

THE CABINET
19th December, 2012

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

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

An apology for absence was received from Councillor Smith.

C112 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C113 DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

C114 COUNCIL TAX SUPPORT/COUNCIL TAX DISCOUNT AND EXEMPTION - CONSULTATION FINDINGS

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance which provided details of the outcomes from the recent public consultation on the proposals for Rotherham's new Council Tax Support (CTS) Scheme and the related changes to Council Tax discounts and exemptions.

The public consultation had been undertaken from 24th September to 19th November, 2012. 177 responses had been received, 42 of which were currently in receipt of Council Tax Benefit and 53 in receipt of Council Tax discount/exemptions. Although the number of responses was low, it was in line with a national low response level experienced by the majority of Councils who had consulted.

Analysis of the responses had shown that a majority of respondents supported each proposal although the results varied reflecting the potentially differing effect of each of the proposals on individuals dependent upon their status as a respondent.

The report provided a summary of the different methods that were undertaken together with the headline result.

It was noted that a further report would be submitted in the New Year once details of the planned 2013/14 Local Government Finance Settlement were known.

Resolved:- (1) That the headline messages arising from the analysis of the consultation be noted.

(2) That consideration be given to aligning the consultation findings with the decisions on the Council's new Council Tax Support Scheme and proposed discount and exemption changes.

(3) That the details of the Council Tax Support Transitional Grant be noted.

(4) That the report be shared with the South Yorkshire Joint Authorities.

(5) That a further report be submitted in the New Year when draft details of the Local Government Finance Settlement were known including how it may influence the Scheme ultimately implemented.

C115 NO STONE UNTURNED IN PURSUIT OF GROWTH - THE HESELTINE REVIEW

The Leader introduced a report by the Strategic Director of Environment and Development Services, on Lord Heseltine's recent growth review, its main recommendations and their possible impact on Rotherham and the Sheffield City region.

Lord Heseltine was commissioned in March, 2012, by the Prime Minister to produce a report on how economic growth could be most effectively encouraged in the United Kingdom. The report, "No Stone Unturned in Pursuit of Growth", launched on 31st October, 2012, recommended a major rebalancing of responsibilities between Central and local Government and between the Government and the private sector. It made recommendations on how business, central government and local leaders should be organised and structured in order to encourage economic growth more effectively.

A key theme was further devolution and the report called for Local Enterprise Partnerships (LEPs) to receive more authority and resources allowing them to lead on developing an economic strategy, bidding for Government funding and be "free to implement its strategy; accountable to its local community but free from central Government diktat.

The report stated that LEPs would need effective and empowered local authority partners that were more active in exploring opportunities for greater collaboration. Lord Heseltine recommended that Government provide an overarching legal duty for local authorities to have regard to economic development across all their activities and in the exercise of all their functions. Other recommendations included two-tier authorities moving towards unitary status and Council Members being elected using the same electoral cycle across the whole of England where the entire Council was elected at the same time every 4 years.

The report submitted set out recommendations of particular interest to local authorities.

There was no money specifically attached to the report and its recommendations, however, it recommended future Central Government money for economic growth would be bid for by "Local Partnerships" based around plans and priorities covering 5 years or longer.

The Government was proposing that future European funding programmes would be delivered at a LEP level, or combination of LEP areas, and would be based on priorities set out in the LEPs "Economic Plans". Over recent years ERDF and ESF had been 2 of the largest sources of regeneration funding into

Rotherham and South Yorkshire.

The Government had yet to decide which of the recommendations to accept and when they would be implemented. Details were still to be agreed on how a Combined Authority and the LEP would operate in future should be Combined authority be agreed and implemented.

Resolved:- That the report and potential opportunities/impacts for Rotherham be noted.

C116 FOCUSED CHANGES TO ROTHERHAM'S CORE STRATEGY

The Leader introduced a report by the Strategic Director of Environment and Development Services with regard to proposals to undertake consultation on focused changes to the Core Strategy.

The Publication Core Strategy was subject to consultation between June and August, 2012. Having taken account of representations received and following a re-assessment of the document, a schedule of further changes to the Core Strategy had been drawn up, the majority of which were minor and intended to improve its clarity.

