

THE CABINET
14th March, 2012

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

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

Apologies for absence were received from Councillors Lakin, McNeely and Stone.

C155 QUESTIONS FROM MEMBERS OF THE PUBLIC

[1] A member of the public referred to a recent article that appeared in a local newspaper asking tenants to consider downsizing from larger properties to smaller ones and asked if this was as a direct result of a Council request?

Councillor Akhtar could recall the article and pointed out that it was a Council initiative to invite tenants to consider downsizing their accommodation to not only help with their running costs, but also allow tenants to seek a smaller Council property when their need for a larger one had decreased.

In a supplementary question the member of the public asked if was Council policy and asked if the Cabinet was aware that the Secretary of State for Local Government had recently announced downsizing proposals?

Councillor Akhtar welcomed the fact the Government appeared to have adopted the Council's initiative to give tenants the opportunity to downsize and pointed out that downsizing was not compulsory.

[2] A member of the public referred to Minute No. 85 of the meeting of the Cabinet held on 19th October 2011 where the proposal from the Rotherham Rugby Club Ltd. to lease an area of Herringthorpe Playing Fields for the exclusive purpose of rugby development was approved, which was based on an incorrect assumption that appropriate consultation had taken place. Given the level of objection and the clear evidence from members of the public would the Council consider revisiting the decision?

Councillor Smith replied that the lease had not yet been signed and further consultation could be undertaken if it was felt necessary.

Councillor Akhtar pointed out that planning permission for the floodlights had not been granted and until it was known whether or not the applicant would appeal, it was uncertain if the proposals for rugby development would proceed.

In a supplementary question the member of the public pointed out that local residents were of the view that the consultation on this development had not been carried out properly and asked that this proposal be thrown out.

[3] A member of the public made reference to the Rugby Club's own website and the information that gave the impression that planning permission had been granted, that fencing could be erected and that the development was for the junior members of the club, which was not correct and asked that the Council check the accuracy of the statement.

The Strategic Director of Environment and Development Services reiterated what had been said previously that planning permission with regards to the floodlighting scheme had been refused. No appeal by the applicant had yet been lodged with the Planning Inspectorate. Planning permission for fencing up to two metres in height did not require planning permission, but permission from the landowner, in this case the Council. Until the lease had been signed no fence of any kind could be erected.

C156 MEMBERS' TRAINING AND DEVELOPMENT PANEL

Councillor Whelbourn introduced the minutes of the Members' Training and Development Panel held on 16th February, 2012.

Reference was made to Minute No. 77 and the discussion regarding the understanding of Health and Wellbeing and Public Health. A workshop on these matters had been arranged, but due to poor take-up the session would be incorporated into the meeting of the next Health Select Commission and an invitation extended to all Members of the Council.

Resolved:- That the contents of the minutes of the Members' Training and Development Panel held on 16th February, 2012 be noted.

C157 ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK 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 17th February, 2012.

Members noted the Joint Waste PDP adoption, Green Belt review methodology and the strategic housing land availability assessment.

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 17th February, 2012 be received.

C158 PUBLIC HEALTH TRANSITION PAPER

Councillor Wyatt, Cabinet Member for Health and Wellbeing, introduced a report by the Director of Public Health, which stated that, as part of the Government's changes to the NHS set out in the Health and Social Care Bill, Public Health responsibilities were moving to Local Authorities from April, 2013.

The report described and set out these changes, statutory responsibilities and a transition plan to support this move. The Government was aiming to establish a new Public Health service through Public Health England (PHE) and Local Authority Public Health departments. Its aim was to embed Public Health as a core responsibility throughout Local Government. The budgetary implications of this were not yet fully clear, but it was anticipated that the service would be fully funded by the ring-fenced Public Health grant from the Department of Health to Local Authorities and would be at no cost to the local rate payer.

The transfer of responsibility from Public Health from the National Health Service to Councils would lead to a greater impact being had on the root causes of ill health, and so improve health for the people of Rotherham. At the same time it would be important to ensure that strong links remained between specialist public health functions and the commissioning of health services, so as to ensure they best fitted the needs of Rotherham people.

The biggest Public Health gain to be obtained from the new arrangements would be realised if Public Health influenced everything the Council did, so that the whole organisation became a public health driven organisation, and every contact that the Council had with the people of Rotherham helped to promote health and wellbeing.

