

THE CABINET
Wednesday, 18th January, 2012

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

Also in attendance Councillor Whelbourn (Chairman of the Overview and Scrutiny Management Board)

C125 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C126 GROUNDWORKS TRUSTS PANEL

Councillor Akhtar, Deputy Leader, introduced the minutes of the Groundworks Trusts Panel held on 12th October, 2011.

Resolved:- That the minutes of the Groundworks Trusts Panel held on 12th October, 2011 be received and the continued excellent partnership work of both Groundwork Trusts be noted.

C127 MEMBERS' TRAINING AND DEVELOPMENT PANEL

Councillor Stone, The Leader, introduced the minutes of the Members' Training and Development Panel held on 15th December, 2011.

Resolved:- That the contents of the minutes of the Members' Training and Development Panel held on 15th December, 2011 be noted.

C128 LOCAL DEVELOPMENT FRAMEWORK MEMBERS' STEERING GROUP

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity introduced the minutes of the Local Development Framework Members' Steering Group held on 16th December, 2011.

Members noted the proposed core strategy changes, the update on affordable housing viability study and renewable energy and low carbon study.

Resolved:- (1) That the progress to date and the emerging issues be noted.

(2) That the minutes of the Local Development Framework Members' Steering Group held on 16th December, 2011 be received.

C129 CALCULATION OF THE COUNCIL TAX BASE FOR 2012/13

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Resources, which provided details of the calculation of the Authority's proposed Council Tax base for the 2012/13 financial year. In accordance with the regulations governing its calculation it was determined that the tax base for the financial year 2012/13 was 75,898.06 Band D Equivalent Properties.

The Council Tax Base was derived from the total number of properties within the Council's area as at the 1st December, 2011, which, in the opinion of the Listing Officer, were subject to Council Tax.

The Council Tax Base, however, must reflect several changes and adjustments that would occur both prior to April, 2012 and during the forthcoming 2012/13 financial year such as:-

- Changes in banding as a result of adjustments and appeals.
- The completion of new properties.
- Discounts, exemptions and reliefs (for example, single person discounts - 25%, the empty property discount of 50% and reductions in liabilities for disabled persons).

After allowing for the additions, discounts and reliefs the estimated property base was converted into Band D Equivalent properties, giving a total of 78,245.41 Band D Equivalents. The report set out in detail the total for both parished and non-parished areas.

It was recommended that an adjustment of 3% should be made to the tax base in respect of non-collection, giving a total of 75,898.06 Band D equivalents. The result of applying the 97% collection rate to the Band D Equivalents for each of the parishes within the Borough and for the Borough as a whole was shown in the final column of the appendix. The Tax Base for the Council as a whole (both parished and unparished areas) was made up as follows:-

Tax Band	Band D Equivalent Properties
Band A	34,549.24
Band B	14,738.21
Band C	11,380.30
Band D	7,492.28
Band E	4,668.44
Band F	2,123.35
Band G	897.25
Band H	48.99
TOTAL	<u>75,898.06</u>

Compared to 2011/12 the Council's Tax Base for 2012/13 had increased by just over 586 Band D equivalent properties or 0.78%.

The increase in the unparished area was 455.22 Band D equivalents. Of this 366.50 Band D equivalents have been estimated as new properties that would be completed between now and 31st March, 2013. The Council was experiencing an increase in the development of new properties throughout the unparished area, with a large proportion of the new build activity in the Wath area. The remainder of the increase related to general changes in discounts, exemptions, bandings and reliefs

There was also new development underway throughout the parished areas, giving an increase of 131.26 Band D equivalent properties with the most significant rise in terms of new build properties being in Bramley.

There were no direct costs arising from this report, however, determining the Council Tax Base was a fundamental part of determining the level of Council Tax set, which was a significant element of the Council's resources for the coming financial year.

As the Council Tax base must be set by the 31st January, 2012, it contained projections in respect of the additions, adjustments, discounts and reliefs to be granted before the 31st March, 2012 and during 2012/13.

Resolved:- (1) That the report be approved.

(2) That the amount calculated by Rotherham Metropolitan Borough Council as its Council Tax Base and those of the Parish Councils shown at Appendix A in the report now submitted for 2012/13 shall be a total of 75,898.06 Band D equivalent properties.

