

THE CABINET
6th February, 2013

Present:- Councillor Stone (in the Chair); Councillors Akhtar, 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)

Apologies for absence were received from Councillors .

C134 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions by members of the public.

C135 DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

C136 GROUNDWORKS TRUSTS PANEL

Councillor Akhtar, Deputy Leader, introduced the minutes of the Groundworks Trusts Panel held on 16th January, 2013.

Cabinet Members noted the important contribution to the regeneration of the borough and to local communities.

Reference was made to Minute No. 17 (Any Other Business) where it was noted that the Council had maintained the level of funding for the 2013/14 financial year, but could not guarantee funding would continue post 31st March, 2014.

Resolved:- (1) That the minutes of the Groundworks Trusts Panel held on 16th January, 2013 be received.

(2) That the continued excellent partnership work of both Groundwork Trusts be noted.

C137 REVENUE BUDGET MONITORING FOR THE PERIOD ENDING 31ST DECEMBER 2012

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance, which provided details of progress on the delivery of the Revenue Budget for 2012/13 based on performance for the first nine months of the 2012/13 financial year. It was currently forecast that the Council would overspend against its budget by £1.946 million. The main reasons for the forecast overspend were:-

- The continuing service demand and cost pressures in looking after vulnerable children across the Borough

- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs.

It was expected that the forecast overspend would reduce further over the remaining months following the instruction by Cabinet, endorsed by Scrutiny, that future spend should be on essential items only. For the remainder of the current financial year, spend must only be in respect of ensuring that vulnerable children and adults were safeguarded, be contractually committed, where to not spend would be a false economy or to ensure compliance with Health and Safety requirements.

Continued management action would be required over the remaining periods of the financial year to ensure that the Council was able to preserve its successful track record in managing both its in-year financial performance and its overall financial resilience.

Resolved:- (1) That the progress made to date in delivering the significant financial challenges presented in the Council's 2012/13 Revenue Budget be noted.

(2) That further progress reports be submitted during the remainder of the financial year.

C138 SHEFFIELD CITY REGION COMBINED AUTHORITY

The Leader introduced a report by the Chief Executive which gave a brief overview of the rationale behind and process for establishing a Sheffield City Region Combined Authority (Sheffield City Region Authority" or "SCR Authority) and summarised the body's proposed remit.

Following a comprehensive governance review Sheffield City Region Leaders had concluded that it was appropriate to move from informal collaboration to joint decision making on some issues. The term 'Combined Authority' would bring together two statutory bodies, an Integrated Transport Authority and an Economic Prosperity Board, in order to align political decision making around strategic economic development and transport. It did not relate to a merger or takeover of local authorities or local authority departments.

The governance review had identified three key reasons for establishing the Sheffield City Region Authority:-

- To give the city region access to devolved powers and funding now and in the future.
- To align decision making in relation to strategic economic development and transport.
- To put in place strong, stable and accountable leadership recognised by Government.

It was proposed that the Sheffield City Region Authority would be a focussed decision making body with jurisdiction over a small number of strategic issues in relation to strategic economic development and transport. It was emphasised that no local authority powers would be handed over.

Details of how the Sheffield City Region Authority would operate was set out in detail in the report submitted.

The issue of support arrangements and associated costs, including the contribution required from local authorities, had still to be resolved.

There were uncertainties as to how exactly the new authority would operate, including its relationship with other bodies and the extent to which it would seek to exercise powers relating to strategic economic development.

Cabinet Members sought clarification on the mechanics on how the Sheffield City Region Authority would operate and were informed that this would, in fact, strengthen the democratic accountability within the decision making by Elected Members.

(1) Resolved:- That the progress to date and the next steps in establishing a Combined Authority for the Sheffield City Region be noted.

(2) Recommended:- That the Council become a member of the Combined Authority.

C139 DFT LOCAL PINCH POINT FUND: RMBC SCHEME BIDS

Councillor Smith, Cabinet Member for Environment and Development Services, introduced a report by the Strategic Director of Environment and Development Services outlining the Department for Transport's announcement on a Local Pinch Point Fund that local Highway Authorities could bid into for schemes that addressed local congestion issues, provided new or improved links to key economic sites or addressed the condition of bridges or other highway structures that were near to the point of becoming a barrier to access.

As part of the 2012 Autumn Statement, the Government had announced the creation of the above Fund, worth £170 million 2013-15, to remove bottlenecks on the local highway network which were impeding growth. The Department for Transport had since issued guidance on scheme eligibility and the application process.

The Fund was 100% capital and there would be £70 million available in 2013/14 and £100 million in 2014/15. If successful, the funding must be spent by 2015.

The DfT envisaged that potential projects would fall into two categories with the vast majority falling in the first given the delivery timescales for investment:-

- Small schemes requiring DfT funding of between £1-5 million.
- By exception, large schemes requiring DfT funding above £5 million, but no more than £20 million. The DfT had a presumption against bids over £10 million unless they were of truly exceptional value.

