

COUNCIL MEETING
24th July, 2013

Present:- The Mayor (Councillor John Foden) (in the Chair); Councillors Ahmed, Akhtar, Ali, Andrews, Astbury, Atkin, Barron, Beaumont, Beck, Buckley, Burton, Clark, Currie, Dodson, Doyle, Ellis, Gilding, Gosling, Goult, J. Hamilton, N. Hamilton, Hoddinott, Hussain, Jepson, Johnston, Kaye, Lakin, Lelliott, License, McNeely, Middleton, Pickering, Pitchley, Read, Roche, Rushforth, G. A. Russell, P. A. Russell, R. S. Russell, Sharman, Sims, Smith, Steele, Stone, Swift, Tweed, Vines, Wallis, Watson, Whelbourn, Whysall, Wootton and Wyatt.

A13 MINUTE'S SILENCE

The Mayor referred to the recent death of former Mayor and Councillor Fred Wright. A minute's silence was held as a mark of respect.

A14 COUNCIL MINUTES

Resolved:- That the minutes of the meeting of the Council held on 17th May, 2013, be approved for signature by the Mayor.

Mover: Councillor Stone

Seconder:- Councillor Akhtar

A15 COMMUNICATIONS

(1) The Mayor was pleased to announce that the external assessment of the Council's Investors in People accreditation was completed successfully and it had been confirmed that the Council had retained its Gold status and thanked all those involved in the process.

(2) The Chief Executive submitted the following petitions which had been referred to the appropriate Directorate for consideration:-

- Containing 55 signatures from residents of Shaftsbury House who strongly oppose the Council's decision to terminate the waste collection from residents' flats, many of who were in their 80's and 90's and could not carry waste bags downstairs.
- Containing 93 signatures from the residents of Broom Avenue who oppose the proposed change to abolish the temporary closure to the junction of Broom Avenue and Wickersley Road.
- Containing 215 signatures regarding the withdrawal of Council maintenance funding for Greasbrough Park Bowling Green.
- Containing 139 signatures regarding the withdrawal of Council maintenance funding for Barkers' Park Bowling Green.

- Containing 29 signatures from the residents of Larch Road, Maltby in respect of parking issues caused by employees and visitors to Hilltop School.

(3) The Chief Executive submitted apologies for absence from Councillors Dalton, Donaldson, Falvey, Godfrey, Havenhand, Mannion, Robinson, Roddison and Sangster.

A16 QUESTIONS FROM THE PUBLIC

There were none.

A17 STANDARDS COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Standards Committee (Section B) (pages 12B to 15B) be adopted.

Mover: Councillor Gosling

Seconder: Councillor Sims

A18 CABINET MINUTES

Resolved:- That the reports and minutes of the meetings of the Cabinet (Section C) (pages 134C to 163C) be adopted.

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A19 DELEGATED POWERS

Resolved:- That the reports and minutes of the meetings of Cabinet Members as listed below be adopted:-

- Children, Young People and Families Services – Pages 65D to 86D (Section D)
- Communities and Cohesion – Pages 32E to 38E (Section E)
- Culture and Tourism– Pages 40F to 48F (Section F)
- Regeneration and Development– Pages 71G to 100G (Section G)
- Adult Social Care – Pages 63H to 76H (Section H)
- Safe and Attractive Neighbourhoods – Pages 66J to 89J (Section J)
- Health and Wellbeing – Pages 36K to 47K (Section K)
- Waste and Emergency Planning– Pages 60L to 71L (Section L)

- Deputy Leader – Pages 49N to 58N (Section N)

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A20 AUDIT COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Audit Committee (Section P) (pages 41P to 48P) be adopted.

Mover: Councillor Kaye

Seconder: Councillor Sims

A21 LICENSING BOARD

Resolved:- That the reports and minutes of the meeting of the Licensing Board (Section Q) (Pages 28Q to 33Q) be adopted.

