr log with personal contact information gain signature approval to record info as per GDPR. Record answers to questions (see appendix 2 for Questionnaire)

# As of 6th November 2023

Number of properties visited 2 <sup>nd</sup> time to date	287
Number of residents spoken to	111
Number of letters where no resident present	176
Number of residents requiring further support/action	17

Most residents were happy to give contact information and answered the questionnaire.

#### Positive Feedback

We have received many positive responses from residents and business owners.

"Really looking forward to the event will invite friends to join us". Local Resident.

"I am going to have a special event to coincide with this event". Bar owner in Penistone.

"I am glad to know in advance as this is not my sort of thing, I shall go away for the weekend" Resident.

"I will have horses to tend to but I am sure I can fit in with your time scale so long as I know in advance" Resident.

"I am happy this event is coming to the area it will be good for the local economy" B&B owner.

## Negative Feedback

"We're concerned about the risk to residents and property" Local Resident

"I think the event will be too fast" Local Resident

"I don't think the road surface is safe" Local Resident

## 2. Public Consultation

To date S&H have attended 3 local major events; Penistone Show September 2022, Penistone Tractor Run April 2023 and Penistone Mayors Gala June 2023. We have had a large stand with rally cars and members of the organising team at

each event to discuss any concerns and provide event information.

To date there have been no objections from these events and the publicity has generated offers of assistance from Penistone Round Table and Several of the young farmers.

# Elected Members, Penistone Town Council (PTC) and Parish Councils

Elected Members attend meetings with BMBC (SAG & KIT) and are engaged in the planning of the event. They can direct any concerned parties to the most appropriate contact. PTC are updated and are assisting with the ongoing promotion of the event. Parish Councils have been invited to PTC meetings to provide them with updates, these meetings will continue.

# Appendix Cii: summary of financial viability (provided by Sheffield and Hallamshire Motor Club)

The budget is continually being updated as specific costs for our event are received. Budget will be available for inspection at the next SAG / KIT meeting but due to the Commercial sensitivity we reserve the right to retain this information. Our initial calculations and budget is based on information provided from other events (Beverly and Clacton)

Due to the event moving from the planned October date to December we have been very conservative with our ticket sales projection.

The Service Park has had to be moved from Mercedes at Tankersley. Initially we thought we might get access to the Oakwell Stadium in Barnsley, but this was unavailable and as a result we have had to move out of the borough. Our new Service park will be at Magna in Rotherham and should not too significantly increase the road mileage. We hope to host a small ceremonial start on Sunday morning and the venue will be open to spectators for a small charge.

Ticket sales for spectators on the Sunday will be split between the landowner, tenant farmer if applicable and S&H, discussions with spectator locations landowners lead S&H to believe there will be further charity donations from the landowners. A detailed budget has been forwarded to BMBC.

# Appendix Ciii: community impacts and mitigations (including mitigation of impacts on individual households/properties) (provided by Sheffield and Hallamshire Motor Club)

# **Economic & Community Impact, Mitigation and Actions**

# **Economic Impact**

The Economic benefits can be subdivided into two parts; those directly related to the event and those indirectly related to the event.

Several years ago, MSUK commissioned Sheffield University to provide a report on the projected economic benefits of closed road motorsport events based on events similar to the Jim Clark Rally that takes place in Dunns, Scotland, report attached. It should be noted this is an established event over 4 days but provides a guide as to the possible opportunity.

# Directly

As this is the first running of the event, we have obtained figures from the Clacton event. Estimated spend during the event per crew £1000.00 via our social media and event documentation we will promote B&B's etc.

Estimated spend per spectator not including access to scrutineering/spectator areas £25.00 per person. We expect 1,000 to 2,000 Spectators to the Official spectator areas and 600 to 700 visitors to the service park.

We expect most of the event spend to be within the BMBC area but some overspill to Wakefield, Rotherham, and Sheffield. Unfortunately, some of the spend in the BMBC area will be diverted to the Rotherham area due to the change of the service park from Tankersley to Magna at Rotherham.

There were too many civic events in Penistone over the Christmas period, and it was thought there would be too much disruption. It is hoped that for next year, as we plan to revert to our original date in October, we will be able to stage a more spectacular ceremonial start event.

# Indirectly

The event puts Penistone and Barnsley on the map for visitors and businesses, the event will promote the location and we will assist any business groups, BMBC, individuals or attractions to promote specific attractions or locations if approached prior to the event.

