

**COUNCIL MEETING  
24th September, 2003**

Present:- The Mayor (Councillor R. S. Russell) (in the Chair); Councillors Akhtar, Ali, Austen, Barron, Bowmar, Boyes, Burke, Clarke, Dodson, Doyle, Ellis, Foden, Furnell, Gilbert, Gilding, Gosling, Hall, Heaps, Hill, Hodgkiss, Jack, Jackson, Kirk, Lakin, Lee, Littleboy, Nightingale, Pearson, Pickering, Rashid, Robinson, Rushforth, G. A. Russell, St. John, Senior, Sharman, G. Smith, Stone, Swindell, Thirlwall, Wardle, Whelbourn, Wootton, F. Wright, S. Wright and Wyatt.

**A31 WILLIAM RUSSELL**

Councillor Kirk, Cabinet Member for Social Services, made a presentation to William Russell in recognition of his outstanding achievements in winning several Olympic Medals.

Resolved:- That William be congratulated on winning several events at the Olympic Games.

(The Mayor, Councillor R. S. Russell, vacated the Chair for this item)

**A32 COUNCIL MINUTES**

Resolved:- That the minutes of the meeting of the Council held on 6th August, 2003 be approved for signature by the Mayor.

Mover: Councillor Sharman

Seconder: Councillor Kirk

**A33 COMMUNICATIONS**

(1) The Chief Executive submitted petitions from :-

- 17 residents of Briery Walk, Munsbrough, relating to noise nuisance caused by a resident
- 36 residents of Woodland Close and Sheffield Lane, Catcliffe objecting to the Strata Development being built adjacent

Resolved:- That the petitions be referred to the appropriate Members for consideration.

Mover: Councillor Sharman

Seconder: Councillor Kirk

(2) The resignation of Mark Edgell as a Councillor, with effect from 12th September, 2003 was submitted.

(3) The Chief Executive submitted apologies for absence from Councillors Barton, Bennett, Burton, Davies, Hamilton, Hussain, Johnston, Kaye, License, Mannion, S. Smith and Stonebridge.

**A34 LEADER OF THE COUNCIL**

Resolved Unanimously:- That Councillor Roger Stone be elected Leader of the Council.

Mover: Councillor Sharman

Seconded: Councillor Kirk

**A35 CABINET MEMBER**

Resolved Unanimously:- That Councillor Glyn Robinson be elected as Cabinet Member for Community Planning and Social Inclusion.

Mover: Councillor Stone

Seconded: Councillor Sharman

**A36 QUESTIONS FROM MEMBERS OF THE PUBLIC**

(1) Moira McGrother asked :-

“Will Rotherham Council be committing itself to a ballot of all tenants when it submits its bid for ALMO funding and if not, why not?”

Councillor Ellis explained the Council had agreed to set up a steering group of stakeholders, including tenants, Elected Members, officers and trade unions to take forward the proposal to set up an A.L.M.O. This steering group would consider and make recommendations on a range of issues relating to the establishment of an A.L.M.O.

There was no legal requirement to hold a ballot because, unlike stock transfer, with an A.L.M.O. there was no change in landlord. The Council would still continue to own the housing stock and tenants would remain secure tenants of the Council.

In terms of consulting with tenants there had been questionnaires, newsletters, roadshows, telephone enquiry lines and conferences on this issue. Each tenant had also received a newsletter giving details on how to give their views and every opportunity had been afforded to tenants to participate in this process.

(2) Don Bird asked :-

“The SYCC statement of account presented to members today is incorrect – isn’t the total debt £93m, not £103m?”

Councillor Wardle confirmed that the schedule from the Public Works Loan Board demonstrated that the debt was £103 m.

(3) Edward Frost asked :-

“If RMBC have transferred at £10m debt to SYCC, who pays the annual interest of £950,000?”

Councillor Wardle reiterated that the "confusion" has arisen because the Public Works Loan Board had historically shown the £10 m in their books as a loan to the Council generally (rather than as a loan to the Council in its capacity as the lead authority for the former S.Y.C.C. debt). The Public Works Loan Board had now corrected this in their books.

There had been no change in terms of who was liable to pay the interest charges on this loan - it was the former S.Y.C.C. debt account.

### **A37 QUESTIONS TO CABINET MEMBERS**

(1) Councillor Gilding made reference to Planning Applications Performance – Ethnic Monitoring Update and asked if this was a Government Initiative and what was the purpose of this survey?