Mover:- Councillor Wootton

Seconder:- Councillor Barron

A22 HEALTH AND WELLBEING BOARD

Resolved:- That the reports and minutes of the meeting of the Health and Wellbeing Board (Section S) (pages 58S to 91S) be adopted.

Mover:- Councillor Wyatt

Seconder:- Councillor Doyle

A23 PLANNING BOARD

Resolved:- That the reports and minutes of the meetings of the Planning Board (Section T) (pages 100T to 121T) be adopted.

Mover:- Councillor Pickering

Seconder:- Councillor Dodson

A24 QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) Councillor Vines asked could the Deputy Leader tell him if Rotherham MBC would be following the lead of Leeds and Nottingham Councils in using the legal loophole to reassess bedroom size and use to lessen the impact this discrimination tax was having on some of our most vulnerable people and if not why?

The Deputy Leader confirmed Rotherham would not be following the lead of others and reported that this matter had already been considered in a delegated powers report to the Cabinet Member for Safe and Attractive Neighbourhoods on 20th May, 2013 which set out the reasons the loophole should not be used. The report also included details of the support to be given to Council Tenants in financial hardship as a result of the Bedroom Tax.

Rotherham had 3600 properties that may be affected by the Bedroom Tax with more than 2100 different house types. To reassess bedroom size

would have a negative impact on the Housing Revenue Account and the thirty year business plan.

Should the Government discover the Rotherham was using a legal loophole it could penalise the Council.

(2) Councillor Gilding asked what exactly went wrong with “Digital Region South Yorkshire” when the Government was having to bail it out with £45 million of taxpayers’ money?

The Leader reported that Digital Region was a South Yorkshire wide innovative pathfinder project which commenced in 2006 seeking to transform the economy of South Yorkshire through the implementation of a high speed broadband network to support growth and job creation. This had been recognised at national level by the Government’s initiative to roll out high speed broadband through its Broadband Delivery UK (BDUK) delivery model whose aim was for 90% of premises to have superfast broadband access by 2015.

At the start of the project, BT and other network operators made it clear that South Yorkshire was not a priority for investment even though broadband access in South Yorkshire was perceived to be five to seven years behind other parts of the country. Hence the need for it to be a public sector led scheme. The project did, however, act as a catalyst for BT and other network operators to expand their operations within South Yorkshire such that they now have 70% broadband coverage across South Yorkshire compared to 30% at the start of the project. DRL currently provided a further 13% coverage (83% coverage overall).

Within such a groundbreaking, complex and challenging project there were inevitably many risks including generating sufficient business to achieve the project’s overall aims. The unexpected introduction of BT and other network operators into the market and the fall in broadband prices had meant that the revenues Digital Region expected to generate have not been realised. The shareholders, therefore, unanimously agreed in March, 2012 to go through a re-procurement process which sought to transfer more of the risk to the private sector in line with the BDUK model. The cost of transferring risk to the private sector together with the delays caused by the need to undertake a re-procurement have led to an increase in the level of public sector funding required. The Department of Business, Innovations and Skills had continued to support the project throughout the re-procurement to date, but now see themselves at a point where they wished the local authority shareholders to take on responsibility for its future strategic direction.

The Leader was unable to speak on behalf of the Department of Business, Innovation and Skills, but the fact they have continued to support the Digital Region project throughout the re-procurement to date and have committed to making financial assistance of up to £45 million available was perhaps indicative of their desire, and that of the other

shareholders, to secure as much of the transformational aims of the project as possible.

(3) Councillor Vines asked was RMBC following the Government guidelines on spare bedroom exemption for disabled people who required a second bedroom and exempting them from the additional tax imposed on having a second bedroom and carrying out assessment where required?

The Deputy Leader confirmed that the Council was following the Government guidelines on the spare bedroom exemptions for disabled people and exempting them where appropriate.

