

CABINET

Venue: **Town Hall, Moorgate
Street, Rotherham.
S60 2TH**

Date: **Wednesday, 19 September 2012**
Time: **10.30 a.m.**

A G E N D A

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Minutes of the previous meeting held on 5th September, 2012 (copy supplied separately)
5. Localisation of Support for Council Tax (Council Tax Benefit) and Council Tax Technical Changes (report herewith) (Pages 1 - 9)
 - Strategic Director of Resources to report.
6. OFSTED Inspection of Local Authority Arrangements for the Protection of Children (report herewith) (Pages 10 - 17)
 - Strategic Director of Children and Young People's Services to report.
7. Exclusion of the Press and Public.
The following items are likely to be considered in the absence of the press and public as being exempt under those paragraphs listed below of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006).
 - 8. Capital Programme - Capital Receipts Update (report herewith) (Pages 18 - 25)
 - Strategic Director of Resources to report.
(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)
 - 9. Property Rationalisation: Rathwell Grange, Broom Valley Road, Broom Valley, Rotherham (report herewith) (Pages 26 - 32)
 - Strategic Director of Resources to report.
(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)

10. Implementation of Integrated Youth Support Services (report herewith) (Pages 33 - 38)
 - Strategic Director of Children and Young People's Services to report.

(Exempt under Paragraph 4 of the Act – information relates to labour relations matters)

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1)	Meeting:	Cabinet
2)	Date:	19th September 2012
3)	Title:	Localisation of Support for Council Tax (Council Tax Benefit) and Council Tax Technical Changes
4)	Directorate:	Resources

5. Summary

From April 2013, the Government is abolishing the current national Council Tax Benefit (CTB) scheme and asking local authorities to set up their own local schemes to meet the needs of their local area. In making these changes the Coalition Government is cutting the amount that Rotherham Council has to provide Council Tax Support by £4.1million.

The Government is also allowing Councils more discretion with regards to certain Council Tax discounts and exemptions which can be amended in order to raise additional Council Tax income which could be used to partially meet the funding cut.

Proposals for Rotherham's local Council Tax Support (CTS) scheme and changes to Council Tax discounts and exemptions have been developed and are attached as Appendix A in the form of a consultation leaflet. In order to meet legislative requirements these proposals must be put out to public consultation.

Following an eight week consultation period, commencing on 24th September 2012, the responses will be considered before the final scheme is agreed and finally adopted by Council. The adoption of the scheme must happen by 31st January 2013 in order to avoid the imposition of a Government default scheme which would have severe financial implications for the Council.

6. Recommendations

Cabinet are recommended to:

- **Note the contents of the report; and**
- **Approve the proposed Local Council Tax Support scheme and Council Tax changes for public consultation to commence 24th September 2012 for an 8 week period.**

7. Proposals and Details

Further details regarding the proposed CTS are set out in the consultation leaflet presented at Appendix A to this report.

In developing the scheme consideration has been given to the following:

- The Equality Act 2010;
- Child Poverty Act 2010;
- Safeguarding vulnerable groups;
- Promoting work incentives;
- Armed forces covenant; and
- Prescribed requirements of the Government's Department for Communities and Local Government.

7.2 Proposed Council Tax Support Scheme – The proposed scheme set out in the consultation leaflet is similar to the current Council Tax Benefit scheme with the following changes:

- To introduce a maximum Council Tax Support level - this will be set at a percentage of the Council Tax entitlement which is sufficient to meet the likely shortfall in Government funding; and .
- Abolition of Second Adult Rebate.

7.3 Proposed Changes to Council Tax Discounts and Exemptions – The following changes are proposed to raise additional Council Tax income to meet some of the funding shortfall set out in Section 5:

- Removal of the current 50% discount for second homes. These properties would receive a full charge.
- Replace the current 100% exemption for homes undergoing major structural repair with a 25% discount.
- Replace the current 100% exemption for vacant and unfurnished properties in the first 6 months with a 25% discount.
- Remove the current 50% discount for vacant and unfurnished properties between 6 months and two years. These properties would receive a full charge.
- Charge an additional 50% premium for vacant and unfurnished properties over two years meaning these properties would receive a 150% charge.

