

**THE CABINET
10th April, 2013**

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.

C184 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C185 DECLARATIONS OF INTEREST.

There were no Declarations of Interest to report.

C186 ROTHERHAM LOCAL PLAN STEERING GROUP

The Leader introduced the minutes of the Rotherham Local Plan Steering Group held on 22nd March, 2013.

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 22nd March, 2013 be received.

C187 LOCALISM ACT 2011 AND THE STANDARDS REGIME - APPOINTMENT OF INDEPENDENT PERSON

Further to Minute No. 42 of the meeting of the Council held on 12th September, 2012, the Leader introduced the report of the Director of Legal and Democratic Services, which detailed the recruitment process undertaken and the options for appointment.

Matters relating to the Standards regime were the responsibility of the Council and this report was to be considered at its meeting on 17th April, 2013.

The most recent recruitment exercise held during December resulted in the Appointment Panel recommending the appointment of David Roper-Newman, who was a civil servant with experience of handling human resources issues. He had previous experience as an independent member of the Standards Committee of the London Borough of Lewisham for the past seven years.

The Standards Committee at its meeting on 14th March 2013, resolved to recommend the appointment of Mr. Roper-Newman to Council.

After deliberation at two of its meetings the Standards Committee was also of the view that the appointment of a second Independent Person would be beneficial. Both the Authority and the Member who was the subject of an allegation may consult the Independent Person. Therefore, to have two Independent Persons to be available for consultation and advice would reduce the potential for any conflict of interest to arise. The additional Independent Person would be of the same status as the first Independent Person.

Should Council approve the establishment of a post for a second Independent Person, the Standards Committee shall be requested to recommend a suitable individual to Council.

Resolved:- That the proposal to be considered by Council on the 17th April, 2013, for the appointment Mr. D. Roper-Newman as an Independent Person, for a period of four years and the establishment of an additional post for an Independent Person be noted.

C188 AMENDMENTS TO THE CODE OF CONDUCT

Further to Minute No. 16 of the meeting of the Standards Committee held on 14th March, 2013, the Leader introduced the report of the Director of Legal and Democratic Services, which recommended changes to the current Code of Conduct for Elected Members. The proposed amendments to the Code of Conduct were set out in detail as part of the report following discussion by the Standards Committee on the arrangements for disclosing interests at meetings. The current position under the Code of Conduct for Elected Members was that if a Member had a disclosable pecuniary interest in a matter to be discussed at the meeting, that interest must always be disclosed at the meeting. However, in respect of personal interests, if those interests have already been notified to the Monitoring Officer, there was no obligation to disclose them at a meeting where they were relevant to any matter being discussed.

The Standards Committee took the view that the current arrangements did not meet the requirements of transparency and accountability.

Accordingly the Standards Committee at its meeting on 14th March 2013, resolved that, in respect of personal interests, an amendment to the Code of Conduct should be introduced to ensure that Members must disclose personal interests at meetings where business affecting those interests was discussed.

Matters relating to the standards regime were the responsibility of Council and this report would be considered at its meeting on 17th April, 2013.

Cabinet Members suggested that each agenda have a section for the disclosure of interests to act as a reminder to those present.

Resolved:- (1) That the proposed amendments to the Code of Conduct to be considered by Council on the 17th April, 2013 be noted.

(2) That all future agendas for meetings have a standing item for the declaration of any interests.

C189 REVENUE BUDGET MONITORING FOR THE PERIOD ENDING 28TH FEBRUARY 2013

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 eleven months of the financial year. It was currently forecast that the Council would overspend against its Budget by £0.601m (+0.3%); an improvement of £0.677m on the January report which showed a forecasted overspend of £1.278m (+0.6%). 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 this forecast overspend would further reduce in the final month of 2012/13 financial year following Cabinet's instruction, endorsed by Scrutiny, that future spend should be on essential items only. For the remainder of the financial year spend must only be in respect of ensuring that vulnerable children and adults are safeguarded, be contractually committed, where to not spend would be a false economy, or to ensure compliance with health and safety requirements.

Continued, concerted management action would be also be required during April to ensure that the Council was able to deliver a balanced outturn and 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 the 2012/13 Outturn Report be presented to the Cabinet in June, 2013.

C190 DISCRETIONARY HOUSING PAYMENTS (DHP) REPORT

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance which detailed how the Discretionary Housing Payments (DHP) was administered by local authorities and allowed additional help to be given to claimants where their Housing Benefit entitlement was not sufficient to cover their housing costs.

DHP funding was provided by the Department of Works and Pensions (DWP). To help local authorities deal with the impact of welfare reform, in particular the Social Sector Size Criteria and the Benefit Cap, the national annual funding for 2013/2014 had been increased from £60m to £155m. As a result of this Rotherham's allocation had increased from £115k to £437k.

It should be noted that the Government recently announced protection for foster carers against the Social Size Criteria rules and as a result of this it was expected that funding would be reduced although the actual changes to Legislation and the amount of funding was as yet unknown.

