

**THE CABINET**  
**24th April, 2013**

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

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

**C194      QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

**C195      DECLARATIONS OF INTEREST**

There were no declarations of interest to report.

**C196      LOCAL DEVELOPMENT SCHEME**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which provided details of an update to the Local Development Scheme to reflect the revised timetable for submission of the Core Strategy to Government.

The Scheme was last formally revised in May, 2012 (Minute No. C4 refers). The latest update reflected the revised timetable for submission of the Core Strategy to Government taking account of the revocation of the Yorkshire and Humber Regional Spatial Strategy (Cabinet 5<sup>th</sup> December, 2012 Minute No. C104).

Enforcement of the Scheme was sought to enable progress towards adoption of programmed Development Plan Documents:-

- The Localism Act and National Planning Policy Framework (NPPF) expressed a strong presumption in favour of sustainable development. Rotherham's UDP Policies only continued to have any weight where they were in accordance with the NPPF. It was important that Rotherham's Core Strategy was in place as soon as possible to provide an up-to-date Planning Policy Framework for the Borough's future growth and development
- A failure to achieve timely progress on the Local Plan could delay the Spatial Strategy required to guide future decision-making on planning applications

- Having a Local Plan in place would provide a steer for any neighbourhood plans that may emerge under the provisions of the Localism Act
- Failure to make progress with the Local Plan risked delayed provision of the new homes and employment opportunities that the Borough needed

Resolved:- That the revised and updated Local Development Scheme be approved.

#### **C197 LOCAL PLAN: PUBLIC CONSULTATION**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services which provided details of proposed public consultation on the Local Plan.

The consultation planned for summer 2013 would cover the detail by looking at potential development sites for housing, employment and retail around all the Borough's communities as set out in the draft Sites and Policies document.

The Local Plan Core Strategy set out the strategy of how much growth the Authority was proposing and where it should go. The detail would be covered in the Sites and Policies document and the public would be able to see the potential sites for future development. It would enable members of the public to give their views on which sites they felt should be developed and which should not. All the information would be publicised and made available at public drop-in sessions throughout the Borough, in Libraries and Customer Service Centres and via the Council website.

The sites would be taken forward in the Sites and Policies document which would be subject to further public consultation as it evolved and eventually submitted to Government. It would also contain development management policies to guide decisions on planning applications and would include designations to protect sensitive locations.

Resolved:- (1) That the draft Sites and Policies document be approved for public consultation.

(2) That the approach set out in the Local Plan Consultation and Engagement Action Plan summary, attached at Appendix 1 of the report submitted, be approved.

#### **C198 SUBMISSION OF ROTHERHAM'S CORE STRATEGY**

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and

Development Services proposing the submission of Rotherham's Core Strategy to the Government.

The Publication Core Strategy had been subject to consultation between June and August, 2012. Following consideration of the consultation responses, further additional work to support submission had been undertaken including consultation on a number of Focussed Changes to the Core Strategy intended to improve the clarity and presentation.

Following the conclusion of the Focussed Changes consultation and revocation of the Regional Spatial Strategy, the Core Strategy was in a position for submission subject to the conclusion of the following key areas of work:-

- Completion of transport modelling work
- Completion of the Integrated Impact Assessment
- Completion of the Bassingthorpe Farm Concept Framework
- Negotiation to agree a Memorandum of Understanding with Sheffield City Council regarding Rotherham's housing target
- Completion of key supporting documents including Consultation Statement, Statement of Co-operation and relevant background papers

Once submitted, an Inspector would be appointed by the Planning Inspectorate to undertake examination of the Core Strategy. The examination hearings could take place in September, 2013, with a view to the Council receiving the Inspector's report before the end of the year.

The selection of sites to deliver the Core Strategy would be made through the Sites and Policies document which would also contain more detailed Development Management Policies. This would be subject to further public consultation beginning in May giving a further opportunity for Members, stakeholders and residents to have their say on which sites should be developed and the Policies to guide any new development.

Resolved:- (1) That the report and Schedule of Proposed Minor Amendments to the Core Strategy be noted.

(2) That Rotherham's Core Strategy be approved for submission to Government.