8. Finance

Clearly the funding cut has significant financial implications for the Council, claimants and Council Tax payers.

The proposed Council Tax Support scheme and changes to Council Tax discounts and exemptions have been developed to enable the Council to meet the funding shortfall while seeking to minimise the potential impact on those vulnerable and most in need in the borough.

9. Risks and Uncertainties

9.1 Funding for the scheme – the Council has not yet been provided with a final funding figure. This figure will be available before the final scheme is adopted and will be part of the decision process. As the position is clarified further details will be reported through to Members

9.2 Council Tax Collection Rates - the proposals transfer the risks associated with Council Tax Benefit from central government to local authorities with implications for the Council Tax collection rate which it is anticipated will fall. There is also likely to be an increase in the cost of collecting Council Tax as a result of an increase in debt recovery activity.

9.3 Fluctuations in Caseload – the economic downturn has resulted in a steady increase in CTB claims (this year the rise has been 2.9%) and there is no sign that this trend will change in the near future. When finalising the new scheme consideration will need to be given to potential year fluctuations in demand for Council Tax Support.

10. Policy and Performance Implications

The changes to CTS are part of the Coalition Government's wider welfare reform programme, the effect of which will be substantial reductions in overall benefit entitlement.

As indicated the CTS proposals together with the wider welfare reforms could have an adverse effect on the levels of Council Tax collection in the Borough.

Additionally the work levels in Revenues and Benefits services, including telephone calls, are anticipated to substantially increase as is face to face contact through the Customer Service Centres. This could have an adverse impact on performance standards in these areas.

11. Background Papers and Consultation

- Appendix A - Consultation leaflet

Contact Names:-

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Stuart Booth, Director of Financial Services, Ext 22034, email address: stuart.booth@rotherham.gov.uk

Council Tax Benefit is Changing We want your views

1. Introduction

From April 2013, The Government is abolishing the current national Council Tax Benefit (CTB) scheme and asking local authorities to set up their own local schemes to meet the needs of their local area. Our local scheme will be known as Council Tax Support (CTS). In making these changes the Coalition Government is cutting the amount that Rotherham Council has to provide Council Tax support by £4.1million.

During 2011-2012, Rotherham Council awarded £22.8 Million to 31,000 claimants of whom 15,000 were pensioners. It should be noted that the Government has stated that where the claimant and partner are both pensioners they will be protected from any changes.

At present the Government funds 100% of the current Council Tax Benefit scheme. However under the new Council Tax Support scheme Rotherham will receive a set figure as an annual grant. The government will reduce the grant by 10% of the amount paid out in Council Tax benefit. In Rotherham's case it is estimated that under the Coalition Government's proposals this will result in a funding cut of £4.1 million for 2013/2014.

Any spend on Council Tax Support above the grant level will have to be met out of the Councils own funds to the detriment of other Council services.

As a result we will have to make some difficult decisions about who will get financial help to pay their Council Tax and how much help they will receive.

2. Considerations

Although the scheme will be local, the government has outlined some main principles which all Councils must apply:

The Equality Act 2010

The Council must have regard to disabilities when making decisions of a strategic nature in order to reduce any inequalities. There is a duty on the Local Authority to eliminate discrimination and advance equality of opportunity.

With this in mind the Council proposes that it retains the present scheme of allowances, premiums and income disregards as the best way of recognising the particular needs of families, carers and people with disabilities.

Child Poverty Act 2010

Part 2 of the Child Poverty Act 2010, sections 19-25, place a duty on Local Authorities to reduce child poverty in their area.

With this in mind the Council intends to continue to disregard child benefit and child maintenance when calculating Council Tax Support.

Guidance from the Secretary of State

When designing a scheme the Council must also have regard to any guidance issued by the Secretary of State to:

Safeguard vulnerable groups

The rules for Council Tax Benefit, Housing Benefit and DWP means-tested benefits have a scheme of allowances and premiums that take into account the make-up of the claimant's household, including responsibility for children, caring responsibilities and varying degrees of ill health and disability. Additionally some types of income related to children or disability are not counted in assessing a claimant's income for Council Tax Benefit.

