

THE CABINET
16th January, 2013

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

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

An apology for absence was received from Councillor Stone.

C123 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C124 DECLARATIONS OF INTEREST

Councillors McNeely, Whelbourn and Wyatt declared disclosable pecuniary interests in Minute No. 130 (Housing Rent Increase) on the grounds that they paid rent as a tenant or as a garage holder.

Dispensation had been granted for all Cabinet Members when dealing with the reports if they were directly affected by the outcome, allowing them to remain in the room and vote.

C125 ROTHERHAM LOCAL PLAN STEERING GROUP

Councillor Smith, Cabinet Member for Regeneration and Development introduced the minutes of the Rotherham Local Plan Steering Group held on 13th December, 2012.

Particular reference was made to the retail and town centre issues, review of the Local Plan and the revocation of the Regional Spatial Strategy.

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

(2) That the minutes of the Local Plan Steering Group held on 13th December, 2012 be received.

C126 MEMBERS' TRAINING AND DEVELOPMENT PANEL

Councillor Akhtar, Deputy Leader, introduced the minutes of the Members' Training and Development Plan held on 17th December, 2012.

Reference was made to the "Bring Your Own Device" Initiative and the implications of saving/deleting documents/emails with an Ipad. Clarification was to be sought on the issues being raised and evaluated as part of the trial project currently taking place.

The importance of attending Emergency Planning and Child Exploitation training was emphasised and reminders to Elected Members would be issued in due course.

Resolved:- (1) That the emerging issues be noted.

(2) That the minutes held on 13th December, 2012 be received.

C127 PROPOSED COUNCIL TAX REDUCTION SCHEME AND REVISIONS TO THE COUNCIL TAX DISCOUNT AND EXEMPTIONS FOR SECOND HOMES AND EMPTY PROPERTIES

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Resources, which set out in detail Rotherham's proposed new Council Tax Reduction Scheme (CTRS) together with the proposed changes to Council Tax discounts and exemptions both which have been the subject of public consultation. In previous reports the scheme had been referred to as Council Tax Support, however, the Government had decided on the title of Council Tax Reduction Scheme.

The Council's proposed scheme protected pensioners benefits, as it was required to, but unlike the present Council Tax Benefit regime it was necessary to require working age claimants to make a contribution to their Council Tax bill. This contribution would set at a minimum 8.5% of the Council Tax due (subject to Member approval). By setting this limit, the Council's proposed Scheme was expected to meet the Government's qualifying criteria for the transitional grant which the Government has introduced to limit the impact on working age claimants of the significant reduction in Government funding for Council Tax Benefits to local authorities to be introduced from April, 2013.

The planned technical changes to discounts and exemptions for empty properties and second homes would increase the Council Tax income to the authority which would be used to reduce the amount of the Government Funding reduction (referred to above) that had to be passed through to working age Council Tax Reduction Scheme claimants.

Resolved:- (1) That the maximum Council Tax Reduction Scheme support be set at 91.5% in order to meet the qualifying criteria for the Government Transitional Grant and that the Council applies for Transitional Grant funding in 2013/14.

(2) That the proposed new Council Tax Reduction Scheme be noted and be submitted for adoption by Council on 30th January, 2013.

(3) That the proposed changes to Council Tax discounts and exemptions be noted and be submitted for adoption by Council on 30th January, 2013.

(4) That the South Yorkshire Joint Authorities be notified of the Council's proposals.

C128 CALCULATION OF THE COUNCIL TAX BASE FOR 2013/14

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 2013/14 financial year. From April with the Localisation of Council Tax Support (now described by the Government as the Council Tax Reduction Scheme (CTRS) the Council's Tax Base would reduce

compared to 2012/13. This was because under the Localisation of Council Tax Reduction Scheme, eligibility to what was previously Council Tax Benefit, would be treated as a discount and (reduction) to the Tax Base. In addition to these changes the Council was using technical amendments in Council Tax Regulations to revise discretionary discounts and exemptions for empty properties and second homes. Both of these fundamental changes have been taken into account in estimating the Council's Tax Base for 2013/14.

In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 governing its calculation, it was determined that the Council's Tax Base for the financial year 2013/14 is 63,631.44 Band D Equivalent Properties.

The Regulations set out the formula for the calculation and the estimated Tax Base as shown in Appendix A. The Council Tax Base was derived from the total number of properties within the Council's area as at the 1st December 2012, which, in the opinion of the Government's Valuation Office Listing Officer, were subject to Council Tax.

In the past the Council Tax Base had included estimates and projections to reflect the changes and adjustments in the tax base that occurred during the financial year. These have included:-

- 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 65,599.43 Band D Equivalents. Appendix A provided details of the total for both parished and non-parished areas.