C130 HOUSING RENT INCREASE 2012/13

Further to Minute No. 48 of the meeting of the Cabinet Member held on 9th January, 2012, Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director of Neighbourhoods and Adult Services, which sought approval for the proposed housing rent, new build rents, garage rent, heating charge and communal facilities increases for 2012/13.

The report set out in detail the proposed housing rent, new build rents, garage rent, heating charge and communal facilities increases for 2012/13. The rents had been calculated in accordance with the national rent setting regime requiring all authorities to use the prescribed formula and apply annual increases to actual rents to achieve the Formula Rent. The Government expected that all similar properties in the same local area would have similar rent levels even if owned by different landlords (rent convergence). Rotherham was expected to achieve rent convergence by 2015/16.

The greatest risk and uncertainty surrounded the level of rent income received into the Housing Revenue Account. This was dependent upon the number of properties available to generate income. The level of properties was directly affected by the level of sales and demolitions which may vary to those used in the budget assumptions. Due to the current economic climate it was unlikely that the Council would see any significant sales.

It was possible that rent income may fall and arrears may rise, this would affect the amount of income received and, therefore, be reflected in housing revenue account balances.

All budgets carried a certain level of risk in that unforeseen circumstances may arise, causing additional pressures on the level of resources applied.

Cabinet Members expressed some concern about the increases, especially around those who may suffer financial hardship, and sought clarification on the methodology of the formula rent and on the proposed increase for the laundry service as part of communal facilities.

Recommended:- (1) That the average rent increase by 9.45% based on

Central Government (DCLG) rent formula which results in an average weekly increase of £6.02 when collected over 48 weeks.

(2) That an average weekly rent of £95.57 be set on new build Council properties.

(3) That in line with the annual retail price index garage rents be increased by 5.6%.

(4) That in line with the annual retail price index the standard communal facilities charge be increased by 5.6%. In addition, for schemes which have a laundry service as part of their communal facility, an additional fee of 80p per week be charged.

(5) That in line with the annual retail price index the standard cooking gas charge be increased by 5.6%.

(6) That the various proposed increases be made to heating charges included in this report.

(Cabinet Members declared personal interests on the basis of either being a Council tenant or related/associated with a Council tenant)

C131 SCRUTINY REVIEW OF THE PRIVATE RENTED SECTOR

Councillor Atkin, Chair of the Review Group, introduced the report which set out in detail the key findings and recommendations of the Scrutiny Review of the Private Rented Sector, undertaken by Members of the former Sustainable Communities Scrutiny Panel. The report and recommendations were considered by the Overview and Scrutiny Management Board at its meeting of 16th December, 2011.

With high numbers of people seeking affordable housing across all sectors; the availability of decent properties to rent was an ongoing concern. This was reflected anecdotally in surgery reports from Councillors who had both private sector tenants coming to them for advice and also local people concerned at the upkeep of private properties in their areas. There were other concerns raised through Area Assemblies and Safer Neighbourhood Teams about the condition of properties and impact on wider community.

A number of issues were discussed and following the gathering of evidence during the summer 2010, concluding in early 2011 a number of recommendations were made and included:-

- The production of a long term sustainable development and action plan to improve the physical fabric of the Private Rental Sector in the borough, in line with neighbourhood based regeneration initiatives, local priorities and reflecting changes in Government Policy.
- Ensure that sufficient resources were aligned to the delivery of the action plan and that working practices across relevant teams were co-ordinated to support it.

- Alongside the Action Plan, the Council should seek to engage landlords, tenants and Councillors in its work
- There should be a re-launch of the Private Landlord Accreditation scheme built on the best of the models developed by other authorities.
- That the Council takes robust enforcement action against those landlords (or tenants) who persistently disregard their responsibilities.
- Consideration should be given to the Council's use of its powers to bring properties back into use.
- Support be given to local agencies such as RoBond to ensure that vulnerable tenants have access to affordable bond guarantees, assistance and advice.
- Designating one of the Advisers to the Cabinet Member for Safe and Attractive Neighbourhoods to a watching brief on the role of the private rented sector in Rotherham.