The ease of access to the area and event is a big positive over the location of similar sized events in the UK. Economic Impact (Benefit) Impact (Possible Issues) Mitigation / Actions Impact cont. \*Some local businesses will benefit \*Some local businesses have \*BMBC Highways Department have Local the event passing them and will advised a route which minimises **Business** both financially on the day and post event from broader advertising / event not be able to open at that disruption, whilst creating opportunity day sales. location on event day. for hospitality outlets. \*Businesses which are not able to \*Congestion around the event open have been supported by SHMC. \*The Round Table and Young Farmers have been engaged and area due to spectators and \*Farmers on the route will be visitors to the area. supporting the event promotion. supplying straw bales which are used in the event. Tourism The event will attract participants and Unknown prior to the event. No mitigations required. spectators from outside of the community, promoting the area as a Learning from the event will inform tourism destination. The increased the possibilities for future events. exposure may leave to future tourism growth.

Community Impact	Impact (Benefit)	Impact (Possible Issues)	Mitigation / Actions
Residents	Residents will have prime opportunity for spectating the event.	Some residents may not wish to spectate and may have an issue with noise.	*BMBC Highways Department have advised a route to maximise the spectator experience. *Residents will have been visited 3 times prior to the event and given event details verbally/written. The Resident Handbook contains all information relevant for residents.

Community	*There are opportunities for	Unknown prior to the event.	No mitigations required.
Engagement	involvement in the event as a Marshall volunteer.  *There are opportunities for local establishments such as schools, church, or business to use the event to foster a community activity on the day.  *Cultural and social impact, where enthusiasts create a sense of excitement and entertainment.		Learning from the event will inform the possibilities for future events.
Transport	Verbal enquiries with the bus companies indicated there will be little if no disruption due to the route plan.	Public transport may be affected on some of the routes and unable to run on the event day.	*The three local bus companies have been contacted and event details forwarded to enable them to inform their customers in advance of the event.
		Where taxi companies are uninformed, it may affect their routes.	*Where possible, all Barnsley taxi companies will be informed of the event.
Deliveries	Unknown	Where delivery companies are uniformed, it may affect their routes.	*Residents are informed in advance of the event and road closures *Where possible delivery companies and supermarkets will be informed of the event.
Care Providers	Unknown	Where care providers are uninformed, it may affect their plans.	*Residents are informed in advance of the event and road closures *Where possible care companies will be informed of the event.
Infrastructure Development	Any road damage / repairs and safety measures may inform BMBC future plans.	Residents may have higher expectations that actual deliverable development.	*Keep residents informed via usual BMBC infrastructure development channels.  *Road/ Infrastructure damage due to

	the event is covered by SHMC
Environmental Concerns	MSUK have commissioned consultants to provide a formula to calculate the carbon produced by the event, this will be used to calculate the cost of offsetting the carbon produced at the event, as Sheffield & Hallamshire wish to keep the benefits of the event as local as possible we will not be paying to plant trees in Scotland but have agreed that BMBC can spend funds on carbon reducing projects i.e. replacing street lighting to more efficient lamps and or school projects. We shall also use the BMBC formula to assess visitor spend. Form is below.
Safer Roads Partnership	Sheffield & Hallamshire will be working with the Safer Roads Partnership to promote road safety, stressing to young drivers that the cars entering the event are bespoke vehicles with significantly enhanced safety features and the crews are all experienced all new rally drivers have to pass a test before being able to apply for a competition license which is mandatory to be able to compete in the event. The navigators will relay to the driver pre prepared route safety notes informing them of hazards as they approach them. All of this will be used to illustrate to young drivers the high level of safety required to drive in competition.

#### Visitor spend questionaire

Was your visit part of a stay away from home?	
Yes	1
○ No	2
What types of accommodation did you stay in?	
With friends or family	1
In paid accommodation (e.g. hotel)	2
Other	3
14 only shown if EI2="Yes"	
What other type(s) of accommodation did you stay in?	
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Appendix Civ: economic and community (including mitigation of impacts

on individual households/properties) (provided by Sheffield

and Hallamshire Motor Club)

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The ease of access to the area and event is a big positive over the location of similar sized events in the UK.

#### Post event

MSUK have recently commissioned consultants to provide a formula to calculate the carbon produced by the event, this will be used to calculate the cost of offsetting the carbon produced at the event, as Sheffield & Hallamshire wish to keep the benefits of the event as local as possible we will not be paying to plant trees in Scotland but have agreed that BMBC can spend to funds on carbon reducing projects i.e. replacing street lighting to more efficient lamps and or school projects. We shall also use the BMBC formula to assess visitor spend. Form is attached.