The Council proposes that it retains the present scheme of allowances, premiums and income disregards in the Council Tax Support scheme as the best way of recognising the particular needs of families, carers and people with disabilities.

Promote work incentives

With this in mind the authority proposes to maintain the current 4 week run on period in order to incentivise work. This means that a claimant entering work or increasing their hours will, as at present, not see their Council Tax Support entitlement reduce for a period of 4 weeks. Additionally the 20% taper will be retained meaning employed claimants will lose only 20p benefit for every additional £1 they earn.

Have regard to the Armed Forces Covenant

With the covenant in mind the Council proposes to retain the existing disregard of 100% of all monies received in respect of war widows and war disablement pensions.

Comply with any prescribed requirements in legislation issued by DCLG.

All prescribed requirements will be included in the new Council Tax Support scheme.

3. Detail of what is being proposed from 1st April 2013

There are a number of constraints on what the Council can do and, after consulting with our partners and modelling the likely effects on residents of various options, we have identified a preferred Council Tax Support scheme for Rotherham.

The Council is giving consideration to the following options to make up the shortfall in funding:

- Reduce benefit expenditure through the cuts to the new Council Tax Support scheme as outlined in Section 4
- Increase Council Tax income through changes to discounts and exemptions as outlined in Section 5
- Meet some of the shortfall from Council funds including a potential increase in Council Tax levels

We need to have an agreed scheme in place by 31st January 2013 and are consulting on our draft proposals. The results of the consultation will be taken into account when drafting the final scheme.

4. Overview and principles of the draft Council Tax Support scheme for working age claimants

The Council has produced a draft Council Tax Support scheme based largely upon the existing Council Tax Benefit rules. We have also introduced a number of simplifications to ease administration and to ensure that the scheme is clear and easy to understand for claimants.

Maximum Council Tax Support entitlement for working age claimants

The main proposed change to the current Council Tax Benefit scheme is to introduce a maximum Council Tax Support level. This will be set at a percentage of the Council Tax entitlement which is sufficient to meet the likely shortfall in funding.

At present a claimant may be entitled to Council Tax Benefit to meet 100% of their Council Tax bill. However it is proposed that the maximum entitlement for Council Tax Support will be reduced to a percentage yet to be decided. This will mean all working age Council Tax Support claimants will have to make some payment towards their Council Tax.

The maximum percentage entitlement will vary dependant on decisions made regarding funding the shortfall through other changes to the scheme, additional income raised from changes to Council Tax and subsidy from Council funds.

If none of the other options are implemented the maximum Council Tax Support a working age claimant would receive is likely to be 80% of the Council Tax liability.

If a maximum Council Tax entitlement of 80% was introduced, someone currently living in a Band A property who is entitled to full Council Tax Benefit would pay a minimum of £190 per year or £3.65 per week.

In addition to the maximum entitlement the council is considering the following change for the new scheme. A decision on the final scheme will be made following full consideration of the consultation results.

Abolish Second Adult Rebate

Currently, claimants whose income and capital is too high to for them to be entitled to Council Tax Benefit, but who have other adult(s) in the household with low income, can receive a Second Adult Rebate up to 25%. This is designed to compensate people who would normally qualify for a single person discount if a second adult did not live with them regardless of how much income they receive.

The authority proposes to abolish the current second adult rebate scheme for single working age claimants which would affect 232 claimants and save £51,000.

Should Second Adult Rebate be abolished following the consultation, claimants currently receiving it would be able to make application for Council Tax Support based on their own income and capital. Our records indicate that these numbers would be very low as the average income above the Council Tax Benefit entitlement level for these claimants is £122 per week.

For someone in receipt of full second adult rebate in a Band A property this will mean they would pay an additional £238 per year or £4.58 per week.

5. Overview and principles of the proposed changes to Council tax discounts and exemptions

From 1st April 2013 the government is allowing Councils local discretion on the levels of some Council Tax discount and exemptions. The Council is proposing therefore to make the following changes in order to raise additional funds to meet some of the losses in government funding for the new Council tax Support scheme.

Proposal 1 - Second Homes

At present the authority grants 50% discount on second homes but proposes to remove this discount making Council Tax payable in full for such properties.