Councillor G. Smith confirmed that this arose from the recommendations of the Stephen Lawrence Inquiry report. This Council drew up an action plan arising from that report which identified, amongst other things, that this Council did not carry out the monitoring of planning applications by ethnic grouping.

The survey was carried out over a 12-month period to determine whether there was any correlation between ethnicity and outcome of planning applications. It was not a specific Government initiative.

The survey forms were sent out with the acknowledgement letter for planning applications. The 12-month process reported that there were no issues.

A report was taken to the Planning Board on 28th July, 2003, and Members noted the report and resolved that no further survey work should be carried out.

(2) Councillor Gilding drew attention to the appointment of an agent with regard to the disposal of land at the Brookfield Enterprise Zone and asked would the £25,000 fee be paid on a “No Sell – No Fee” basis?

Councillor G. Smith explained that the fee agreed for the work with the appointed agent on Brookfields Park had not been agreed as a 'No Sale - No Fee' contract. The agent had been appointed to fulfil a wider role than merely disposing of the site. The terms of appointment included advising and assisting in the wide range of the Council's activity in arranging an appropriate disposal route.

Part of the duties included assistance with the following:-

- Preparation of development brief.
- Assessing submissions.
- Interviews with prospective developers.

The agent was also contracted to assist with contract negotiations with the selected developer(s) and thereafter to be included to ensure apposite marketing routes for the end development to secure appropriate end-users and occupiers were attracted to the development.

The fees were payable on a stepped basis, firstly upon the selection of a developer and secondly upon the completion of necessary legal documentation leading to a suitable development contract.

The costs for this work were being met from external funds that have been secured for the marketing and development of the site including European funding streams.

(3) Councillor Gilding made reference to road safety and asked was the Council on course to meet road safety targets?

Councillor G. Smith confirmed the Council was on target to meet the road safety targets set out in the Road Safety Strategy. The Council was also on target to meet casualty reduction commitments under the Local Public Service Agreement. A detailed report regarding progress towards road safety targets in Rotherham was being prepared and would be submitted to Cabinet Member in the near future.

(4) Councillor Gilding made reference to the Business Support and Incubation Strategy and asked how much was the tender by Zernike U.K. and what was the difference between the other five tenders?

Councillor G. Smith confirmed the submitted tender from Zernike was valued at £41,000. This included optional additional work over and above the specification. The value of the tender adjusted to achieve like for like basis was £34,167 which was the amount contracted in the first instance. There were three tenders at higher prices (£47,008, £45,620, £39,625 and two at lower prices (£31,490 and £31,950).

Other criteria included in the evaluation process to differentiate the proposals were:-

- Understanding the brief/meeting.
- The client's needs/quality of proposal/organisation skills of the consultant/track record.
- Reputation/vision and enthusiasm for the project.

On these additional criteria which were weighted, Zernike were evaluated with a score of 87.5 against the next nearest at 77.5.

(5) Councillor Gilding asked could truancy figures be given for Secondary Schools in Rotherham over the last three years.

Councillor Boyes confirm the following attendance data for secondary unauthorised absence as follows:-

1999/2000	1.2%
2000/2001	1.1%
2001/2002	1.6%
2002/2003	1.4%

(6) Councillor Gilding asked what was the total cost of the research by the Racial Equality Council into "Real and Perceived Barriers to Housing Related Services"?

Councillor Ellis confirmed that the Rotherham Racial Equality Council followed the report by Tex Cattle, following the violent disturbances in several northern towns in 2001, and the total cost of the Black and Minority Ethnic Housing Research was £14,000. This was a joint funding project financed by £7,000 from the Housing Revenue Account and £7,000 external funding from the Community Facilitation Fund.

Government Office were keen to see Councils develop their understanding of local black and minority ethnic housing issues and develop strategies to promote equality of opportunity and prevent inequalities.

The final report would be officially launched at the Black and Minority Ethnic Housing Conference on 22nd October 2003.

(7) Councillor Gilding asked how many properties have been bought in the last three years under the “Right to Buy” Scheme? How many properties are now Council owned? Has there been any reduction of persons employed in the Housing Department as a result of these sales?

Councillor Ellis confirmed that the figures for Right to Buy over the last three years up to the end of March, 2003 were as follows

2000/2001	417
2001/2002	689
2002/2003	854

The current stock owned by the Council as at the last audit figures up to March 2003 was 25,130.