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Sheffield & Hallamshire will be working with the Safer Roads Partnership to promote road safety, stressing to young drivers that the cars entering the event are bespoke vehicles with significantly enhanced safety features and the crews are all

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Was your visit part of a stay away from home?  Yes 1 No 2  What types of accommodation did you stay in?  With friends or family 1 In paid accommodation (e.g. hotel) 2 Other 3 El4 only shown if El2="Yes" What other type(s) of accommodation did you stay in?  El4a only shown if El4="Other"  How many nights did you stay in Barnsley? With friends or family 1 In paid accommodation (e.g. hotel) 0 Other  El4b only shown if El4="With friends or family". El4c only shown if El4="In paid accommodation (e.g. hotel)". El4d only shown if El4="Other".  Per day, how much money did you spend in Barnsley on yourself and others? On local travel (in Barnsley only) At the event itself (e.g. on food, drink, merchandise/shopping etc.) On accommodation (if you stayed away from home) On food, drink, shopping etc. outside the event/venue On other purchases What other purchases did you make?		Visitor spend	questionair	e	
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On food, drink, shopping etc. outside the event/venue  On other purchases				· <b>'</b>	
On other purchases	On accommodation (if you	stayed away from ho	me)		
	On food, drink, shopping et	c. outside the event	venue		
What other purchases did you make?	On other purchases				
	What other purchases did	you make?			
	EI5f only shown if value give	ven for El5d			

E16	Was this expenditure just for you, or did it also cover other people?		
	Just me	1	
	Me and others	2	
El6a How many others?			
	El6a only shown if El6="Me and others"		

Appendix Cv: summary incident report and lessons learnt from the

incident in East Riding on 26th February 2023 (provided by

**Sheffield and Hallamshire Motor Club)** 

# **Incident summary**

The incident occurred on a stage at a point of a fast approach to a slight bend over a crest and leading to a chicane. The road conditions were dry and the weather dry and sunny. A competitor lost control whilst braking and collided with a telephone pole and the car continued on through a hedge, surrounding a farmhouse, and collided with three spectators standing in the private garden. Those injured were attended to by both rally medical resources and stewards and the emergency services with the event temporarily stopped following the rally operating procedures.

# Lessons learnt points to action.

The incident was investigated by both the rally organisers and Motor Sport UK, the lessons learnt include:

- All chicanes to be sited away from natural hazards and habitation this has been reviewed and as necessary changes made for the South Yorkshire Stages Rally
- Future events to work, when published, within new chicane guidelines being developed by Motor Sport UK. These are expected to be adopted for the South Yorkshire Stages Rally and Motor Sport UK have reviewed the rally route and infrastructure as part of the licensing process.
- Discuss with residents about unsafe viewing areas and make recommendations for safer viewing. This will explicitly be reviewed as part of resident consultation for the South Yorkshire Stages Rally and as necessary residents informed of risk area that must not be used. Rally stewards will undertake periodic monitoring of residential risk areas.
- Review of response arrangement between the rally organisers and emergency services. Specific meetings between Sheffield and Hallamshire Motor Club and the emergency services have taken place in developing arrangements for the South Yorkshire Stages Rally.

#### **BARNSLEY METROPOLITAN BOROUGH COUNCIL**

## **BARNSLEY (VARIOUS ROADS), MOTOR RACE ORDER 2023**

This order is made under the ROAD TRAFFIC ACT 1988 ('the 1988 Act')

- A. Barnsley Metropolitan Borough Council ('the Council'), has received an application under section 12C of the 1988 Act from Sheffield and Hallamshire Motor Club Motor Club ('the Promoter') for a Motor Race Order to authorise an event to take place on the highway as set out in Schedules I and II below, being a race or trial of speed between motor vehicles on a highway in England and Wales ('the Event').
- B. The Council is the local highway authority for the highways on which the Event is to take place.
- C. The Council has considered:
  - (a) the likely impact of the Event on the local community,
  - (b) the potential local economic and other benefits (in respect of tourism or otherwise), and
  - (c) any other local considerations that the Council thinks relevant.
- D. The Council is satisfied that:-

occurring.

- (a) adequate arrangements have been made to allow the views of the local community to be taken into account,
- (b) the Promoter has shown that the Event is commercially viable, and
- (c) effective arrangements have been made to involve local residents, the police and other emergency services in the planning and implementation of the Event.
- E. The application for the Order was made with the permission of the Royal Automobile Club Motor Sports Association Limited (hereinafter called Motorsport UK) ('the Governing Body') (being a motor sport governing body with authority to issue permits in respect of a race or trial of speed of that kind for the purposes of the Road Traffic Act 1988 (Motor Racing) (England) Regulations 2017, made under section 12B of the 1988 Act. The permit, number XXXXXXXXX dated XXXXXXXXXX is appended as Schedule 4 to this Order. The Sheffield and Hallamshire Motor Club and Motorsport UK as the governing body is satisfied the event is safe to proceed and agrees to indemnify the Council of all liability.
- F. The application included details of any orders under 16A of the Road Traffic Regulation Act 1984 (temporary restriction on roads in connection with certain events), and of any other orders, regulations or other legislative instruments, that will be needed in connection with the Event.
- G. By virtue of section 12E (6) of the 1988 Act the Promoter is liable in damages if personal injury or damage to property is caused by anything done
  - (a) by or on behalf of the Promoter in connection with the Event, or
  - (b) by or on behalf of a participant or an official, unless it is proved that the Promoter took reasonable steps to prevent the injury or damage
- H. By virtue of section 12E (7) of the 1988 Act, for the purposes of the Law Reform (Contributory Negligence) Act 1945, the Fatal Accidents Act 1976 and the Limitation Act 1980 any injury or damage for which a person is liable under subsection 12E (6) is to be treated as due to the fault of that person.