It was recommended that, as in previous years an adjustment of 3% should be made to the Tax Base in respect of non-collection, giving a total of 63,631.44 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 Appendix A. The Tax Base for the Council as a whole (both parished and unparished areas) was made up as follows:

<u>Tax Band</u>	<u>Band D Equivalent Properties</u>
Band A	24,110.03
Band B	13,405.57
Band C	10,878.39
Band D	7,362.73
Band E	4,739.27
Band F	2,122.44
Band G	946.56
Band H	66.45
TOTAL	63,631.44

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 2013/14 shall be a total of 63,631.44 Band D equivalent properties.

C129 NNDR1 RETURN

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Resources, which set out the requirement for the submission of an NNDR 1 Return to the Department for Communities and Local Government (DCLG) and details contained in that return. As from April, 2013 Retained Business Rates would represent a major proportion of the Council's revenue Resources it was considered necessary to report the estimated Business Rates income to Full Council.

The Council estimated its overall Business Rates income (net rating income) for 2013/14 to be £72,179,594, of which the Council's share (49%) would be £35,368,001.

Differences between the actual business rate income collected in the year and that forecast in the NNDR 1 would give rise to a surplus or deficit on the Collection Fund. The surplus or deficit would be borne by the Council, Central Government and Fire Authority in accordance with their proportionate share, i.e. 49% in the case of the Council. The distribution of surpluses or recovery of deficits would work in the same way as for council tax, i.e., the forecast surplus/deficit in 2013/14 would be distributed in 2014/15, followed by a final distribution in 2015/16 when the actual surplus or deficit in 2013/14 was known.

Any changes to reliefs would be also be borne based on proportionate shares, thereby effectively increasing the Council's share of any increase in discretionary reliefs from 25% under the existing non-domestic rates scheme to 49% under the business rates retention scheme.

As retained business rates income would now form a major part of the Council's resource base, Cabinet and Council were being notified of the contents of the NNDR 1 Return. The Council had already had to submit a provisional NNDR 1 Return to DCLG on 7th January, 2013 and had to provide a certified return by 31st January, 2013.

Cabinet Members were informed that the Government had issued a late notice and decided that it would make regulations providing that the cost of such refunds (i.e. sums paid to billing authorities post-1st April, 2013 in respect of refunds for rates paid in the years before 2013-14) could be spread over the five years 2013-14 to 2018-19, instead of being accounted for in their entirety in 2013-14. It was the intention, however, to make the regulations before the start of the financial year, but should this position change this would be reported at the Council meeting.

Recommended:- (1) That the NNDR1 return be approved.

(2) That the Section 151 Officer be given the delegated authority, following consultation with the Leader and the Deputy Leader, to make any changes necessary to the Certified Return to reflect the late Government guidance.

C130 HOUSING RENT INCREASE 2013/14

Further to Minute No. 53 of the meeting of the Cabinet Member held on 7th January, 2013, 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 and communal facilities increases for 2013/14 to go forward for consultation, and subject to the outcome of that consultation to be presented at Cabinet for decision.

This year it had been possible to significantly reduce the annual increase when compared to the previous two years to 2.6% for non-housing rent issues and 6.19% for rent. Members were also asked to note the draft Housing Revenue Account Budget for 2013/14.

The report set out in detail the proposed housing rent, new build rents, garage rent and communal facilities increases for 2013/14. 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.

Recommended:- (1) That an average rent increase by 6.19% based on the Central Governments (DCLG) Rent Formula which results in an average increase of £4.30 per week collected over 49 weeks.

(2) That an average rent of £98.39 be set for new build council properties.

(3) That in line with the Retail Price Index garage rents, communal facility charges including where applicable laundry charges and the cooking gas charge be increased by 2.6%

(4) That the draft Housing Revenue Account Budget for 2013/14 be noted.

C131 DISTRICT HEATING SCHEME CHARGES 2013-14

Further to Minute No. 54 of the meeting of the Cabinet Member held on 7th January, 2013, Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director of Neighbourhoods and Adult Services, which sought approval from Members for the proposed increase in charges for District Heating for 2013/14 taking account where possible of the recommendations contained in the recent review undertaken by the Self Regulation Select Commission.

There were a range of heating schemes, but in general district heating charges were made up of two components, a weekly charge and a metered charge per kilowatt hour of heating used. Weekly charges for most schemes exceeded the actual metered costs and hence 32% of all income received from weekly charges were returned to customers. This report recommended that there be no increase in weekly charges (with the exception of St. Ann's) but, an increase in kilowatt hour charges to more accurately reflect true costs. The impact of this on consumers of district heating was that the vast majority would pay no more on a weekly basis, but some would receive less of a rebate once actual personal charges have been calculated following individual meter readings.