A local commitment of at least 30% of scheme costs must be included in the bid. This could be made up of both Local Authority and other third party funding. Evidence of funding and support from the private sector would further strengthen the evidence that the scheme had a demonstrable link to growth and jobs.

Officers had considered the guidance and identified the two schemes above that they considered met the DfT's criteria. Details of the schemes relating to the Centenary Way/Pool Green Roundabout and Old Flatts Bridge/A630 Parkway were set out in the report submitted together with the funding implications.

Cabinet Members welcomed the opportunity to seek funding for important schemes and received clarification on another scheme that was already the subject of alternative funding.

Resolved:- (1) That bids to the Local Pinch Point Fund be supported for the following schemes:-

- A630 Centenary Way/Pool Green Roundabout – conversion to signalised crossroads – total cost £5M
- Old Flatts Bridge, A630 Parkway – structural maintenance scheme – total cost £3M.

(2) That the requirement for a 30% Rotherham Council financial contribution to be provided for each scheme be noted.

C140 PROPOSAL TO EXPAND ASTON HALL JUNIOR AND INFANT SCHOOL

Further to Minute No. D50 of the meeting of the Cabinet Member held on 7th November, 2012, Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services which detailed the proposals to expand Aston Hall Junior and Infant School.

The consultation period had closed on 14th December, 2012, with no objections being received to the proposal.

Initial School funding to support the additional places had been identified via the Rotherham Schools Forum (Contingency for Pupil Growth) to cover the September, 2013-March, 2014 shortfall period as previously reported.

Resolved:- (1) That, in the absence of any formal objections, the proposal to increase the admission number at Aston Hall Junior and Infant School from 30-45 pupils per statutory year group (210-315 capacity) from 1st September, 2013, in all Key Stage 1 year grounds and through Key Stage 2 year on year from 1st September, 2014, be expansion of the building be approved.

(2) That the Secretary of State for Education be informed accordingly by the School Admissions, Organisation and SEN Assessment Service.

(The Mayor agreed to exempt this matter from call-in to allow the funding to be progressed)

C141 ENGAGING CARE LEAVERS AGED 16-19 (ACADEMIC AGE 16-18) INTO LEARNING AND EMPLOYMENT

Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director for Children, Young People and Families Services which provided details on education and employment destinations for young people aged 16-19 for whom the Authority held Corporate Parenting responsibility. The report also proposed a number of forward actions to meet the legislative requirements for Raising Participation and secure improved outcomes overall.

A working group, established to explore how partners could work more effectively to support young people, had undertaken an indepth analysis of the learning journey and outcomes for all current care leavers aged 16-19 and utilised indepth case studies to identify how transition support and outcomes could be improved. The group had also explored how the Council could improve access to work experience and employment opportunities for care leavers.

The findings from the data analysis were set as part of the report submitted.

To support the post-16 Looked After Children/Care Leavers to succeed and achieve in learning and employment, all partners needed to work together to:-

- Improve access of LAC/Care leavers to the youth work curriculum to build their confidence and social skills
- Ensure that the young people got access to high quality careers education and careers guidance throughout their secondary education
- Continued to provide work experience pre-16 and work trials post-16 through liaison with schools, the Get Real Team and Action for Children
- Provide support and intensive mentoring activity in Year 12 to improve retention and transitions at the end of Year 12
- Support young people to develop employability skills through development of a pre-apprenticeship programme
- Develop a grant/bursary fund to support apprenticeship development with employers
- Work closely with Job Centre Plus to secure vacancies and support the young people to access and secure jobs
- Consider how the Council could work with Action for Children to achieve the Care Leavers Quality Mark

It was imperative that during the forthcoming transition to an integrated Youth Service that strategies were implemented that both retained a high level of staff morale and equip the Service to provide a more integrated support offer to young people.

Cabinet Members welcomed this report and suggested that communication be improved with the Department for Work and Pensions.

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

(2) That the report be submitted to M3 Managers meeting and the Work and Skills Board.

C142 PUBLIC HEALTH RESPONSIBILITIES IN RELATION TO NHS HEALTH CHECKS - COMMISSIONING OPTIONS FOR THE NHS HEALTH CHECK PROGRAMME APRIL 2013

The Leader introduced a report by the Director of Public Health regarding the NHS Health Check commissioning responsibilities of Local Authority in relation to the expected delivery measures as outlined in the Public Health Outcomes Framework for England 2013-16.

NHS Health Checks was one of the mandated areas of work transferring to local authorities as from April, 2013. It was a systematic case finding programme targeted at all 49-74 year olds, designed to calculate and inform the individual of their 10 year risk of a cardiovascular disease. The Check providers would work with clients to develop risk management strategies.