The proposed changes ranged from correcting typographical errors and improving clarity of wording to more substantial changes whilst not altering the overall thrust of the Strategy or particular policies. A key proposed change was to amend the housing figures in Policy CS1 and other relevant maps and diagrams. Policy CS6 clearly set out that housing provision would consist of the requirement derived from the local target of 850 homes per year and also the shortfall in delivery against the target from 2008; figures provided in Policy CS1 currently did not include the shortfall. Amending the figures to show the implications of the housing requirement plus shortfall would ensure consistency between Core Strategy policies to provide a clearer and more transparent document. The shortfall would be distributed across settlements broadly in line with the growth strategy set out in the Core Strategy.

The report submitted also set out other Focused Changes.

The consultation would invite representations in relation to the 'legal compliance' and 'soundness' of the Focused changes but not the Publication Core Strategy itself. It was not an opportunity to repeat or raise further points with regard to the original plan or to seek further changes.

It was proposed that the Focused Changes would be published for consultation in January/February, 2013 for a 6 week period. The document would be made available to view via the Council's website, Council Customer Service Centres and Libraries throughout the Borough. Planning Officers would be available to answer questions during normal office hours.

Resolved:- That consultation on the Core Strategy Focussed Changes document be approved.

C117 AMENDMENT TO STANDING ORDERS

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director

Resources which proposed an amendment to Standing Orders to enable the Council to place its work with internal trading organisations without seeking external quotations in respect of contracts valued at £50,000 or more.

Standing Order 47 (Contracts valued at less than £50,000) permitted an order for work to be placed with the appropriate director of services on the presumption that the provision of works, services or supplies of goods or materials by the relevant internal trading organisation was more economically efficient than inviting tenders for every contract.

The internal trading organisation may be awarded the contract if it could demonstrate it was able to perform the work, carry out the service or supply the goods or materials for the most economically advantageous price. Standing Order 47.4 set out the factors which may be taken into consideration.

Under Standing Order 48 (Contracts valued at £50,000 or more) the appropriate internal trading organisation was able to tender for the work along with other suitable contractors on a select list of tenderers or contractors on an approved list. There was no provision for awarding contracts to an internal trading organisation without seeking external expressions of interest.

There was no general legal obligation upon the Council to expose its work to external competition. Indeed, the procurement arrangements of neighbouring authorities allowed work to be placed directly with the internal trading organisation without the need for external competition.

It was also proposed that Standing Order 47.4 should be amended to demonstrate a requirement to achieve value for money.

Cabinet Members welcomed the opportunity to broaden the criteria when awarding contracts whether these were delegated to Strategic Directors, Cabinet Members or the Cabinet.

Recommended:- (1) That, pursuant to Standing Order 56, Standing Order 47 (Contracts valued at less than £50,000) be amended so that the internal trading organisation be required to demonstrate value for money.

(2) That, pursuant to Standing Order 57, Standing Order 48 (Contracts valued at £50,000 or more) be amended so that contracts may be offered to internal trading organisations subject to value for money being demonstrated.

C118 DELEGATION OF POWERS - REVENUES

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Resources, which detailed how authorised postholders appeared in the Magistrates' Court on behalf of the Council on cases relating to recovery and enforcement of Council Tax, Non-Domestic Rates and related issues.

The named officers were further authorised to act on behalf of the Council in proceedings undertaken at the Valuation Tribunal in respect of Council Tax, Community Charge and National Non-Domestic Rate Appeals.

From time to time fresh resolutions needed to be passed as staff left and new staff were appointed with a requirement to reaffirm existing appointees and authorise new appointee(s).

Resolved:- That the persons named in (c) below, being the holders of the posts of Service and Development Manager, Operational Managers – Account Management and Local Taxation, Team Leaders – Account Management and Local Taxation, Senior Technical Officers – Account Management and Local Taxation, Technical Officers – Account Management and Local Taxation, be authorised:-

(a) Under the provisions of Section 101 and 223 of the Local Government Act 1972, to institute, carry on, prosecute and defend proceedings in relation to the recovery of Council Tax, Community Charge, National Non-Domestic Rates and General Rates which the Council, as Billing, Charging, Collecting and formerly Rating Authority, is itself authorised to institute, carry on, prosecute and defend.