Cabinet Members expressed some concern about the kilowatt increases, particularly in areas such as Swinton which was already suffering with deprivation and low income families, which would be compounded by the Welfare Reform changes, and asked that some consideration be given to a clear communication strategy for tenants.

Recommended:- (1) That weekly charges (with the exception of St Ann's which follow the formula agreed in 2010-11) be not increased.

(2) That the various proposed increases to the kilowatt hour charges outlined within the report be approved as a means of achieving full cost recovery.

(3) That to assist tenants, increases in the kilowatt hour charge be phased over a period of up to five years.

(4) That clear information on the changes be provided to all tenants.

C132 HIGHWAYS AGENCY MANAGED MOTORWAYS PROGRAMME

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which outlined the Highways Agency's (HA) proposed Managed Motorways proposals on sections of the M1 motorway within South Yorkshire, which were due to commence in April, 2013. The proposals involved the introduction of a new All Lane Running standard which would see the conversion of the Hard Shoulder to a permanent running lane. The report also set out the risks associated with the proposals and the views of the emergency services.

South Yorkshire Police (SYP) and South Yorkshire Fire and Rescue (SYFR) have considered the proposed MM-ALR standards and have raised their concerns regarding the new standard. These views have also been shared by ACPO and CFOA and have been expressed to the Highways Agency

From an operational experience perspective the emergency services suggested that the risk of collisions involving stationary vehicles during non-peak times was an unacceptable risk and one which would have serious and potentially fatal consequences. This risk also involved those personnel who worked on the motorways along with the public. There were also significant issues relating to the ability of the Police to conduct pursuit and enforcement activities on this stretch of motorway as it was currently designed.

As a result of the above, and given that South Yorkshire will be the first area that would see the new standard introduced, representatives from South Yorkshire Police, South Yorkshire Fire and Rescue and the South Yorkshire Local Transport Plan Team have been meeting with the Highways Agency to consider these concerns with the aim of reaching a way forward that can be accepted by all parties.

Over the last couple of months the Highways Authority have explained, in significant detail, their position regarding the safety predictions for this new scheme. They have talked through the detail of their predictive risk registers and the rationale they have used for modelling and testing the scheme design. At this stage they predict an overall decrease in risk of up to 15% although it was worth noting that this reduction in risk was not reflected in the objective for Killed and Serious Injuries (KSI's) on this new design, which stated the safety objective to be 'no worse off'. This was against a local objective of reducing KSI's by 4% per annum to 2020. However, the Highways Agency also accept that within the overall decrease in risk of 15% that the risk of a collision with a vehicle stopped in a running lane outside of peak periods increases by 200%.

In order to ensure that specific risks relevant to the section of the M1 between 32 and 35a were mitigated, the Highways Agency would continue to work collectively with the South Yorkshire Safer Roads partnership as part of a technical working group to understand what further solutions might be employed that would enable further evidence to be gathered to support the operation of All lane Running. It was understood that in order to progress with the scheme that an agreed way forward would need to be reached at the end of January, 2013.

It was anticipated that construction of the scheme would commence in Spring, 2013 and take approximately two years to complete. The construction would be undertaken in phases starting with amendments to the central reserve and then in co-ordinated sections of the motorway.

Cabinet Members noted the concerns already expressed about this stretch of motorway and also the information shared about the investments to the motorway network in South Yorkshire.

Resolved:- (1) That the Highways Agency's proposed Managed Motorways All Lane Running (MM-ALR) programme be noted.

(2) That further work be undertaken to mitigate wherever practicable the safety risks associated with the new MM-ALR standard.

C133 CUSTOMER SERVICE CENTRES

Councillor Rushforth, Cabinet Member for Culture and Tourism, introduced a report by the Strategic Director of Environment and Development Services, which provided information on the usage of the Council's six Customer Service Centres and suggested ways in which services could be delivered to customers in a greater number of communities across the Borough, whilst also releasing savings of approximately £80,000 in 2013 – 2014.

It was recommended that consultation be undertaken on proposals to cease the delivery of Customer Services from Swinton and Dinnington Customer Service Centres, whilst introducing services at Dinnington, Mowbray Gardens, Swinton and Wath libraries.

The current Customer Service Centre buildings at Swinton and Dinnington would be declared surplus to requirements by the Service.

Cabinet Members noted that some alteration had already taken place in Dinnington, but that a further report was to be submitted following a period of consultation on the proposals as set out in the report.

Resolved:- (1) That the current services which were available at each of the Council's six Customer Service Centres be noted.

(2) That the undertaking of public consultation on the model, which proposes changes to the way services can be accessed at Swinton and Dinnington Customer Service Centres be approved.

(3) That the undertaking of public consultation on the proposal to deliver additional services from Mowbray Gardens Library and from Wath Library be approved.

(4) That a further report be submitted to the Cabinet following the period of consultation detailing proposals for the future delivery of Customer Services.