(4) Councillor Gilding asked as Rotherham was classified as an 'Asylum Dispersal Area', what responsibilities did this place on this Council?

Councillor Hussain explained that the dispersal of Asylum Seekers in the UK was the responsibility of the UK Border Agency under the direction of the Home Office.

In the summer of 2012, the UK Border Agency took the decision to transfer direct local responsibility for accommodation and support of asylum seekers from the Local Authority to G4S.

Since that time the direct responsibilities of the Local Authority were very limited, however, there was responsibility to provide the children of asylum seeking families with education, as well as offering residual support under the provisions of the Asylum and Immigration Act, to failed asylum seekers who faced destitution, and were unable to immediately return to their country of origin.

The Local Authority had of course other general duties not specifically aimed at Asylum Seekers such as the responsibility to ensure the wellbeing of the area, which could include such issues as ensuring community safety and cohesion.

A25 QUESTIONS TO SPOKESPERSONS

Councillor Gilding asked the representative of the Police and Crime Panel for an update with the situation regarding the loss of the Police helicopter's log book.

Councillor Akhtar pointed out that as Members of the Council would be aware the Police and Crime Panel had different responsibilities to the Police Authority, which it succeeded.

Those duties were to hold the Police and Crime Commissioner to account on matter of strategy, such as the budget and the Police and Crime Plan.

Councillor Gilding's question referred to a matter of operational policing which was primarily the responsibility of South Yorkshire Police, who were held to account by the Police and Crime Commissioner.

To assist a response had been obtained from the Police and Crime Commissioner to the question, which confirmed that the South Yorkshire Police Helicopter was taken out of service for its annual maintenance at the end of January, 2013. This was deemed business as usual as it was imperative that the aircraft went through annual checks to ensure it was airworthy. This process generally took around six to eight weeks.

When the helicopter went in for servicing it became clear a number of replacement parts were needed. However, during the helicopter's scheduled service in January, it became apparent that the log book had gone missing.

If the helicopter was given a clean bill of health when it went into service then the absence of the log book would have prevented it from flying as it was a Civil Aviation Authority requirement. An investigation was launched into the disappearance of the log book and these investigations were still on-going.

The log book had been re-constructed from other records so when the helicopter was fixed it would be coming back to Sheffield around the 12th August, 2013.

As a member of the National Police Air Service there had been no loss of air cover as a result of the missing log book.

To assist the Council in future Councillor Akhtar confirmed that he was happy to respond to questions regarding the work of the Police and Crime Panel.

However, if Members have queries regarding the operational aspects of the work of South Yorkshire Police, those would be referred to either the Commissioner or the Chief Constable, who would respond directly to the Member who asked the question.

A26 MEMBERSHIP ARRANGEMENTS 2013

Consideration was given to requests for Councillor Falvey to fill the vacancy on the Licensing Board and for Councillor Clark to be the nominated Planning Board substitute for the Rotherham North Area Assembly.

Resolved:- (1) That Councillor Falvey be added to the membership of the Licensing Board.

(2) That Councillor Clark be the nominated Planning Board substitute for the Rotherham North Area Assembly.

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A27 SCRUTINY ANNUAL REPORT AND UPDATE

Councillor Whelbourn presented the 2012/13 Annual Report which presented a summary of the work undertaken during the last municipal year and in doing so welcomed the opportunity to give an update on activity and achievements from 2012/13 for each of the Select Commissions and how the Overview and Scrutiny Management Board had overseen its own work programme as well as that of the Select Commissions.

Resolved:- That the Scrutiny Report for 2012/13 be received and the updated noted.

Mover:- Councillor Whelbourn

Seconder:- Councillor Steele

A28 AUDIT COMMITTEE ANNUAL REPORT 2012/13

Councillor Kaye introduced the Audit Committee Annual Report for 2012/13.

Resolved:- That the report be received.

Mover :- Councillor Kaye

Seconder:- Councillor Sims