Cabinet Members noted that the checks would continue which the General Practitioner Practices and the responsibility on them for taking treatment action.

Resolved:- (1) That the Mandatory Public Health NHS Health Check Programme for 2013-14 continue to be provided through Rotherham General Practices.

(2) That there be direct commissioning with each General Practice through a Public Health Contract. Contract performance monitoring would require data transfer from the Clinical Commissioning Group.

(3) That a Members' Seminar be arranged to provide information about Public Health and Local Government.

C143 HEALTH PROTECTION AND LOCAL GOVERNMENT

The Leader introduced a report by the Director of Public Health, which detailed how the 2012 Health and Social Care Act set out Local Authority general duties for Public Health including Health Protection. Regulations setting out the mandatory functions of local authorities, including the requirement to protect the health of their population, which were expected to be laid before Parliament in early 2013, to come into force by or on 1st April, 2013.

Currently, health protection at the local level was delivered by a partnership of the NHS, the Health Protection Agency (HPA) and local authorities. The Health Protection Agency led and delivered the specialist health protection functions to the public and supports the NHS, local authorities and others through local health protection units (HPUs), a network of microbiological laboratories and its national specialist centres.

The aim of the new arrangements was for an integrated, streamlined health protection system that delivered effective protection for the population from health threats.

The Public Health Outcomes Framework 2012 contained a health protection domain. Within this domain there was a placeholder indicator, "Comprehensive,

agreed inter-agency plans for responding to public health incidents”.

The Secretary of State public health protection functions would be delegated to Local Authorities, via their Director of Public Health, either by arrangements or regulations under section 6C of the Health and Social Care Act.

Cabinet Members noted this information and suggested that an addition be made to the regulation of businesses to include sunbeds.

Resolved:- (1) That with effect from April, 2013 Local Authorities have general delegated duties for Health Protection which would be led by the Director of Public Health.

(2) That with effect from April 2013 these duties be met by receiving an annual Health Protection Plan for Rotherham.

C144 HEALTHCARE PUBLIC HEALTH SUPPORT TO RCCG 2012-15

The Leader introduced a report by the Director of Public Health, which outlined the prioritisation of public health advice to NHS commissioning from Rotherham Public Health under the Agreement with Rotherham Clinical Commissioning Group (RCCG) and provided the basis for the annual work programme of the team.

The report set out in detail what was expected of all parties and a programme of monthly meetings was scheduled involving the Rotherham Public Health Directorate Leadership Team and the Rotherham CCG Operational Executive to oversee fulfilment of respective obligations arising from the Memorandum of Understanding, which was also attached for consideration.

Cabinet Members noted the healthcare public capacity within Rotherham Public Health, which would be prioritised and used to ensure maximum effect.

Resolved:- (1) That the Agreement between the Council and the Rotherham Clinical Commissioning Group be approved in consultation with the Leader, Deputy Leader and Chief Executive as to any amendments.

(2) That the recommendations detailed within the report be endorsed.

C145 RESPONSE TO THE SCRUTINY REVIEW OF RMBC'S DISTRICT HEATING SCHEMES

Further to Minute No. 105 of the meeting of the Cabinet held on 5th December 2012 Councillor McNeely, Cabinet Member for Neighbourhoods and Adult Services introduced a report by the Strategic Director of Neighbourhoods and Adult Services which outlined the proposed response to the Scrutiny Review of the Council's District Heating Scheme.

The recommendations made by Members of the Self Regulation Select Commission were all accepted. Progress was already being made towards responding to the findings of the Implementation of a few of the recommendations may impact on the charges levied to service users and a couple may require additional capital investment and this will be subject to either an in-year or subsequent year application for investment through the

HRA 30 year Business Planning process.

Resolved:- (1) That the response to the Scrutiny Review of the Council's District Heating Scheme be approved.

(2) That the enactment of some of the recommendations may result in a need for increased budget provision be noted, but that requests be made through the Housing Revenue Account' business planning process.

(3) That the response to the Scrutiny Review be submitted to the next available Overview and Scrutiny Management Board.

(4) That all those involved in the review be thanked for their input.

C146 SCRUTINY REVIEW - FUEL POVERTY

Councillor Whelbourn, Chairman of the Overview and Scrutiny Management Board, which set out the findings and recommendations of the scrutiny review into Fuel Poverty undertaken by the Overview and Scrutiny Management Board.

The review focused on the forthcoming Green Deal and how the Council could work in partnership with the Utility companies to address fuel poverty in Rotherham. The overall aim was to find ways to reduce fuel poverty in Rotherham and to access the funding that the Utility Companies have at their disposal to assist with this

When the final report was discussed at Overview and Scrutiny Management Board there were a number of issues that it was felt needed to be stressed to Cabinet:-

- The need to maintain the impetus gained with this area of work and to continue to prioritise it.
- The fact that fuel poverty is not just about fuel efficiency and physical improvements to housing stock. Although this is important, it should be noted that it is also about low income levels and the fact that many people have to choose between eating and heating.
- For this reason, it is recommended that work on tackling fuel poverty should dovetail with the work of the Welfare Reform group and that the recommendations of the report be considered by them also.

