

THE CABINET
Wednesday, 22nd June, 2011

Present:- Councillor Akhtar (in the Chair); Councillors Doyle, Hussain, Lakin, McNeely, Rushforth, R. S. Russell, Smith and Wyatt.

Councillor Hughes (Vice-Chairman of the Overview and Scrutiny Management Board)

Apologies for absence were received from Councillors Stone and Whelbourn.

C22 QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public had visited the Herringthorpe Playing Field site and looked at the diagrams relating to the request by Rotherham Rugby Club to utilise some of the playing fields for fenced rugby provision and asked that the Council confirm that it had sold the tied housing provision for development when this could possibly have been used by the Rugby Club for toilets/changing rooms.

The Deputy Leader confirmed that the tied housing on the corner of Boswell Street had indeed been sold for development a few years ago.

In a supplementary question the member of the public asked if the same householder right to buy provisions applied to the sale of tied housing by the Council

The Deputy Leader confirmed that the right to buy scheme allowed for the sale of Council properties after five years, but confirmed that he would endeavour to provide a fuller answer in writing.

To assist Councillor R. S. Russell confirmed that the tied property referred to had been provided for the Head Gardener to serve the nurseries that were previously on that site.

C23 ROTHERHAM YOUTH SERVICE

Further to Minute No. 172 of the meeting of the Cabinet held on 23rd February, 2011, Councillor Hussain, Cabinet Member for Community Development, Equalities and Young People's Issues introduced a report by the Strategic Director of Children and Young People's Services, which summarised activity and actions in the ensuing period and set out the final outcome of the review and restructure.

The proposed changes to the Youth Service were better completed in one go, rather than returning in each of the next two financial years to change or reduce provision further. The review and restructure – including full consultation about the proposals – would need to be completed within a short timescale. To a large degree this was helped by the Scrutiny Review into Youth Service provision which had been completed in 2009. The aim was to complete all work and have the new delivery model and restructured service operating from the 1st July, 2011.

The report set out details of the extensive consultation process and discussions which had resulted in a number of centres staying open, those proposed for closure and the addition of the mobile provision covering the borough.

In addition to the savings, the capital investment agreed in principle previously was being considered by the Capital Strategy Asset Review Team. The figure for the vehicles was yet to be finalised exactly, but it would remain within the indicative figure given in the previous report of £375k for the purchase of five mobile vehicles.

Youth Services themselves were a major part of integrated youth support services which meant youth related provision working together as a central and essential element of effective prevention and early intervention. Other Services, including those in the voluntary and community sector [a key partner in the development of youth volunteering opportunities], which were part of this integrated approach were themselves having to manage reductions in funding and a reliance on grants which were only guaranteed to 2013. Without this integrated working, there was a risk of retreating again into silos of provision to tackle some of the most stubborn challenges – youth crime, teenage pregnancy, 'NEET's', sexual exploitation, adolescent drinking and associated disorder. Past experience and current evidence indicated that this was much less effective and in many cases pointless.

Cabinet Members welcomed the outcome of this consultation process and acknowledged the involvement of young people throughout.

Resolved:- (1) That the process and outcomes of the review of Youth Services be noted.

(2) That the new Rotherham Youth Service structure be noted.

(3) That all those involved in the review of the Youth Service be thanked for their input.

C24 ANNUAL GOVERNANCE STATEMENT 2010/11

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Finance, which introduced the Annual Governance Statement for 2010/11 and outlined the Council's view of the application of good governance standards in Rotherham. The overall position was positive, with progress being made on the significant issues raised in last year's Statement. There were no additional items added following this year's review.

Proper practice required the Leader of the Council and the Chief Executive to sign the statement prior to its publication with the Statement of Accounts, in September 2011. The Cabinet should consider and agree the Statement before it was presented for signature by the Leader and Chief Executive.

The report set out in detail information relating to:-

- General Principles.
- Procedure.
- Structure of the Annual Governance Statement.
- Significant Governance Issues.
- Review and Monitoring.

The Corporate Governance Group and Audit Committee would continue to monitor progress on actions to improve areas included in the 2010/11 statement and would review the effectiveness of governance arrangements during 2011/12.

There were no direct financial implications. Any financial implications arising from any future development of internal controls would feature in subsequent reports to Members.

Failure to apply sound internal controls and good governance placed the Council at greater risk of fraud and/or error. The Council could also suffer significant reputation damage caused by any actual incidences arising out of weaknesses in its arrangements.

Failure to produce an Annual Governance Statement would leave the Council subject to criticism by the External Auditor and potential action by the Department for Communities and Local Government.