## **C199 CUSTOMER SERVICE CENTRES**

Further to Minute No. 133 of 16<sup>th</sup> January, 2013, Councillor Rushforth, Cabinet Member for Culture and Tourism, introduced a report by the Strategic Director of Environment and Development Services, which set out the findings from the public consultation. A revised service offer was proposed that would ensure efficient and cost effective services could continue to be delivered in person in areas of need across the Borough.

The consultation showed that:-

- 51% of people who completed the consultation were happy being able to access Customer Services and Library services from the same building. Satisfaction with the proposed change was significantly higher from people within Mowbray Gardens Library and Wath Library communities, than from within Swinton and Dinnington communities
- 37% of people who completed the consultation were happy to pay using a cash payment machine. People had requested face to face support when making payments and they were keen to retain the social aspect of being able to talk to a person
- 44% of people who completed the consultation at Dinnington and Swinton were happy to have merged staffing. Many people who completed the consultation felt that 'library' staff would not have time to manage both services effectively
- 77% of people who completed the consultation were unhappy that Dinnington and Swinton would only be able to access customer service for 2 days a week. People who had completed the consultation had suggested their preferred days for the service to be delivered, which did not reflect the original proposal. These views had been reflected in the proposed new service model

The consultation had provided diverse customer views. Many were happy to be able to access additional services locally and saw the proposed changes as good economic sense and good utilisation of resources. It was clear that, particularly those over 65 years old, there was concern with regard to using technology to access services and that any move towards delivering services using new technology would need to be supported by staff members who the community knew and trusted.

To enable the delivery of increased levels of access in communities outside of the Customer Service Centres within current budget constraints, it was proposed that the 'in person' Customer Service delivery model be amended. It was proposed that customer be able to access specialist Council Services such as benefits or Council Tax advice from Swinton and Dinnington sites 'in person' for 2 days per week. Access to Council Tax or benefits advice outside those times could be obtained from public access free phones or by using the public access computers which were available in the Library. This would allow services to be offered from Wath and Mowbray Gardens for 1 day per week.

Access to services such as Housing, Blue Badge applications and fault reporting would be available as a drop-in service for 6 days a week during Library and Customer Service Centre opening hours.

Changes to the in-person customer contact service delivery model would realise savings of approximately £160,000 in 2013/14, £80,000 through

the merging of staffing structures at Swinton, Dinnington, Rawmarsh and Aston Customer Service Centres and Libraries and approximately £80,000 by implementing cash payment machines in Customer Service Centres. The changes would also allow the Council to deliver additional services at Wath and Mowbray Gardens at no additional costs. Refurbishment of Swinton and Dinnington Libraries would be managed within existing budgets.

Cabinet Members suggested that appropriate signage be placed on display to ensure members of the public were fully aware of the changes.

Resolved:- (1) That the results of the public consultation be noted.

(2) That the proposed changes to the Customer Contact Service delivery model, to be implemented across the Borough, be approved.

(3) That the opening hours and services delivered from Library and Customer Service Centres be reviewed after three months to ensure that they continued to meet customer needs.

## **C200 NON-DOMESTIC RATE DISCRETIONARY RELIEF POLICY**

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Financial Services, which outlined the current provisions that gave the Council the discretion to grant discretionary Non-Domestic Rate Relief to ratepayers within the Borough and set out the criteria that would be used by the Council when considering future applications for relief.

From April, 2012, Section 69 of the Localism Act 2011 replaced the limited circumstances where the Council could grant discretionary rate relief. This extended the power to grant discounts beyond the discretionary rate provisions applied to registered charities, community amateur sports clubs and other sporting and non-profit making organisations.

Councils now had discretion to grant local discounts to reduce the Non-Domestic rates of any local ratepayer provided that it was satisfied that it was reasonable to do so having considered the interests of persons liable to pay the Council Tax it levied. Any local discounts granted under the new provisions would have to be fully funded by the Authority.

It was proposed that each application received under the provisions be considered on a case by case basis by the Cabinet based on a business case that set out the economic and other benefits in comparison with the potential lost business rates income.