This will mean that someone in receipt of second home discount in a Band A property would pay a minimum additional £476 per year or £9.16 per week.

Proposal 2 - Vacant properties undergoing major structural repair

At present these properties are exempt from Council Charge for the first 12 months. The Council proposes to replace this exemption with a 25% discount.

This will mean that someone currently receiving the exemption for a Band A property would pay a minimum additional £715 per year or £13.75 per week.

Proposal 3 - Vacant and unfurnished properties (first six months)

At present these properties are exempt from Council Tax. The Council proposes to replace this exemption with a 25% discount.

This will mean that someone currently receiving the exemption for a Band A property would pay a minimum additional £357 for the six month period or £13.75 per week.

Proposal 4 - Vacant and unfurnished properties (vacant for over six months)

At present these properties receive a discretionary 50% Council Tax discount. The Council proposes to remove this discount making Council Tax payable in full for such properties.

This will mean that someone currently receiving a 50% discount for a Band A property would pay a minimum additional £477 per year or £9.17 per week.

Proposal 5 - Long term vacant and unfurnished properties (vacant for over two years)

At present these properties receive a discretionary 50% Council Tax discount regardless of how long they are empty. The Council proposes to introduce a premium 150% charge. This is intended to encourage owners of long term empty properties to bring them back into use.

This will mean that someone a 50% discount for a Band A property would pay a minimum additional £953 per year or £18.33 per week.

6. Developing a final Council Tax Support scheme

It should be noted that a final scheme is dependant on the following factors:

- The outcome of the consultation;
- The passing of the Local Government Finance Bill and subsequent secondary legislation; and
- The bringing into force of the relevant provisions of the Welfare Reform Act 2012 and any secondary legislation.

The Council will enter into public consultation for eight weeks from the start of 24th September 2012.

The final proposal will be adopted by the full Council by 31st January 2013 and will be published on the Council's website once final approval has been granted.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	19 th September 2012
3.	Title:	OFSTED Inspection of local authority arrangements for the protection of children
4.	Directorate:	Resources Directorate and Children and Young People's Services

5. Summary

Between the 2nd and 11th July 2012 OFSTED carried out an unannounced inspection of the arrangements within Rotherham for the protection of children. This inspection was carried out under the new framework and the Authority was only the second in the country to have such inspection at that time. The report was published on the 10th August 2012 and overall the arrangements were found to be adequate.

6. Recommendations

- (i) That Cabinet accept the report and receive the action plan
- (ii) That the action plan is monitored as part of the CYPS Improvement Panel

7. Proposals and Details

OFSTED carried out an unannounced inspection of the arrangements for the protection of children in Rotherham from the 2nd to the 11th July 2012, the report was formally published on the 10th August. Rotherham was only the 2nd Local Authority in the country to receive such an inspection under the new, much tougher framework.

During the 8 day inspection there were 5 inspectors on site carrying out intensive work during their visit which included:

- Tracking of 73 case files
- 11 practice observations
- 20 interviews with staff, individually and in groups
- Inspection of supervision files
- Reading of a large range of documents and submissions

Within the first 24 hours the inspectors expect to receive the contents of "Annex A" which includes:

- details of children within the Child Protection system
- organisational structures and workforce profile of social workers
- evidence of Quality Assurance Activity
- LSCB meetings and work priorities
- Strategic Needs Assessments
- Details of multi-agency activity (case conferences, core groups) during the fieldwork period

The new framework now covers 4 judgements, a rating is given to each judgement (including the overall effectiveness judgement)

- Overall effectiveness - **Adequate**
- The effectiveness of the help and protection provided to children, young people, families and carers – **Adequate**
- The quality of practice – **Adequate**
- Leadership and governance – **Adequate**.

The inspectors recognised the series of improvements that have been made since 2009. In some areas the inspectors said that the services provided are good, while in other areas, changes that have been made were seen to be positive but it is still too early to judge their full impact - hence the overall grading. The key element of the judgements given was in relation to lack of consistency across the whole of the service.