Transition would be in two phases: shadow form from April, 2012 to full transition in April, 2013.

Dr. John Radford, Joint Director of Public Health, made reference to the budgetary provision that would be taken from the National Health Service and allocated to Local Authorities. The final details of the financial allocations for local areas had been delayed nationally and was now not expected until June, 2012. The Public Health function within the Council would be funded from this and at no cost to the local rate payer.

Reference was also made to the model Memorandum of Understanding which established the framework for the provision of Public Health advice to NHS commissioning in Rotherham.

Resolved:- (1) That the proposed new powers and statutory responsibilities with respect to the Health and Social Care Bill (subject to passage) be noted.

(2) That the Public Health transition plan which sets out assurances that the Council would meet these new powers and responsibilities be supported.

(3) That the Memorandum of Understanding regarding provision of Public Health advice to NHS commissioning in Rotherham by the Clinical Commissioning Group be supported. In the Transition year this would be an agreement between NHS Rotherham and the Clinical Commissioning Group.

(4) That the proposed health and wellbeing priorities and indicators set out in the Public Health Outcomes Framework giving an indication of the extent of the new responsibilities be supported.

C159 ROTHERHAM'S OLYMPIC LEGACY PROJECT

Consideration of this item was deferred to the next meeting scheduled to take place on Wednesday, 28th March, 2012.

C160 KEY STAGE 4/GCSE RESULTS

Councillor Rushforth, Cabinet Member for Lifelong Learning and Culture, introduced a report by the Strategic Director of Children and Young People's Services, which highlighted the GCSE examination results for 2011 and how

they compared to previous years, to the national average and to the results of Rotherham's statistical neighbours.

The report also set out in detail a summary overview, priority areas for action, strategic focus of the School Effectiveness Service, the overall results and performance profiles.

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

Reference was made to the improvements required to the most vulnerable schools and assurances were provided that whilst improvements had been made, closing the gap still remained a priority and the necessary action was being taken with the action plans in place.

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

(2) That the continued improved levels of performance across all indicators at the end of Key Stage 4 be noted.

(3) That all schools be encouraged to continue to improve their results, and strive to achieve outcomes at least in line with the national rate of improvement.

(4) That there being a continuing drive to:-

- Remove the gap between Rotherham's performance and the national average performance especially in relation to 5+A*-C including English and Maths.
- Continue to improve boys' attainment.
- Continue to improve the attainment of black, minority ethnic (BME) pupils.
- Continue to improve attainment for pupils eligible for free school meals.

(5) That the action plans on the priority areas be submitted to the future meeting of the Cabinet for consideration.

C161 ACADEMY DEVELOPMENT/FREE SCHOOLS

Councillor Rushforth, Cabinet Member for Lifelong Learning and Culture, introduced a report by the Strategic Director of Children and Young People's Services, which highlighted the local developments relating to Academies and Free Schools.

An academy was a state funded school, independent of the Local Authority and established and maintained under a funding agreement with the Secretary of State.

Rotherham currently had four Academies - Maltby, Wales, Brinsworth and Aston.

St. Bernard's Catholic High School was currently undergoing conversion to an Academy.

Free Schools were new schools established by a range of different groups such as parent groups, universities, charities, teachers, businesses and other education providers. Free Schools were non profit making state funded independent schools.

Whilst there had been two expressions of interest received, there were no free schools in Rotherham.

Three primary schools in Rotherham were in the process of seeking academy status, but were still yet to be approved by the Secretary of State.

Resolved:- (1) That the proposals relating to primary school academies be endorsed and that from September, 2012 there would be three.

(2) That the position that any academy development should commit to transforming Rotherham Learning Principles be endorsed.

C162 QUEEN ELIZABETH II FIELDS CHALLENGE - DEED OF DEDICATION FOR THE HERRINGTHORPE LEISURE SITE

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Environment and Development Services, which provided a summary of investigations undertaken into the potential benefits offered by the Queen Elizabeth II Fields Challenge, which was undertaken in order to determine whether or not it could support the Council's plan to improve sport and recreation facilities at the Herringthorpe Leisure Site.