A number of the review recommendations may have financial implications if adopted. This would require further exploration by the Strategic Leadership Team and partners on the cost, risks and benefits of their implementation.

There was a risk that interventions would be short term and not achieve a sustainable impact. To avoid this, the Council would need to ensure that any new approaches were properly embedded within the Council and partner agencies.

Cabinet Members welcomed this report and suggested that any new approaches be included as part of the Joint Strategic Needs Assessment.

Resolved:- (1) That the Scrutiny Review of the Private Rented Sector and its recommendations be noted and a response be submitted within two months as outlined within the Council's Constitution.

(2) That the decision of Cabinet on the report, recommendations and proposed action be reported back to the Overview and Scrutiny Management Board in due course.

C132 LOCAL DEVELOPMENT FRAMEWORK CONSULTATION FEEDBACK REPORT

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Environment and Development Services which summarised the key planning issues raised during the consultation period Monday, 4th July to Friday, 16th September, 2011.

Approval for publication of the Local Development Framework Consultation Feedback Report was sought to provide information to stakeholders and local people and not intended to seek views on the feedback report itself. Further public consultation on the Local Development Framework was programmed for 2012.

Publishing the Feedback Report would provide information to stakeholders and

local people setting out the methods of consultation, the key issues raised by consultees and the Council's response. The actions arising from the consultation would guide the drafting of the publication version of the Core Strategy prior to its submission to Government. These actions would also guide the further drafting of the Sites and Policies document and assist in the allocation of development sites and/or identification of alternative sites based on community feedback.

The Feedback Report would be published on the Council's website with hard copies available in local libraries.

Consultation would take place again on the next version of the Plan in 2012 to allow further public scrutiny of proposals before they were submitted to Government. Dialogue with local groups would be maintained and established during the consultation period.

There were no major financial implications arising from this report as the Feedback Report would be made available via the Council's website. There would be a small cost associated with printing hard copies of the Feedback Report and placing them in local libraries. This cost would be met from existing budgets.

The timescale for completing the full analysis of the representations received was an uncertainty and could potentially impact on the revisions to the Core Strategy, its Sustainability Appraisal and submission to Government.

The Localism Act had brought in a "presumption in favour of sustainable development" if an adopted development plan was not in place. This could lead to the Council having to grant planning permission for major development contrary to our priorities, aspirations or locational preferences. It was, therefore, imperative that the Council draws up its own Plan in consultation with local people rather than be forced into releasing Green Belt/greenfield land by speculative development. Further transitional guidance was awaited from Government on the timetable for this presumption to come into force.

A failure to achieve timely progress on the Local Development Framework could also delay the spatial strategy required to mediate potentially conflicting aspirations of any neighbourhood plans that may emerge under the provisions of the Localism Act. Under the Act neighbourhood plans have to conform to the Borough-wide Plan – if one was in place.

Failure to make progress with the Local Development Framework risked delayed provision of the new homes and employment opportunities that the Borough desperately needed.

Cabinet Members noted the intention to undertake further public consultation on proposals during 2012.

Resolved:- That the publication of the Local Development Framework Consultation Feedback Report be approved.

C133 COMMUNITY BUDGETS AND APPROACH FOR TROUBLED FAMILIES

Councillor Akhtar, Deputy Leader, introduced a report by the Chief Executive,

which, following the creation of the Troubled Families Unit in November, 2011, detailed that there was a rapidly developing framework for Community Budgets for Families with Multiple Problems.

Rotherham's plans for using a community budget approach to deliver support to troubled families needed to have a robust local focus, but at the same time be flexible to take full advantage of the emerging payment by results mechanism that aims to break the intergenerational cycles of deprivation and need.

A preliminary briefing paper was circulated before Christmas giving background information about the Community Budget programme of which families with multiple problems was a component part. This report, therefore, outlined the proposed plan and offered initial recommendations for its development.

The report set out in detail the background to the Troubled Families initiative, further information on the branding and communications, Troubled Families Co-ordinator and development of a plan and associated actions.

Additional resources in excess of £100k were available from Government to help deliver on this agenda. It was important that the Council considered how initiatives could be mainstreamed into day to day operational activities rather than being reliant on external funding.