Housing Services had not reduced persons employed to directly reflect the sale of Council houses. However, in the last recorded figure reported to the Audit Commission in March 2003, the Council showed a figure of £8.58 per local authority dwelling management unit costs, which was in the upper middle quartile and third lowest for similar metropolitan local authorities.

Whilst staff numbers have been maintained, this had resulted in substantial improvements in existing services (e.g. voids turnaround in 2001 = 119 days; in 2003 currently it was 25 days).

A restructure of Housing Services was in preparation as part of the Council's recent decision to support its tenants' recommendation to bid for an A.L.M.O., and to pursue its Neighbourhood Renewal agenda. Staffing resources would be targeted at the front line and services, and away from structures and processes.

(8) Councillor Gilding asked what was the valuation of the property being sought for transfer to the All Pakistan Women's Association?

Councillor Ellis confirmed that the value of the property for office purposes only was £20,000 and related only to the area that the All Pakistan Women's Association were housed in.

Further information had been requested before a final decision was made.

(9) Councillor Gilding asked who sets the fees for the Criminal Records Bureau checks and how were they justifying the increase in charges from £12 to £29 per enquiry?

Councillor Kirk explained that the Criminal Records Bureau was run as a public-private partnership between the Home Office and the company, Capita. The Government had been clear that 'the Criminal Records Bureau should not be a burden on the general tax payer and that it should operate on a self funding basis by charging fees for its service'.

The Criminal Records Bureau reported in June, 2003 that the original fees had been set unrealistically low 'considering the complexity of the disclosure service'. They reported that the following were attributable factors leading to the increase in overall operating costs:-

- A higher than anticipated demand for the paper application channel.
- A higher than anticipated proportion of disclosures being at the enhanced level.
- The high number of application forms having to be returned to customers for correction.
- A lower than anticipated volume of disclosure applications had affected their ability to operate as a self-funding agency with the lower fees.

(10) Councillor Gilding asked why were these checks not made by the general Social Care Council Register?

Councillor Kirk explained that that was because the General Social Care Council had only just been established. Registration of social care staff was only just about to commence. Also the requirements for Criminal Records Bureau checks went much wider than social care staff. It included staff in all agencies that had direct contact and access to children and vulnerable people, such as, education, Police etc. Therefore, the General Social Care Council was not the appropriate body for undertaking these checks.

(11) Councillor Gilding asked the Chairman of the Licensing Board what contraventions of the Council's rules had been committed by the seven people monitored in the report dated 20th August, 2003 in relation to Hackney Carriage/Private Hire Drivers Licenses?

Councillor Senior explained that none of the Council's rules had been broken. All seven persons have applied for a licence and each case was heard on its individual merits. Two people were refused licenses, three had licenses granted with a review after six months, and two granted licenses with a review after twelve months. Of the two whose licenses were refused, both were currently appealing against the decisions to the Magistrates Court.

(12) Councillor Clarke asked was the Cabinet Member going to support the anti-pollution campaigners calling for a Government U-turn on the controversial plans to widen the M1 as it passed through Rotherham?

Councillor G. Smith confirmed there were currently no plans to widen the M1 as it passed through Rotherham. The Secretary of State had asked the Highways Agency to consider a number of options for improving traffic flows on the M1. Only as a last resort have they been asked to consider road widening. Any widening proposal would be rigorously assessed in accordance with the Government's own appraisal methodology, which amongst other things, would take into account its effect on the environment. Until such detailed work had been carried out it was not possible to say what effect any proposed widening scheme would have on pollution. If complementary measures were introduced to control traffic growth, by reducing demand, a widening scheme was likely to reduce pollution as congestion was reduced.

(13) Councillor Clarke pointed out that as you know Brussels wanted our Water Companies to have higher standards of tap water. Were the Labour Council in agreement with them?

Councillor Ellis pointed out that the European Directives governing drinking water quality were required to be reviewed every five years and this review was imminent.

The European Commission would then give their views upon any necessary revisions to the Directive. In the U.K., the Drinking Water Inspectorate then translated this into U.K. legislation and standards.

The standards were designed to protect public health and, as such, the Council would support the work of the Inspectorate into improving the quality of water in England.