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

Cabinet Members welcomed the opportunity to protect Herringthorpe Playing Fields and to safeguard its future as a playing field and recreational area. The day to day management of the site would remain in the control of the Council and it was noted that the Deed of Dedication would not restrict the Council's plans to improve sport and recreational facilities on the site.

Resolved:- (1) That Officers enter into negotiations with Fields in Trust with a view to establishing the Herringthorpe Leisure Site as a Queen Elizabeth II Fields Challenge site by means of a Deed of Dedication between the Council and Fields in Trust.

(2) That a more detailed plan covering the area identified by the bright green line in the report be drawn up as part of the legal process and used to define the site that would be covered by the Deed of Dedication.

C163 CORPORATE RISK REGISTER

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Finance, which showed the risks associated with the Council's most significant priorities and projects and actions being taken to mitigate these risks.

The Council's key current risks continued to related to the financial pressures

faced by the Council. The report summarised the management actions that were being taken to mitigate these and other risks in the register.

It was important to review corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities were effectively monitored and managed by the Strategic Leadership Team and Members.

Cabinet Members noted categories of red and amber in the report and the scores before and after risk mitigation actions.

Resolved:- (1) That the corporate risk register be noted.

(2) That the current assessment of the Council's top four corporate risks be confirmed.

(3) That any further risks identified and be added to the risk register.

C164 RATIONALISATION OF PROPERTY ASSETS - FORMER GARAGE SITE, OAKS LANE/REDScope CRESCENT, KIMBERWORTH PARK, ROTHERHAM

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which set out details of the Council's Depot Review which involved the closure and re-location of depot facilities borough wide. Accordingly, Oaks Lane Depot was retained to consolidate the remaining Streetpride functions from Greasbrough Road Depot and the formally leased accommodation at Barbot Hall. This saved on both rent payable to external landlords and associated revenue costs.

The adjacent garage site consisted of 0.19 acres/0.07 hectares and was now surplus to the requirements of the Director of Housing and Neighbourhood Services. It was, therefore, proposed that an appropriation of this asset be undertaken to the Department of Streetpride for its retention to accommodate the future service and staff requirements at the adjacent depot.

There were no risks associated with this appropriation.

Resolved:- (1) That an appropriation of the former garage site from the Department of Housing and Neighbourhood Services to the Department of Streetpride for their future use at a value of £60,000 be approved.

(2) That the Head of Legal and Electoral Services complete the necessary documentation.

(3) That the Director of Finance amend the Council's financial records.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO SHARE THE INFORMATION WITH THE CABINET)

C165 HIGH STREET FOOTFALL

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, was pleased to report the results of Springboard and the excellent news that Rotherham had increased its footfall in the town centre by 28.6%

and was only beaten by Rugby, Warwickshire, whose footfall had increased by 31.1%.

The Business and Retail Manager had reported that this excellent news was as a result of investment by the Council and consistent with the success of Rotherham's outdoor market and business vitality grants initiative.

An appropriate press statement would be released.

C166 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)).

C167 RATIONALISATION OF PROPERTY ASSETS - INTERNATIONAL CENTRE, SIMMONITE ROAD, KIMBERWORTH, ROTHERHAM

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which sought approval for the disposal of the International Centre, which was surplus to the requirements of the Department of Children and Young People's Services and had recently been vacated.

The various options for consideration were set out in detail as part of the report.

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

Resolved:- (1) That the Interim Asset Manager market the asset on the basis set out in Option 2 of the report.

(2) That the Interim Asset Manager negotiate the terms of disposal.

(3) That the Head of Legal and Electoral Services complete the necessary documentation.

C168 RATIONALISATION OF PROPERTY ASSETS - THE FITZWILLIAM CENTRE, DONCASTER ROAD, EAST DENE

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which sought approval for the disposal of the Fitzwilliam Centre, which was surplus to the requirements of the Department of Health and Wellbeing

The various options for consideration and the financial information and risks and uncertainties associated with this disposal were set out in detail as part of the report.

Cabinet Members sought clarification on the historic pre-exemption clause and

how this related to the proposed sale.

Resolved:- (1) That the Interim Asset Manager market the asset on the basis set out in Option 2 of the report.

(2) That the Interim Asset Manager negotiate the terms of disposal.

(3) That the Head of Legal and Electoral Services complete the necessary documentation.