Resolved:- (1) That the Scrutiny Review of Fuel Poverty and its recommendations be noted and a response be submitted within two months as outlined within the Council's Constitution.

(2) That the decision of Cabinet on the report, recommendations and proposed action be reported back to the Overview and Scrutiny Management Board in due course.

C147 SUPPORTING PEOPLE PROGRAMME - PROPOSED GOVERNANCE ARRANGEMENTS

Councillor Doyle, Cabinet Member for Adult Social Care, introduced a report by the Strategic Director of Neighbourhoods and Adult Services, which sought

agreement to an approach to the future governance and management of the Supporting People (SP) Programme.

In 2003 governance arrangements were developed based on best practice at that time, recommended by the then Communities and Local Government (CLG). The structures ensured that all key partners across housing related support provision were represented at either a strategic, operational or provider level, with a service user group sitting underneath. The funding was ring-fenced and formally managed by the Supporting People Commissioning Body chaired by a Cabinet Member. This Body was supported by the Supporting People team and informed by a Core Strategy Group, Provider Forum, and Inclusive/Customer Forum.

Administration of the Supporting People Programme sat within the Strategic Commissioning Team of the Commissioning, Policy and Performance (CPP) function in the Resources Directorate.

The Supporting People Grant was now unringfenced and sat within the wider formula grant to the Council, held within the allocation to Neighbourhoods and Adult Services. Given changes in grant allocation, Member portfolio and commissioning arrangements, there was a need to review current decision-making and governance arrangements to ensure that they remained fit for purpose.

The proposed governance arrangements shown in Diagram 2 required some revision to make clear the reporting lines to Cabinet Members with responsibility for Neighbourhoods, Children's Services and Health and Wellbeing.

Cabinet Members expressed some concern that the paper did not clearly demonstrate how the decision making process would include all the relevant Cabinet Members, so suggested that the report be deferred pending further discussions.

Resolved:- That this report be deferred for further discussions and revision.

C148 RESPONSIBLE PET OWNERSHIP - DOG CHIPPING

Councillor Wyatt, Cabinet Member for Health and Wellbeing, introduced a report by the Strategic Director of Neighbourhoods and Adult Services which detailed an offer which was made for the Dogs Trust for the provision of 400 microchips to enable both residents from the Borough's priority neighbourhoods and social housing tenants and to chip their dog(s) free of charge on a voluntary basis.

Reference was made to at least one Local Authority area that the micro chipping of dogs had been made, as part of a Pet Policy, a mandatory requirement of the Council Housing Tenancy Conditions. This was ahead of anticipated changes in national legislation.

The information provided an approach for Rotherham which had previously been discussed with the Cabinet Member for Safe and Attractive Neighbourhoods.

Resolved:- (1) That the offer made by the Dogs Trust be welcomed relating to the provision of free micro chipping to dog owners in prioritised areas of the Borough and to all Council and other social housing tenants.

(2) That the development and introduction of a Pets Policy for Council Housing tenants to include the voluntary micro chipping of dogs be supported.

C149 EXCLUSION OF THE PRESS AND THE 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 I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relating to financial and business affairs of any particular person).

C150 PROPERTY RATIONALISATION - LAND AT DALTON, ROTHERHAM

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Directors for Resources and Neighbourhoods and Adult Services which sought approval for the disposal of the above-mentioned land, part of which was surplus to the requirements of the Department of Housing and Neighbourhood Services.

A number of options were being considered, which set out in detail as part of the report.

Cabinet Members sought clarification on the concerns in the report raised by Ward Members.

Resolved:- (1) That the site be declared surplus to requirements by Cabinet.

(2) That the Director of Audit and Asset Management be authorised to market the asset on the basis set out in Option 1 of the report.

(3) That the Director of Audit and Asset Management negotiates the terms of disposal.

(4) That the Director of Legal and Democratic Services completes the necessary documentation.

C151 RATIONALISATION OF PROPERTY PORTFOLIO - LAND AT KIMBERWORTH, ROTHERHAM

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Resources which sought approval for the disposal of the above-mentioned property asset which was surplus to the requirements of the Resources Directorate.

Options for its future use were set out in detail as part of the report.

Resolved:- (1) That the Director of Audit and Asset Management be authorised to disposal of the asset on the basis recommended in Option 2 in the report.

(2) That the Director of Audit and Asset Management negotiates the terms of the disposal of the asset as set out in the report.

(3) That the Director of Legal and Democratic Services completes the necessary documentation.