The changes to the Local Government Finance Act 2012, meant that from 1<sup>st</sup> April, 2013, subject to some adjustments, the Council would retain 49% of the business rates income that it collected. Any subsequent award of rate relief would reduce the Council's business rates yield and,

therefore, result in a corresponding reduction in the income that was retained by the Council and would have a revenue budget implication.

Resolved:- That the Discretionary Relief Policy be approved.

## **C201 CAPITAL PROGRAMME MONITORING REPORT 2012/13 - 2015/16**

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Financial Services, which provided details of the current forecast outturn for the 2012/13 programme and enabled the Council to review the Capital Programme for the financial years 2013/14 and 2014/15

In order to maintain the strategic link and make best use of the Capital resources available to the Council, it was important that the Programme was kept under regular review and, where necessary, revisions made. The Programme was initially reviewed in July, 2012, following the finalisation of the 2011/12 outturn Capital expenditure and financing and again in October, 2012. In addition, the 2013/14 to 2015/15 Programme was reviewed in February, 2013.

The review reflected the changes to the Council's Capital Investment Programme which were reflected in the Directorate summary table set out in the report. A detailed analysis of the Programme for each Directorate was also attached at Appendices 1 to 4 of the report submitted.

The Capital Programme was funded through a number of sources borrowing (both supported and unsupported), capital grants and contributions, revenue contributions and capital receipts. Any uncertainty over the funding of the Programme rested on confirmation that grants/contributions and capital receipts continued to be available in coming years. Where funding sources were volatile in nature the risks would be managed by continually keeping the programme under review.

Cabinet Members welcomed the investment in the Borough's infrastructure and in particular the Rotherham Townscapes Heritage Initiative.

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

**(2) Recommended:- That the 2013/14 to 2015/16 Capital Programme be approved.**

## **C202 STREET LIGHTING INVEST TO SAVE INITIATIVES**

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and Development Services regarding a proposed 'invest to save' initiative in street lighting.

As the decision required investment of over £500,000 it was a key decision.

As the use of LED technology was becoming more prevalent, there was an opportunity to utilise the technology to reduce the energy used in street lighting whilst providing quality lighting that may prove relatively maintenance free in the long term. Manufacturers were claiming that LED units should have a life span of around 20-25 years.

Initially two areas of investment were proposed:-

- Street lighting on main routes and conflict areas such as roundabouts, traffic controlled junctions and other major road junctions
- Street lighting on other arterial routes

The wholesale cost of buying electricity fluctuated significantly over the year thus making it difficult to predict future price changes. The effect of increases/decreases in energy costs had not been included in the financial modelling, however, the installation of more efficient lights would help improve the Council's overall position either by delivering cashable savings or by mitigating against the energy charges through 'avoided costs'.

Cabinet Members welcomed this initiative and the efficiencies that could be realised.

Resolved:- That the proposed Street Lighting 'invest to save' initiative be approved.

## **C203      AUTISTIC SPECTRUM DISORDER SCRUTINY REVIEW**

Councillor Dalton, Chair of the Scrutiny Review, introduced a report which set out the findings and recommendations of the Scrutiny Review into Autistic Spectrum Disorder undertaken by the Health Select Commission.

The overall aim of the review was to achieve a better understanding of patterns of Autistic Spectrum Disorder (ASD) in Rotherham leading to the development of appropriate support and assistance to families affected by it. It had taken place in a climate of budget reductions and, therefore, also wanted to look at the potential for more effective use of existing resources.

The reviewed recognised that early intervention and prevention work was key for children with ASD and that mental health needs of children and adults with ASD could arise because of the lack of support. There was also a lack of clarity about where the lead of support laid and it was difficult for many parents to make sense of all the different agencies that were involved in the area of work. It was acknowledged that there had been significant progress made with the area of work and that this needed to continue with clear leadership and direction.

It was noted that all of the recommendations formed as part of the review were about more effective use of existing resources, achieving better value for money and becoming better organised in delivery of support. It was the view of the review group that there should not be a need for additional resources to implement the recommendations

Resolved:- (1) That all those involved with the Review be thanked for their involvement.

(2) That the Scrutiny Review of Autistic Spectrum Disorder and its recommendations be noted and a response be submitted within two months as outlined within the Council's Constitution.