In exercise of its powers under sections 12A to 12E of the 1988 Barnsley Metropolitan Borough Council hereby orders as follows:

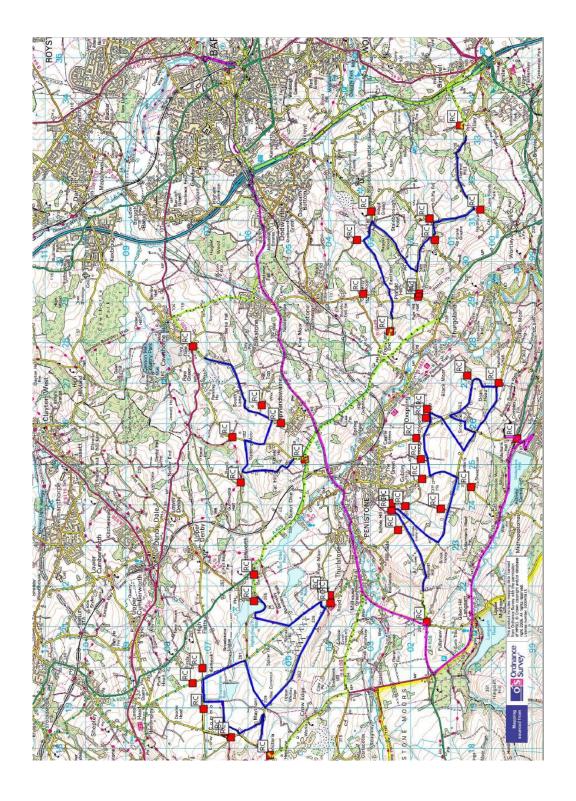
The Event may take place on the highways listed in Part I of Schedule I to this Order and shown on the map in Part 2 of Schedule I to this Order and subject to compliance with the permit at Schedule II to the Order and subject to compliance with the conditions listed in Schedule III of this Order.

# SCHEDULE 1 – LIST OF AFFECTED HIGHWAYS

Part 1
Route of rally

Street Name	Locality
Pilley Hills	Pilley
Hermit Hill Lane	Wortley
Cliff Common Lane	Crane Moor
Dance lane	Crane Moor
Hand Lane	Crane Moor
Hollin Moor Lane	Thurgoland
Bagger Wood Road	Hood Green
Bagger Wood Hill	Hood Green
Eastfield Lane	Hood Green
Hopping Lane	Thurgoland
Bird Lane	Thurgoland
South Lane	Cawthorne
Haigh Lane	Hoylandswaine
Cross Lane	Hoylandswaine
Gadding Moor Road	Cawthorne
New Road	Gunthwaite
Carr Lane	Gunthwaite
Cat Hill Lane	Hoylandswaine
Firs Lane	Hoylandswaine
Annat Royd Lane	Ingbirchworth
Spicer House Lane	Ingbirchworth
Royd Moor Hill	Penistone
Whitley Road	Whitley Common
Browns Edge Road	Whitley Common
Broadstone Road	Whitley Common

Street Name	Locality
Windmill Lane	Upper Maythorne
Birds Nest lane	Upper Maythorne
Grime Lane	Upper Maythorne
Upper Maythorn Lane	Upper Maythorne
Lower Maythorn Lane	Whitley Common
Wood Royd Hill Lane	Victoria
Hartcliff Road	Cubley
Brockholes Lane	Cubley
Hartcliff Hill Road	Cubley
Mossley Road	Cubley
Mortimer Road	Cubley
Oxspring Road	Cubley
Long Lane	Penistone
Park Lane	Oxspring
Back Lane	Snowden Hill
Salter Hill Lane	Snowden Hill
Dyson Cote Lane	Snowden Hill
Grudgby Lane	Snowden Hill
Cross Lane	Snowden Hill
Pond Common Lane	Snowden Hill
Sharp Royd Nook	Hunshelf
Dean Head Lane	Hunshelf
Hunshelf Hall Lane	Hunshelf
Tofts Lane	Snowden Hill
Underbank Lane	Stocksbridge



# Part 2

Plans of roads and PROWS to be closed (closed roads shown as a blue line)