(14) Councillor Clarke asked do we, as a Council, give our Council tenants details about buying the Council houses which they live in?

Councillor Ellis confirmed that a clause was put into the tenancy agreement advising on the rights of Council tenants to buy their homes.

Full details and application forms were in a pamphlet "Your right to buy your home" and were available from Housing Reception in Norfolk House and all ten Area Housing Offices.

Confidence in the access to information was demonstrated by the increase in right to buy requests.

(15) Councillor Clarke asked what were our budget predictions on Council Tax Bills for next year?

The Leader confirmed that no decisions have yet been taken about next year's budget.

The preliminary Local Government settlement figures for next year were expected to be published in mid November. This would give a Formula Spending Share (F.S.S.) for the Council and it would then be possible to determine what increase in Council Tax would be necessary if the Council was to spend at this level.

A Member seminar on the budget was to be held in the Council Chamber on Monday, 29th September, 2003 at 11.00 a.m. for anyone interested to ask any questions.

(16) Councillor Clarke asked do the Labour Councillors in Rotherham support a referendum on the proposed European Constitution?

The Leader confirmed that no there was no support for a referendum on the proposed European Constitution.



**A38 QUESTIONS TO SPOKESPERSONS**

(1) Councillor Gilding asked the Police Spokesperson how many speed camera locations were there in the Borough, how many were there two years ago and what had been the income in fines as a result of these cameras over the last twelve months?

Councillor Swindell confirmed there to be:-

- 10 Traffic Light Cameras.
- 17 Safety Cameras (10 up to 2 years ago).
- 22 Mobile Camera Units.

Motorists who abided by the speed limits had nothing to fear from the safety cameras. It was only those, by their own actions, endangered law abiding motorists and pedestrians who have to be concerned.

Safety cameras were operated by a Partnership involving the four South Yorkshire District Councils and the South Yorkshire Police. With regard to revenue the Partnership, through the Magistrates' Court, would raise about £4 million this financial year of which approximately 25% would be from the Rotherham area.

This money would go straight to the Lord Chancellor's Office of which £1.9 million would be paid back to the Partnership via the Department for Transport.

(2) Councillor Gilding asked the Police Spokesperson what was the latest position with the Greasbrough Police Office and what steps were being taken by the Police Authority to remove graffiti from this building?

Councillor Swindell was not aware of any further information relating to Greasbrough Police Office other than he had been assured the graffiti would be removed, but was informed by a colleague that the building was now to be used for community use.

(3) Councillor Gilding asked the Transport Spokesperson have any kind of applications been made for funding with regard to the proposed Supertram extensions into Rotherham?

Councillor G. Smith confirmed he was not aware of any actual bids for Supertram, although there may be bids towards funding the consultation process.

**A39 MINUTES OF THE CABINET**

Resolved:- That the reports and minutes of the meeting of the Cabinet (Section B) (Pages 77B to 93B) be adopted.

Mover: Councillor Sharman

Seconder: Councillor Stone



**A40 MINUTES OF THE STANDARDS COMMITTEE**

Resolved:- That the reports and minutes of the meeting of the Standards Committee (Section C) (Pages 7C to 9C) be adopted.

Mover: Councillor Hodgkiss      Second: Councillor Clarke

**A41 ABSENCE FROM COUNCIL**

The Head of Legal and Democratic Services submitted a report relating to the absence from the Council following a road accident of Councillor S. G. Bennett.

Resolved:- (1) That in accordance with Section 85(1) of the Local Government Act 1972, the Council approves Councillor Bennett's temporary incapacity and health problems as a reason for his failure to attend meetings so that he can continue as a Member of the Council.

(2) That the Fire and Civil Defence Authority be advised of the position.

(3) That this matter be reviewed in six months' time.

Mover: Councillor Heaps      Second: Councillor Foden

**A42 CHIEF EXECUTIVE**

The Leader referred to the imminent submission of the resignation of the Chief Executive following his appointment to the post of Chief Executive at the City of Sunderland.

Resolved:- (1) That approval be given to recruit a replacement Chief Executive as soon as practicable on terms and conditions to be agreed at the next meeting of the Council.

(2) That an Appointments Panel be established comprising the Leader, Deputy Leader, a Cabinet Member; the Chair of Performance and Scrutiny Overview Committee, the Leader of the Opposition, plus a further non-Executive Member.

Mover: Councillor Stone      Second: Councillor Sharman