C169 RATIONALISATION OF PROPERTY ASSETS - MILLSIDE CENTRE, DONCASTER ROAD, DALTON, ROTHERHAM

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which sought approval for the disposal of the Millside Centre which was surplus to the requirements of the Department of Audit and Asset Management.

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

Reference was made to the connection between market value and the saleable value of some assets and it was suggested that relevant information on certain sites in the borough be provided to Members.

Resolved:- (1) That the Interim Asset Manager market the asset on the basis set out in Option 2 of the report.

(2) That the Interim Asset Manager negotiate the terms of disposal.

(3) That the Head of Legal and Electoral Services complete the necessary documentation.

(4) That information be provided on the differences between market value and saleable value on certain assets in the borough.

C170 RATIONALISATION OF PROPERTY ASSETS - PARK LEA, DONCASTER ROAD, CLIFTON, ROTHERHAM

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which sought approval for the disposal of the Park Lea which was surplus to the requirements of the Department of Audit and Asset Management.

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

Resolved:- (1) That the Interim Asset Manager market the asset on the basis set out in Option 2 of the report.

(2) That the Interim Asset Manager negotiate the terms of disposal.

(3) That the Head of Legal and Electoral Services complete the necessary documentation.

C171 RATIONALISATION OF PROPERTY ASSETS - RERESBY HOUSE, BOW BRIDGE CLOSE, ROTHERHAM

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Resources, which sought approval for the disposal of Reresby House which was surplus to the requirements of the Department of Audit and Asset Management.

The various options for future use, financial information and risks and uncertainties associated with this building were set out in detail as part of the report.

Resolved:- (1) That the Interim Asset Manager declare Reresby House surplus to service requirements.

(2) That the Interim Asset Manager market the asset set out in Option 3 of the report.

(3) That the Interim Asset Manager negotiate the terms of disposal.

(4) That the Head of Legal and Electoral Services complete the necessary documentation.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO PROGRESS THE MATTERS REFERRED TO)**C172 EDUCATION CATERING SERVICE REVIEW**

Councillor Rushforth, Cabinet Member for Lifelong Learning and Culture, introduced a report by the Strategic Director of Resources, which detailed the review of the Education Catering Service. The scope of the review included quality, nutritional value, value for money and satisfaction with current service provision.

The review found that the in-house provider of Educational Catering provided a service that satisfied customers and provided quality and nutritious food. There continued to be financial constraints on the service and work was ongoing to identify financial and resource efficiencies.

The outcome of the review was to recommend that the Education Catering Service provided in-house continued on the basis that the service achieved the identified efficiencies and provided ongoing value for money.

The service needed to monitor closely its performance, including its financial performance and the satisfaction of customers, to ensure that it was best placed to deliver catering services into the future and be in a stronger position to be successful.

Resolved:- That the Education Catering Service provided in-house be continued on the basis that the service achieved the identified efficiencies and provided ongoing Value for Money.

C173 ENDING THE COMMISSIONING OF CHILDREN'S CENTRES

Councillor Rushforth, Cabinet Member for Lifelong Learning and Culture, introduced a report by the Strategic Director of Resources, which detailed the recent review of Rotherham's Children's Centres, which looked at the quality of provision within the Children's Centres, Value for Money, engagement of vulnerable families and satisfaction of users of the centres. There were 22 Children's Centres and of the centres that had been inspected 91% had been judged to be good or better.

The review found that the Rotherham Children's Centres provided a high quality service to the communities that they served, the level of satisfaction by users was very high and that they made a significant contribution to the Prevention and Early Intervention strategy for children, young people and families. There were opportunities identified to achieve efficiencies over the next two years whilst maintaining the quality of service to families with children under the age of five years.

Children's Centres needed to be closely monitored on performance against quality standards, access to all families, engagement with vulnerable families, financial performance and satisfaction of their users, to ensure that each centre was providing the highest quality early years service to families and their children and achieving Value for Money.

Cabinet Members recognised the importance of Children's Centres and stressed the need for them to share their current activity and success with their local Ward Members.

Resolved:- That Rotherham's Children's Centres continue to be delivered by schools and managed within the Early Years function of the Children and Young People's Service on the basis that the Children's Centres continued to be high quality, achieved the identified efficiencies and provided ongoing Value for Money.