Resolved:- (1) That the 2010/11 draft Annual Governance Statement be approved.

(2) That the presentation of draft Statement to the Audit Committee on 1st June, 2011 for review be noted.

(3) That the requirement for the Leader and the Chief Executive to sign the statement after its agreement by Cabinet and prior to the publication of accounts in September, 2011 be noted.

C25

IMPROVING THE ADMINISTRATION OF CHOICE BASED LETTINGS AND THE HOUSING REGISTER

Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director of Neighbourhoods and Adult Services which set out how Choice Based Lettings (CBL) had been in operation in Rotherham since June, 2005, resulting in a number of improvements, with a couple of amendments proposed relating to the inclusion of a paragraph on the new processes column on page 11 of the report and a wording change on the third bullet point of the section on "Amendment to the administration of the Housing Register" on page 15 of the report.

It had been identified that further changes to the administration of Choice Based Lettings and the Housing Register were required in order to reduce the number of refusals of accommodation. Failure to address this would have significant impact on both void re-let times and the perception of the Choice Based Lettings service.

The report set out details of how the improvements could be made to achieve a reduction in the refusal rates, reduce unproductive work and minimise the length of time homes were left empty and further information relating to:-

- New Tenants Views and the Findings.
- Pre-Termination Inspection.
- Viewing the Empty Property.
- Issues Identified by the New Tenants.
- Examples of Good Practice for Choice Based Letting in other Authorities and how it worked in Rotherham.
- Actions to Improve the Process.
- Provision of Information.
- The Housing Register.
- Inappropriate Re-housing.
- Amendments the Allocation Policy.
- Amendments to the Choice Based Letting Process.
- Amendment to the Administration of the Housing Register.
- Provision of Advice and Information.

The review of the housing register and provision of more information, such as the Allocation Policy Summary booklet and Refusal Leaflets required additional resources. The refusal information would be incorporated into the Allocation Policy Summary booklet as opposed to a separate leaflet. Any additional costs would be met from the saving made from ending the use of the Rotherham Advertiser (March, 2011). There were financial implications for staffing costs if penalties were not imposed following two refusals. Private Letting agencies applied an administration fee to cover their costs.

The risks included meeting customer expectations, lack of understanding of the processes which affected the reputation of the Council associated with people waiting for a home, increasing the volume of face to face enquiries visiting the Key Choices Property Shop – currently averaging at 2000 customers each week and the number of telephone enquiries had increased to 100 per day.

Availability of affordable, quality housing was a key concern for customers and Elected Members. With high demand for housing, it was important that the process for allocation and letting was transparent otherwise it may damage the public perception of the Council and its partners.

Cabinet Members welcomed this report, but sought clarification on the categories of priority groups and whether this included the Armed Forces.

Resolved:- (1) That the Housing Allocation Policy be approved take effect from 1st July, 2011.

(2) That the right not to offer a property be reserved.

(3) That a short term suspension of application be included following two refusals in both the priority and general groups.

[4] That the changes to the void and letting processes be approved and take effect from 1st July, 2011.

C26 2010/11 FINANCIAL AND PERFORMANCE OUTTURN REPORT ON MAJOR EXTERNAL FUNDING PROGRAMMES AND PROJECTS

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Finance, which provided an overview of the performance and achievements of the Council's major external funding programmes and projects for the period January to March, 2011 and also against the targets set for the financial year 2010-2011.

The priorities for each regime, together with the context of each project/programme's contribution to addressing those priorities have previously been provided as an appendix to the report in December, 2007.

The majority of the funds were managed as programmes by the Council and have well established and robust quarterly reporting mechanisms with the relevant Government departments. It should be noted that Department for Education Play Pathfinder, EU funding and the Future Jobs Fund were managed in Rotherham as individual projects not programmes, but the objectives of these funding regimes, together with the projects' contributions towards achieving those objectives, are included for completeness.

Details of the financial performance and achievements to date on these funding regimes were set out in detail as part of the report.

A substantial amount of external funds were used by the Council in order to assist in delivery against the Council's priority areas. In addition, the Council was the accountable body for a number of external funds and was, therefore, responsible for the proper use, monitoring and audit of these resources. As with most public funds, external funds were often subject to the "use it or lose it" regime; it was, therefore, imperative that the Council maximised these additional resources and ensured the money was used wisely to meet priorities and was not left unused at the end of the particular period or programme.

The main risk associated with this report was that external funds allocated to the Council and its partners were not fully used and, therefore, ultimately lost to the Borough. It was the purpose of this report to assist in alleviating this issue, through monitoring the major externally funded schemes and bringing to attention potential areas of underspend and under performance.