The development of Community Budgets built upon previous government initiatives such as area based grants and the Total Place initiative. All were ultimately seeking to improve outcomes for local people and in turn through greater collaboration financial efficiencies should be materialised over time.

The Council and partners had already undertaken much work in this area building upon the Rotherham Families research. The increased focus on troubled families was useful and helped to support the focus on deprived communities. However, the introduction of payment by results introduced some uncertainty as failure to meet outcomes for families would result in no payments. This was similar to the reward monies given under the local area agreement initiative. Through effective partnership working, leadership and a strong focus on delivery then results and improvements would be secured for families.

Cabinet Members appreciated the opportunity to work with families with multiple problems and welcomed the assignment of Cabinet Members and the Strategic Team Lead Officers to ensure ownership and leadership.

Cabinet Members emphasised the need to deliver against a set criteria and the deprived communities work, but wished to see the funding being used for those in need rather than being incorporated into day to day activities.

Resolved:- (1) That the Government approach in supporting troubled families supporting work already undertaken across Rotherham in recent years be welcomed.

(2) That the Troubled Families additional resources be delivered against a set criteria and aligned with the deprived communities work. All officers working on

the deprivation work would be expected to be working on the troubled families agenda.

(3) That the Community Budget work be used as a catalyst to continue work in reshaping services and refocusing on prevention and early help and intervention.

[THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO PROGRESS THE MATTERS REFERRED TO]

C134 OUT OF HOURS SERVICE

Further to Minute No. 40 of the meeting of the Cabinet Member held on 16th January, 2012, the Cabinet Member for Adult Social Care introduced a report by the Strategic Director of Neighbourhoods and Adult Services which outlined the approach that had been taken to ensure that customers received a safe and effective service on a 24/7 basis.

Following the successful development of an Out of Hours Service using newly recruited staff on amended contracts and volunteers from within the existing staff team it had been decided to extend this to all social work staff.

Consultation had been thorough, with the intention of encouraging as many staff as possible to accept the change to their work practice on a voluntary basis. This had been successful with 88 staff accepting the change. For the remaining 17 it was necessary to undertake a more formal process.

It was the intention to issue notice on 30th January, 2012 with potential dismissal and re-engagement taking effect on 30th April, 2012.

The Trade Unions have been consulted both formally and informally and were aware of the actions that were being taken.

There were no financial implications of this report. The Out of Hours Service had been implemented within existing budget and represented good value for money.

Failure to bring all staff in line with consistent practice would cause inequity between staff in the same role.

Resolved:- That the changes to Terms and Conditions and the process necessary to implement such changes be approved.

C135 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).

C136 SECTION 49 DISCRETIONARY HARDSHIP RATE RELIEF

Councillor Akhtar, Deputy Leader, introduced a report by the Team Leader for RBT, which provided details of an application for relief from business rates under Section 49 of the Local Government Finance Act, 1988. Any amount of relief could be given up to 100%.

The Cabinet was asked to consider the application and determine the level of rate relief, if any, that should be awarded.

The financial information and risks and uncertainties associated with this application were set out in detail as part of the report.

Cabinet Members asked a range of questions, the reasons for this application and suggested that other opportunities for support be considered.

Resolved:- (1) That the application for discretionary hardship relief be refused.

(2) That relevant officers give consideration to any further options that could provide support to Rotherham businesses.

C137 DISCRETIONARY RATE RELIEF APPLICATIONS

Councillor Akhtar, Deputy Leader, introduced a report by the Team Leader for RBT, which provided details of two applications for Section 47 Discretionary Rate Relief.

The financial information and risks and uncertainties associated with this application were set out in detail as part of the report.

Resolved:- (1) That application DRR/new/02 be granted 100% discretionary rate relief for one year.

(2) That application DRR/new/03 be refused.

C138 NEW DISCRETIONARY RATE RELIEF TOP UP APPLICATIONS

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Resources, which provided details of organisations currently in receipt of Section 43 Mandatory Relief which have applied for 20% Discretionary Relief top up.

The financial information and risks and uncertainties associated with this application were set out in detail as part of the report.

Resolved:- (1) That applications DRRTU/NEW/11/09 and DRRTU/NEW/11/10 be granted 20% top up for one year.

(2) That the remaining applications be refused.