#### **SCHEDULE 2 – FINANCIAL DECLARATION**



Mr S P Flanaghan 71 Ullswater Drive Dronfield Woodhouse, Dronfield Derbyshire S18 8PN

Dear Secretary,

#### ORGANISING PERMIT/CERTIFICATE OF EXEMPTION

CLUB ID:

Sheffield & Hallamshire Motor Club ORGANISING CLUB: DATE/S OF EVENT: 10 Dec 2023 to 10 Dec 2023 TYPE OF EVENT: Stage Rallying-Stage 45 Miles & Over

STATUS OF EVENT: Interclub

VENUE: Penistone South Yorkshire, S75 3DH

PERMIT NUMBER: 129759

The Royal Automobile Club Motor Sports Association Ltd (hereinafter called Motorsport UK) authorises your Club to organise the event detailed above subject to compliance with the General Regulations of Motorsport UK and all other relevant requirements of Motorsport UK. Your attention is drawn to the conditions printed on the reverse of this form and those stated hereunder.

If applicable, the event has been authorised under the Motor Vehicles (Off Road Events) Regulations 1995 (as amended), see overleaf.

Please note: Motorsport UK Steward TBA.

#### FINANCIAL DECLARATION

We certify that the competitor numbers shown below signed-on for the above event. Accordingly we enclose our remittance fee made up as follows:

		PAYMENT METHOD
COMPETITORS @	€ 88.00	Bank Transfer
		Details can be found overleaf
OTHER FEES		Credit/Debit Card Log in to <u>www.motorsportuk.org</u> to pay your Permits online
TOTAL		Cheque
•		Cheques to be made payable to Motorsport UK and sent to the address below.
VAT RECEIPT		•
(Please enclose an S.A.E if address di	ffers from Permit)	
Secretary of Meeting		Some Fouler
For and on behalf of		
Date		For and on behalf of Motorsport UK Date of Issue 05/06/2023

 Motorsport UK
 T:
 +44 [0] 1753 765000
 Motorsport UK. Association Limited, trading as Motorsport UK.

 Bicester Motion
 E:
 hellogmotorsportuk.org
 Registered Office: See main address

 OX27 8FY
 W:
 motorsport uk.org
 Registered Number: 1344829 England



#### ALL EVENTS

Please note D26.4 - Post event paperwork is required by Motorsport UK within 14 days of the event and can be emailed to competitionsandclubs@motorsportuk.org. Please include the Permit number in the subject line and highlight any issues in the main email. D4.5.5 Clubmans events - post event paperwork is only required if there has been an incident involving loss or damage to persons or property.

# PUBLIC HIGHWAY EVENTS - Motor Vehicles (Competitions & Trials) Regulations 1969 (as amended) This event permit is not valid until a separate Authorisation has been issued under the above mentioned Regulations, or is of a type listed under Regulation 5.

Note Section 170 of the Road Traffic Act 1988 and Rule 286 of the Highway Code. Any injury incidents must be reported to the Police Authority. Details must also be included in the Stewards Report to this office. Clubs are obliged to remind competitors of their statutory duty to stop and/or report any accident as required by the Road Traffic Act.

#### PER CAPITA FEES

The charges stated overleaf are based on the number of competitors/entrants signed-on for the event.

Team/Endurance races where two or more drivers share the driving of one vehicle entered, only one per capita fee is required per vehicle.

#### INSURANCE - ALL EVENTS

Subject to payment of fees, the Organising Club is entitled to the benefit of Motorsport UK's Legal Liability and Personal Accident to Officials Policies as specified in Appendix 2 of the Motorsport UK Yearbook.

The insurance is conditional upon the organisers compliance at all times with the Motorsport UK regulations and requirements and the policy conditions.

In the case of any accident involving injury to any third party or damage to their property the organisers should give notice to Motorsport UK as soon as possible, but in any event within 14 days, together with the fullest information in writing.

No admission, offer, promise or payment shall be made by the organisers or its officials without the written consent of the Insurers and / or their Agents.

Should the landowner require a contract to be signed by the organising club, this must be forwarded to Motorsport UK before the contract is entered into to ensure that the terms are covered by Motorsport UK Master Policies. A copy of the Motorsport UK Public Liability Insurance schedule for clubs can be found at <a href="https://motorsportuk.bluefinsport.co.uk/">https://motorsportuk.bluefinsport.co.uk/</a>

#### CANCELLATION

If for whatever reason the competition for which this permit is issued is cancelled or postponed, you can cancel the Permit by logging in as the Club at <a href="https://www.motorsportuk.org">www.motorsportuk.org</a>. Certificate of Exemptions, 12 Car and Scatter Rally fees are only refundable under extraordinary circumstances.