Resolved:- [1] That the contents of the report be noted.

[2] That the progress and actions underway to address areas where the expected outcomes for the major external funding programmes and projects were not in line with the targets set be noted.

[THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO PROGRESS THE RESPONSE TO CONSULTATION REFERRED TO.]

C27 SPECIALIST CHILDREN'S HEART SURGERY - CONSULTATION

Councillor Wyatt, Cabinet Member for Health and Wellbeing, introduced a report by the Strategic Director of Children and Young People's Services, which drew attention to the NHS Review "Safe and Sustainable" into the future of children's congenital heart services in England which had made recommendations to change the current service model.

A Member working group had been set up consisting of Councillors Ali, Falvey and Sims to inform Rotherham's overview and scrutiny input to the consultation process. It was noted that Cllr Ali represented the Council on the regional joint committee.

The public consultation was to run for four months until 1st July, 2011 and the Council's response to the consultation process was included as part of the report, which set out clearly the concerns relating to the population for Leeds, the proximity of the motorway and public transport network for blue-light transfer to Leeds, the scoring of co-location of services in Leeds, transition from children into adulthood with congenital heart defects, reduction in children's intensive care capacity, practical support given to parents and carers, consideration of financial burdens for families on low incomes and the impact on ethnic minority communities.

Cabinet Members fully supported the response to the consultation and were wholly in favour that the vitally important service model remain in Leeds

Resolved:- (1) That the response to the consultation be submitted by the 1st July, 2011.

(2) That further updates of the outcomes of the review and any changes to children's cardiac surgery services be received.

C28 EXCLUSION OF THE PRESS AND PUBLIC

Resolved, that under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act (as amended March, 2006 - information relates to finance and business affairs).

C29 BDR WASTE PFI - TERMS OF THE POST PROCUREMENT INTER AUTHORITY AGREEMENT (IAA 2)

Councillor R. S. Russell, Cabinet Member for Waste and Emergency Planning, introduced a report by the Strategic Director of Environment and Development Services, which confirmed the key contractual arrangements that would be put in place between Barnsley, Doncaster and Rotherham Councils (BDR Waste Partnership) for the management of the Waste PFI Contract with 3SE for its full term from Financial Close onwards with approval required to finalise the exact terms of the Inter Authority Agreement (IAA2).

The finance and risks and uncertainties associated with this agreement were set out in detail as part of the report.

Cabinet Members were supportive of this agreement and would consider the possibility of this being scrutinised by the relevant Select Commission in due course.

Resolved:- (1) That the revised Heads of Terms of the Post Procurement Inter Authority Agreement (IAA2), which updated those reported to Cabinet on 20th October, 2010 be approved.

(2) That the proposed apportionment of costs and benefits that arise under the PFI Contract as described in IAA2 be approved.

(3) That the release of this and any subsequent versions of IAA2 to Shanks/Scottish Southern Electric (SSE) and their funders so as to enable them to complete the preparation of various documents for financial close of the Waste PFI project be approved.

(4) That the incorporation of the final version of IAA2 in the Final Business Case made to the Department for Environment, Food and Rural Affairs (DEFRA) in order to confirm final approval of the PFI Credits for the Waste PFI Project be approved.

(5) That delegated authority be granted to the Strategic Directors of Environment and Development Services and Finance and the Assistant Chief Executive, Legal and Democratic Services, to agree the final terms of IAA2 (exercised in consultation with the Cabinet Member for Waste and Emergency Planning) where the finalisation of the terms of IAA2 results in a change to the IAA2 Heads of Terms in this report.

(6) That the Assistant Chief Executive, Legal and Democratic Services, or an appropriate nominated officer be authorised to execute the final version of IAA2 on behalf of the Council.

(7) That the establishment of the joint BDR contract management and monitoring arrangements for the Waste PFI project be approved.

C30 RATIONALISATION OF PROPERTY ASSETS - LAND ADJACENT TO 2 WARRIS CLOSE, KIMBERWORTH PARK

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Environment and Development Services, which related to the disposal of a Council asset which was surplus to the requirements of Neighbourhoods and Adult Services.

The finance and risks and uncertainties associated with this asset disposal were set out in detail as part of the report.

Resolved:- (1) That the disposal the asset on the basis set out in Option 2 of this report be approved.

(2) That the Director of Asset Management negotiates the terms of disposal.

(3) That the Assistant Chief Executive (Legal & Democratic Services) completes the necessary documentation.