Although the increase in funding was substantial, it was small compared with the estimated total benefit loss in Rotherham as a result of the Social Sector Size Criteria and the Benefit Cap (£3.27m).

The Local Authority may spend in excess of the DWP funding with a maximum upper spending limit of £1.094m, however, any spend above the funding level of £437k had to be met from the Council's own funds.

Although Local Authorities have local discretion on how the funding was spent, there was an expectation that Local Authorities would follow DWP guidance (which had recently been updated) in administering the Discretionary Housing Payment scheme.

Cabinet Members sought clarification on the criteria used for significantly adapted accommodation for disabled people, which was to be provided for information.

Resolved:- (1) That the contents of the report be noted.

(2) That approval be given for funding to be prioritised to:-

- Support Disabled people who live in significantly adapted accommodation who are affected by the Social Sector Size Criteria.
- Support Foster Carers who need an extra room and who are affected by the Social Sector Size Criteria.
- Provide short term assistance to Claimants affected by the Benefits Cap.

(3) That approval be given to applications from people who do not fall within one of the prioritised groups to be considered on a case by case basis to decide if the granting of DHP is appropriate.

C191 SHEFFIELD CITY REGION: INTER-AUTHORITY AGREEMENT

The Leader introduced a report by the Director of Legal and Democratic Services, which sought approval to enter into an Inter-Authority Agreement with the other members of the Sheffield City Region, in respect of the distribution of funding and appropriately protects the Council's interests.

As part of supporting the new combined authority, Sheffield City Council has agreed to becoming the accountable body for the purpose of administering funding streams which were to be defrayed on a South Yorkshire or Sheffield City Region basis. Currently those funds were the Jessica Fund and the Growing Places Fund

To facilitate this arrangement all of the participating authorities were required to enter into an agreement to determine administrative, governance and liability arrangements. The liability proportions were determined on a population basis.

Resolved:- That entering into of the Inter-Authority Agreement with the other authorities in the Sheffield City Region be approved.

C192 SCHOOL IMPROVEMENT STRATEGY

Councillor Lakin, Cabinet Member for Children, Young People and Families Service, introduced a report by the Strategic Director of Children and Young People's Services, detailing the Government's aim, 'to support the school system to become more effectively self-improving', which charges schools with the primary responsibility for their own improvement. As the capacity of Local Authorities reduced and schools and leaders took on greater responsibility for school improvement and leading improvement work across the system, there was a need to put in place suitable safeguards and a support infrastructure to ensure all children and young people fulfilled their potential.

In April 2011, the Cabinet agreed to enter into a minimum of a two year agreement with Rotherham School Improvement Partnership. This report set out the proposals for the next phase of school improvement delivery across the borough.

In September 2012, Learners First Schools Partnership Ltd. was set up as a school company by Wickersley School with the support of the Council. Learners First was the legally constituted successor to Rotherham School Improvement Partnership.

Learners First Schools Partnership Ltd. was a 'not for profit' company. Through the Strategic Director of Children and Young People's Services, the Council acted as the supervising authority for the company. The School Effectiveness Service was working in partnership with Learners First.

Schools agreed through the Schools Forum meeting on 5th October, 2012, that funds to develop and deliver a school-led school improvement model should be allocated from the Dedicated Schools Grant (DSG) in the 2011/12 financial year to Learners First and unanimously supported the proposal. Agreement had subsequently been given by schools to extend this up to and including 2014/15 financial year with a proposed annual allocation of funding of £765k.

Approval was now sought for the payment of the above funds which were currently retained and managed by the Children and Young People's Services Directorate to Learners First.

Cabinet Members sought clarification on the temporary arrangements for holding the funds and the beneficiaries of the proposals.

Resolved:- That the recommendations of the Strategic Director, Children and Young People's Services, and the Schools Forum be approved as follows:-

- The provision of DSG funding to Learners First Schools Partnership Ltd., to develop and deliver a school-led school improvement model up to and including 2014/15.
- That until a governance and accountability structure is agreed and implemented, that the residual balance of DSG funding currently allocated to the Rotherham School Improvement Partnership for the financial year 2012/13, is vired to the 6 local authority maintained Schools responsible for leading the Learners First priority improvement areas.
- That the HMI findings on its recent inspection into good practice and the strengths of collaborative working be noted.

(THE CHAIRMAN AUTHORISED THE URGENT CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO PROGRESS THE DETAIL REFERRED TO)

C193 SCHOOL PLACE PLANNING REPORT

Councillor Lakin, Cabinet Member for Children, Young People and Families Service, introduced a report by the Strategic Director of Children and Young People's Services, which set out details of how pupil numbers were increasing within the Borough creating a shortage of available places in certain areas. The increasing pressure on school places due to

the increase in the overall numbers of pupils meant it was necessary to increase the number of school places available to meet current and projected demand. This report, therefore, outlined the short, medium and long term plans for the creation of future school places in the Borough and details of work carried out to date.

Resolved:- (1) That the report be received, the contents noted and the progress being made acknowledged.

(2) That the proposals to create additional school places in the short to medium term and long term be noted.