#### SIGNING ON SHEETS AND DECLARATIONS

Please use the most recent signing-on sheets from Motorsport UK website and ensure that your entry form complies with D13.1

#### MOTORSPORT UK STEWARD/OBSERVER

Details of the Motorsport UK Steward or Observer will be advised as soon as possible to the applicant, note G1.2.1-1.2.4, G2.3, Appendix 1(3) and R2.8.2 for rallies.

#### NOTIFICATION OF SERIOUS INCIDENTS/FATALITIES

Stewards and Clerks are reminded that in the event of a fatality or potential fatality they should inform the Motorsport UK Emergency Contact without delay on 07525 237403

#### CONTENTS OF ENTRY FORM

The requirements are set out in D12. Organisers are asked to ensure that these requirements are met, in particular your attention is drawn to: D12.3.7 "Space for the name and address of a relative or friend to be informed in case of a serious accident". It is also advisable to request a telephone and/or mobile number.

#### OFF-ROAD EVENTS - The Motor Vehicles (Off Road Events) Regulations 1995 (as amended)

This authorisation may be revoked before the event, or while it is being held, if at any time the event does not comply with the Regulations, the relevant General Regulations of Motorsport UK and the Supplementary Regulations as approved for this event, and any specific conditions specified overleaf.

The Road Traffic Act 1991 includes regulations which make dangerous or careless driving in a public place an offence. Section 13 A of that act provides for the Motor Vehicles (Off Road Events) Regulations 1995 (as amended) and the issue of a Motorsport UK Permit exempts competitors from the appropriate sections of the Act (Sections 1, 2 & 3) whilst driving within the rules of the competition.

#### BANK TRANSFERS (BACS)

ACCOUNT NAME: MOTORSPORT UK ACCOUNT NO: 14742411 SORT CODE: 60-07-29

IN ORDER FOR YOUR BANK TRANSFER TO BE PROCESSED, PLEASE RETURN THIS PERMIT TO MOTORSPORT UK. YOU MAY EMAIL A COPY TO COMPETITIONSANDCLUBS@MOTORSPORTUK.ORG



Club: Sheffield & Hallamshire Motor Club

Event: White's Bakery Penistone South Yorkshire Stages Rally

Permit #: 129759 - Schedule

In accordance with the Road Traffic Act 1988, Sec. 12B(4)

a) Public Roads in the area of Penistone, South Yorkshire, as detailed in the Event Safety Plan.

- b) No driver will be permitted to take part in the event unless they hold a valid Motorsport UK driver's licence [category RS National Stage Rally, RS Interclub Stage Rally or Rally International] which must be presented on the day. Competitors must comply with Motorsport UK Regulations R5.1 to R5.4.5, H25.1.5., H25.2.1., H31.1.1 to H32.1.7, H Chart 7 and Chart 26.
- c) No vehicle will be permitted to take part in the event unless it has been approved by Motorsport UK acting via a Motorsport UK appointed scrutineer and confirmed as meeting the following requirements: Vehicles complying with Motorsport UK Regulations R46-49.11.4, R25.2 as appropriate and
  - scrutinised in accordance with Motorsport UK Regulations R5.1 to R5.1.4.
- d) Insurance provided by the issue of this Motorsport UK Event Organising Permit is explained on the reverse of the Permit.

Motorsport UK Bicester Motion OX27 8FY



Motorsport UK Association Limited, trading as Motorsport UK Registered Office: See main address Registered Number: 1344829 England



#### **SCHEDULE 3**

- 1. No driver will be permitted to take part in the event unless they hold a valid Motorsport UK driver's licence [category RS National Stage Rally, RS Interclub Stage Rally or Rally International] which must be presented on the day. The Sheffield and Hallamshire Motor Club will be responsible for ensuring compliance with this.
- 2. Competitors must comply with Motorsport UK Regulations R5.1 to R5.4.5, H25.1.5., H25.2.1., H31.1.1 to H32.1.7, H Chart 7 and Chart 26.. The Sheffield and Hallamshire Motor Club will be responsible for ensuring compliance with this.
- 3. No vehicle will be permitted to take part in the event unless it has been approved by Motorsport UK acting via a Motorsport UK appointed scrutineer and confirmed as meeting the following requirements:
  - Vehicles complying with Motorsport UK Regulations R46-49.11.4, R25.2 as appropriate and scrutinised in accordance with Motorsport UK Regulations R5.1 to R5.1.4. The Event may only take place whilst roads are closed to the public on 10th December 2023, within the times stated on the road closure orders.
- 4. The Event may only take place on the highways listed in Part 1 of Schedule 1 and shown on the maps in Part 2 of Schedule 1.
- 5. The Promoter shall at all times during the holding of the Event comply with and ensure compliance with the requirements of the permit issued to them and attached at Schedule 2 and the following requirements
  - a. ensure the Event does not take place unless a final Event Management Plan has been submitted to the Council and approved no later than 30 WORKING DAYS the Event is due to commence ('the Event Management Plan') which shall include further detail as to the manner of compliance in relation to the matters identified in this part as addressed by the Event Management Plan (scrutineer requirements avoidance of disruption separation of competitors notification to residents including a Resident's Handbook road closure signage permitted access for residents with marshal authority Command and Control Centres spectator areas and spectator welfare / safety)
  - b. provide a full risk assessment covering all aspects of the Event (in particular the safety of all those involved)
  - c. submit a Temporary Traffic Regulation Order/ section 16A Order application form as appropriate for road closures and any other Temporary Traffic Regulation Order requirements such as Clearway Orders together with maps and traffic management plans for the routes in question showing the exact locations of any closures and the necessary diversion routes no less than eight weeks in advance of the planned Event for approval by the Highway Authority
  - d. if a Clearway Order is made under paragraph (c) make arrangements with Barnsley MBC for the provision of a vehicle removal service to remove to a safe nearby location any vehicles parked in contravention thereof on the day of the Event, at the cost of the motor club
  - e. ensure that the road is re-opened safely to public and residents use through the use of a clearly marked "Road Open Car" at the end of the Event including ensuring all signage and other traffic management