Clearly there is more work to be done to continue to raise standards but what is clear from the report is the commitment of all staff to keeping children and young people safe and ensuring their well-being across all of the work.

The recommendations in the report broadly match the areas that have already been identified in the improvement work across all agencies. An action plan has been developed covering the 13 recommendations, some needing to be done immediately and others within either three or six months. The Action Plan is attached at Appendix A.

8. Finance

There were minimal financial implications from the inspection itself including officer time plus car parking costs and refreshments for the inspectors. However, it is critical to note that the potential broader impact of the welfare reform could have on our local communities and as a result of this child neglect cases may increase. This in itself would have a direct impact on the size of caseloads. We regularly review caseloads and are confident in our assessment of the need to realign resources to augment the social worker cohort.

9. Risks and Uncertainties

The report has been shared with partners, a learning event has been arranged for the 28th September 2012 where partners will challenge each other, case studies will be developed and the priorities for improvement will be confirmed. This will also begin the joint planning with partners for the emerging framework for the new joint inspection regime from 2013.

The new framework from 2013 will be even more rigorous and will hold to account partner agencies in relation to their contribution to the protection of children.

10. Policy and Performance Agenda Implications

The new OFSTED framework for the inspection of local authority arrangements for the protection of children replaces the both the three yearly Safeguarding and Looked After Children inspection and the yearly Unannounced inspection of Contact, Referral and Assessment. This new framework will only be in place for one year as this will also be replaced by a new multi-agency framework, similar to the previous Joint Area Review (JAR). Judgements from other Local Authorities are being monitored as part of a benchmarking exercise to establish how results compare and to learn from others experiences, particular those who are rated “good”.

An action plan has been developed and will be monitored by the Improvement Panel which will be strengthened even further to ensure that senior staff from partner agencies are accountable for their contribution to the improvements required.

11. Background Papers and Consultation

- OFSTED report “Inspection of local authority arrangements for the protection of children – Metropolitan Borough of Rotherham” – published 10th August 2012

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ROTHERHAM METROPOLITAN BOROUGH COUNCIL - CHILDREN AND YOUNG PEOPLE'S SERVICES
Improvement Action Plan - Actions from Inspection of Child Protection Services

Overall Improvement Lead: Howard Woolfenden

Ref No	Recommendation	Action Required	Completion Date	Lead Officer	Progress and related outcomes
IMMEDIATE ACTION					
CP1	Undertake a multi-agency review of cases of serious neglect where children's social care services have been involved for a significant period of time.	<p>Review to be based on 10% sample of Child Protection and CIN cases where 'neglect' is the main category of concern. Leading to 65 cases to be reviewed (32 CP 33 CIN). Identification of these cases will prioritise the length of plan and focus on long standing cases.</p> <p>Initiation of review by Social Workers undertaking a graded care profile</p> <p>Completion of detailed multi-agency review</p>	Nov 12	Phil Morris Juliette Greenwood	Identification of cases has been completed.
CP2	Ensure all strategy discussions meet statutory requirements, are clearly and fully recorded and signed off by a manager.	<p>ICS Form to be amended by mid September with awareness sessions delivered</p> <p>Incorporation of strategy discussion process with Q.A. Framework</p>	Sept 12	Warren Carratt	
CP3	Ensure the outcomes and rationale for all Section 47 enquiries are clearly recorded and	Compliance issue. To be discussed at Ofsted feedback sessions.	Sept 12	Warren Carratt	

Ref No	Recommendation	Action Required	Completion Date	Lead Officer	Progress and related outcomes
	signed off by a manager.				
ACTION WITHIN THREE MONTHS					
CP4	Improve the consistency and quality of referrals from partner agencies to the contact and referral team.	Workforce development programme to be delivered to support roll out of refreshed Early Help Strategy.	Nov 12	Warren Carratt	
CP5	Ensure that domestic violence notifications from the police are timely and include a child focused risk assessment.	Ongoing process issue with South Yorkshire Police and social care. Resolution to be progressed with new District Commander.	Nov 12	Howard Woolfenden / Jason Harwin <i>Borough wide Service Manager</i>	
CP6	Improve the quality and consistency of child protection and children in need plans, ensuring they are appropriately focused on key risks and the actions required to reduce risks and set clear, specific and measurable outcomes.	Implementation of conference chairs “preparation for conference checklist” and the escalation procedure Review, improve and simplify the CP and CIN plan document. New Statutory Visit will be implemented to ensure consistency and relationship to plan. Targeted learning sets and workshops to take place with teams and Team Managers	Sept 12 Nov 12 Nov 12	Linda Alcock Warren Carratt	
CP7	Ensure that core groups, children in need meetings and	Develop and implement the template for Core Groups and upload to Documents Library and	Sept 12	Diane Hyner	