(b) To act on behalf of the Billing, Charging and Collecting Authority in proceedings undertaken at the Valuation Tribunal in respect of Council Tax, Community Charge and National Non-Domestic Rate Appeals.

(c) The authorised persons for the purposes of (a) and (b) above were: -

Mr. Robert Cutts	Mr. Steven Ward
Mrs. Rachel Humphries	Mrs. Melanie Kennedy
Mrs. Sharon Coombes	Mrs. Gill Leivers
Mrs. Julie Chapman	Mrs. Sally Olivia
Miss Suzanne Styring	Mrs. Diane Woolley
Mrs.. Nicola Green	Mrs. Christy Ward
Mrs. Sarah Bennett	

C119 ROTHERHAM'S STRATEGIC TENANCY POLICY

Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director for Housing and Adult Services, on the consultation feedback received regarding the issuing of fixed term (flexible) tenancies for tenants of social housing landlords.

The on-line questionnaire had been available from June to September and completed by 51 people. Elected Members had been consulted by a number of methods including Area Assemblies, Improving Places Select Commission, Seminar and the questionnaire.

There was strong opposition to the widespread use of fixed term tenancies across the Borough. It was felt that shorter-term fixed term tenancies, particularly the minimum 5 year, would make it difficult for people to settle and invest in an area and would undermine neighbourhood sustainability. It would be unwelcome in Rotherham both for Council properties and for stock owned by registered provider partners.

Feedback around the use of long term fixed term tenancies for the 1.3% of Rotherham's housing stock of 4+ bedroom homes was less clear. Further

guidance was being sought on this issue. Tenants' situations changed over time and households may not continue to need a Council house but chose to do so for a variety of reasons. Fixed term tenancies could help to ensure people moved to a suitably sized property when they no longer required a larger Council house, freeing up housing to enable the Council to meet the needs of overcrowded families in priority need and it was suggested that for all newly issued four bedroomed plus properties fixed term tenancies up to eighteen years be issued with effect from 31st January, 2013.

Should the Council continue to issue permanent secure tenancies across all its housing stock, there would be no direct financial implications for the Authority. If it opted to make use of fixed term tenancies for larger family homes, there may be a slight increase in void-related costs but it would be relatively minor as larger family homes only made up 1.3% of Rotherham's Council housing.

Resolved:- (1) That the adoption of the Strategic Tenancy Policy which involves issuing fixed term tenancies up to eighteen years for four bedroomed plus houses be approved.

(2) That the publication of the formal Policy document be approved.

(3) That this Policy be effective from 31st January, 2013.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO URGENTLY PROGRESS THE MATTERS REFERRED TO)

C120 ROTHERHAM FESTIVE FOOD FUND - OFFERING SAFE, AFFORDABLE BORROWING TO VULNERABLE PEOPLE IN ROTHERHAM OVER THE CHRISTMAS PERIOD

The Leader introduced a report by the Strategic Director of Environment and Development Services, which detailed a scheme that had been agreed in principle at the Partner Strategic Welfare Steering group on Wednesday, 12th December, 2012, which was a partnership approach to supporting vulnerable people over the festive period to enable them to get access either a loan for food at no interest, get a referral to a food bank or be referred to the Department for Work and Pensions current crisis loans.

The proposal was to offer short term, affordable credit to people in crisis to prevent, where possible, people from accessing high cost credit/finance.

The scheme would also offer a chance to test the Partnership with a pilot scheme with the Credit Unions on how to manage the crisis loans under the new social fund (Fund for Change), which will be in place from April, 2013.

Cabinet Members welcomed this positive partnership approach which would be closely monitored.

Resolved:- That the contents of the report be noted and the proposal be approved.

C121 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relating to financial and business affairs of any particular person).

C122 APPROVAL OF TENDER FOR FLANDERWELL PRIMARY SCHOOL'S NEW CLASSROOM EXTENSION

Councillor Lakin, Cabinet Member for Children, Young People and Families Service, introduced a report by the Strategic Director of Resources seeking acceptance of a tender for the provision of a new classroom building comprising of 1 Foundation and 4 classrooms, an administration office and staffroom including extensive remodelling to the existing building.

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

Resolved:- That the tender submitted by Interserve Construction, in the sum of £956,070.00, dated 12th November, 2012, and the total project approval of £1,261,380.55, be approved.