- arrangements have been removed. All apparatus, signage or other structures used to control movement during the Event must be removed no later than XX:XX hours on XX December 2023 all haybales. Any haybales left on site should have adequate signing, lighting and guarding to ensure they are not obstructing the highway and are adequately visible. Roads may be reopened after inspection to ensure they are suitable for traffic.
- f. ensure that all marshals, drivers, scrutineers and other officials are trained in accordance with the requirements set out in the current Governing Body's Yearbook including registration under the Governing Body's Motor Sports Association accreditation scheme and relevant training by the Governing Body's Motor Sports Association for marshals, drivers and scrutineers involved in the Event
- g. ensure that the Event and management thereof complies with the requirements for scrutineers set out in the Governing Body's Yearbook 2022 and the Event Management Plan
- h. ensure that all vehicle owners and drivers participating in the Event have appropriate motor rallying insurance which complies with the Governing Body's requirements as set out in the current Governing Body's Yearbook.
- i. maintain records of all insurance taken out pursuant to paragraph (h) above
- j. ensure that the Event is managed in accordance with the Event Management Plan
- ensure there shall be no overtaking except where a slower competitor is caught by a faster competitor and the slower competitor has pulled over to allow them to pass
- I. ensure that the arrangements in the Event Management Plan to ensure the removal of broken down or otherwise damaged vehicles are adhered to
- m. ensure that there is adequate separation of competitors for each stage including the management of spacing on each stage in real-time in response to any incidents on that stage according to the Event Management Plan
- n. provide a Resident's Handbook to the occupiers of all buildings accessed from the Event stage or who are otherwise likely to be affected by or inconvenienced by the Event no later than two weeks before the Event The handbook shall include full information about the Event including proposed timings emergency procedures and how the public can contact the Promoter in the case of an emergency as well as complying with any other requirement in the Event Management Plan. A copy of is also to be supplied to the Council.
- o. erect and maintain road closure signage (and any other associated signage, including information signage to be placed on street two weeks prior to the event on all roads to be closed) for the duration defined in the relevant Temporary Traffic Regulation Orders pertaining to the event. All signage and traffic management measures must be approved by the Council in advance of the event and must be compliant with the latest revisions of the following publications:
  - a. Safety at Streetworks and Roadworks a Code of Practice
  - b. Traffic Signs Manual Chapter 8 parts 1 and 2

- c. Traffic Signs Regulations and General Directions
- d. Any other documents and publications considered to be relevant by the Council
- ensure that access shall be enabled and permitted to the closed highways whilst this Order is in effect to allow residents access by marshals when safe to do so
- q. ensure that all points where people not taking part in the Event may lawfully access the highways closed during the Event, including all Public Rights of Way which subject to restrictions as outlined in part E of this order are controlled via a marshal to prevent access during the live rally stage.
- r. Ensure that all areas of common land have access rights revoked to ensure there is no unauthorised access to the race route, and adequately marshalled to prevent access onto the race route. The areas of common land are as follows:
  - a. XXXX
  - b. XXXX
  - c. XXXXX
  - d. XXXXXX
- s. ensure that all drivers and competitors are required to comply with instructions given by officers of the Promoter, appointed marshals and appointed scrutineers at all times during the Event
- enable access by officers of the Council, the police and emergency services to any part of the course, spectator areas and inspection areas before during and after the Event
- ensure liaison with the police and emergency services as set out in the Event Management Plan or as otherwise required by the Police or any officer of the Council.
- v. enable access by the police and emergency services along the route and at the designated help points before, during and after the Event and comply with any reasonable request by them consistent with ensuring health and safety at the Event
- w. keep a record of any damage, accident and injury occurring at the Event or caused by activity associated with the holding of the Event as part of the incident management process and provide a copy of such record to the police and the Council no later than seven calendar days after the Event if required
- x. undertake a full inspection of the route after each "round" of activity (within an hour before the next scheduled round of activity) and ensure that the route is safe for the next round of activity this shall include reviewing any damage or problems caused by the previous activity and have available a suitably competent contractor to carry out any emergency repairs required
- y. ensure that spectators are confined to the designated spectator areas during the rally stages and ensure that the local arrangements proposed for managing potential spectators outside of these areas is adhered to
- z. ensure that appropriate access security, parking medical and welfare facilities are provided for spectators