Ref No	Recommendation	Action Required	Completion Date	Lead Officer	Progress and related outcomes
	supervision sessions focus on the progress made to reduce the risks identified in plans.	linked to policies and procedures. New supervision policy to be launched in September with Team Managers Regular sample audit to be undertaken to review success of implementation to be tested	Sept 12	Warren Carratt	
CP8	Take action to reduce the caseloads of the busiest teams and workers, ensure all newly qualified social workers have a caseload appropriate to their skills and experience and review the overall social work capacity needs of the service.	Caseload review to be undertaken to ensure all caseloads are weighted and reflect current caseloads Identify any gaps in workforce capacity and need for additional resources and/or their realignment, based on skills and experience of practitioners	Oct 12	Phil Bradley & Ailsa Barr	
CP9	Ensure that full consideration is always given as to how children and young people's views are represented in child protection conferences including, when appropriate, enabling access to advocacy support.	Implementation of conference chairs "preparation for conference checklist" to QA the process. Ensure any information that we hold is captured, recording and presented in conferences. Develop better and more innovative ways of capturing and hearing the child's voice. Investigate the options for advocacy services including	Sept 12 Nov 12 Nov 12	Linda Alcock <i>with P&Q Team</i> Lynne Grice Saddington	

Ref No	Recommendation	Action Required	Completion Date	Lead Officer	Progress and related outcomes
		commissioned and in-house with proposals developed			
CP 10	Ensure all social workers and managers in duty and children in need teams understand the requirements for identifying, assessing and monitoring private fostering arrangements.	<p>Undertake benchmarking exercise to identify best practice</p> <p>Private Fostering workshops planned for 18th Sept to Duty & CART.</p> <p>LAC, North and South Services to receive briefing sessions.</p> <p>To be incorporated within performance management arrangements</p> <p>Ensure all “private fostering” arrangements are appropriately assessed</p>	Nov 12	Gillian Ackerley	

ACTION WITHIN SIX MONTHS

CP 11	<p>Develop and implement systems to collate and evaluate feedback from children and families subject to child protection processes and use this feedback to inform service development.</p>	<p>Development of customer satisfaction processes;-</p> <p>Gather baseline customer experience information</p> <p>Analysis of baseline including gap analysis</p> <p>M2/M3 Session re child's voice/customer experience</p> <p>Prioritisation work for development of customer experience</p>	<p>Mar 13</p> <p>Oct 12</p> <p>Oct 12</p> <p>Nov 12</p> <p>Nov 12</p>	Sue Wilson	
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Ref No	Recommendation	Action Required	Completion Date	Lead Officer	Progress and related outcomes
		programme Begin implementation of customer experience programme	Dec 12		
CP 12	Strengthen the degree of independent challenge in the child protection system by, for example, creating direct links between the manager of the child protection chairs, the Strategic Director of Children's Services and the chair of Rotherham Local Safeguarding Children Board (RLSCB).	Strategic Director CYPS to convene meetings with Independent Chair of LSCB and Case Conference Chairs	Oct 12	Joyce Thacker <i>Alan Hazell</i> <i>Linda Alcock</i>	
CP 13	Fully implement the proposed quality assurance framework. Include in this the regular collation of practice issues noted by child protection chairs and ensure that findings from all quality assurance work undertaken by partner agencies are reported to RLSCB.	Embed new framework to ensure compliance with timeframes.	Mar 13	Kevin Stevens <i>With Senior Management Team</i>	

Where appropriate the success of the identified actions above will be subject to independent quality assurance following implementation and associated measures may also be built into existing performance management processes.

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

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