- aa. ensure the security and segregation of competitors' areas including service and refuelling areas
- bb. provide a roles and responsibilities structure in accordance with the current Governing Body's Yearbook no more than two weeks before the Event
- cc. ensure that all litter or other debris deposited on any highway subject to this Order as a result of the Event is removed no later than 23:59 hours on the day of the Event
- dd. stop the Event if required to do so by either an officer of the Council or the Command and Control Centre and not to restart the Event without the prior permission of the said person requiring the Event to stop
- ee. pay the cost of any repairs to the public highway (including but not limited to statutory undertakers' equipment, street lighting, road signs, drainage structures and traffic signals) which are required as a result of the Event through insurance or as defined in the separate contractual agreement.
- ff. Make safe damage to any trees or hedges before the roads are reopened to the public, and ensure trees/hedges are replanted or pruned as advised by the Council's tree manager if the tree/hedge is on the highway or as required by the landowner if on private land. The motor club will be required to ensure any replanted trees/hedges make sufficient growth for three years after planting and replace if they do not thrive.
- gg. Any trees with Tree Protection Orders (TPOs) require special protection to avoid damage this must be agreed in advance with Barnsley MBC
- hh. Any vehicle participating in the rally with a flat tyre will be withdrawn immediately and cannot proceed in the event until the flat tyre has been replaced.
- ii. Stop the Event if required to do so by either an officer of Barnsley Metropolitan Borough Council or the Command and Control Centre and not restart the Event without prior permission of the said person requiring the Event to stop.



Mr S P Flanaghan 71 Ullswater Drive Dronfield Woodhouse, Dronfield Derbyshire S18 8PN

Dear Secretary,

# ORGANISING PERMIT/CERTIFICATE OF EXEMPTION

CLUB ID: 120788

ORGANISING CLUB: Sheffield & Hallamshire Motor Club 10 Dec 2023 to 10 Dec 2023 Stage Rallying-Stage 45 Miles & Over DATE/S OF EVENT: TYPE OF EVENT:

Interclub STATUS OF EVENT:

VENUE: Penistone South Yorkshire, S75 3DH

PERMIT NUMBER: 129759

The Royal Automobile Club Motor Sports Association Ltd (hereinafter called Motorsport UK) authorises your Club to organise the event detailed above subject to compliance with the General Regulations of Motorsport UK and all other relevant requirements of Motorsport UK. Your attention is drawn to the conditions printed on the reverse of this form and those stated

If applicable, the event has been authorised under the Motor Vehicles (Off Road Events) Regulations 1995 (as amended), see overleaf.

Please note: Motorsport UK Steward TBA.

#### FINANCIAL DECLARATION

We certify that the competitor numbers shown below signed-on for the above event. Accordingly we enclose our remittance fee made up as follows:

		PAYMENT METHOD
COMPETITORS @	£ 88.00	Bank Transfer
		Details can be found overleaf
OTHER FEES	Log	Credit/Debit Card in to www.motorsportuk.org to pay your Permits online
TOTAL	36 50	Cheque
	Che	ques to be made payable to Motorsport UK and sent to the address below.
VAT RECEIPT		
(Please enclose an S.A.E if address diffe	rs from Permit)	
Secretary of Meeting	********	Some Fouler
For and on behalf of	*********	
		For and on behalf of Motorsport UK Date of Issue 05/06/2023
For and on behalf of		

OX27 8FY W: motorsportukorg Registered Othce: See main address Registered Number: 1344829 England



Sealed with the Common Seal of the BMBC and this
Two Thousand Twenty X
Day of
THE COMMON SEAL of the BMBC was hereunto ) affixed in the presence of: - )
Attesting Officer
Name of officer
DIRECTOR OF CORE SERVICES
SCHEDULE 1: LIST OF AFFECTED HIGHWAYS
SCHEDULE 2: FINANCIAL INFORMATION
SCHEDULE 3: REQUIREMENTS AND CONDITIONS
SCHEDULE 4: MSUK PERMIT

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

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