(3) 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.

(4) That the review be considered by the Health and Wellbeing Board.

#### **C204      GROUNDS MAINTENANCE SCRUTINY REVIEW**

Councillor Read, Chairman of the Scrutiny Review, introduced a report which set out the Grounds Maintenance Scrutiny Review which was commissioned by the Improving Places Select Commission, which was a joint review between Members and Officers.

The agreed objectives of the review were:-

- To analyse the impact of budget cuts to the service.
- To ensure that risk and impact assessments have been fully considered and are in place for the future.
- To develop practical suggestions for improvement of the service within budget.
- To consider invest to save options.

An initial officer review was completed and was the focus of the early discussions held by the review group. This focused on Grounds Maintenance and looked at the areas of grass cutting, weed killing, shrub/flower beds and hedges and rural verges, considering each of the agreed objectives as listed above.

Members of the review group went to on to explore this paper in more detail and a key issue that arose was the integrated nature of the Grounds Maintenance Service and Street Cleansing services. For this reason, the review included issues and suggestions relating to both service areas.

Cabinet Members with relevant portfolios and other Ward Councillors were also consulted as part of the process. The resulting recommendations were specifically relating to each of these services, as



well as some more overarching and general recommendations. There were three main themes emerging from these findings:-

- Flexibility of resources.
- Local feedback and support.
- Information sharing.

Resolved:- (1) That all those involved with the Review be thanked for their involvement.

(2) That the Scrutiny Review of Grounds Maintenance and its recommendations be noted and a response be submitted within two months as outlined within the Council's Constitution.

(3) 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.

## **C205 ARE YOU READY**

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 set out details relating to Rotherham Ready, which was a programme which had been integral to Children and Young People's Services since 2005.

Rotherham Ready had now reached the stage where a draft Business Transfer Agreement (BTA) between the Council and the social enterprise 'Are You Ready' had been produced via NESTA and received by Rotherham Metropolitan Borough Council Human Resources and Legal Teams who were currently considering the document.

Subject to the acceptance of the terms of the agreement by both parties 'Are You Ready' would commence trading independently of the Local Authority with effect from the 1st May, 2013.

Resolved:- That the Business Transfer Agreement to enable 'Are You Ready' to trade independently from the 1st May, 2013 be approved.

## **C206 0-25 HIGH NEEDS FUNDING BLOCK 2013/14**

Councillor Lakin, Cabinet Member for Children's, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services which detailed the Department for Education's (DfE's) policy document 'School Funding Reform: Next steps to a fairer system' (June 2012) which announced that 2013-14 would see the first steps towards reforming the education funding system. The aim of these reforms was to create an education funding system that:-

- Would be responsive to student needs.
- Funded all education institutions on an equivalent basis.
- Brought together education funding for pre-16 and post-16 High Needs provision.

Chapter 3 of the School Funding Reform document set out the plans for reforming High Needs (HNs) funding for students aged 0-25 in early years, schools, further education and the independent and private sectors – referred to as the ‘place-plus’ approach – it was the Government’s intention that these new arrangements supported the Special Education Needs (SEN) reforms outlined in the ‘Support and Aspiration.’ Green Paper.

Consequently, the existing funding streams that supported high needs students would be brought together under a single High Needs Block within the Dedicated Schools Grant (DSG).

From April, 2013, Local Authorities (LAs) would inherit the funding (c£19.2m) responsibility from the Education Funding Agency (EFA) to support learners with high needs aged 0-25 years old. A condition by the Department for Education on Local Authorities in implementing these new arrangements was that they must treat those placed in mainstream and independent provision on a fair and equivalent basis.

Despite the measures, there was an estimated c£500k 2013-14 financial year pressure on the high needs block. The consequence of not addressing this would be a deficit into 2014-15, which would have implications on the affordability and sustainability of provision and services.

Cabinet Members were also informed of a Capital Growth Fund Grant that was available, which Local Authorities could bid into and the amount of work that was going to meet the needs of these vulnerable children.

Resolved:- (1) That the likely funding pressures on the Local Authority in 2013-14 be noted.

(2) That the progress and next steps to reduce these pressures in 2013-14 and the preparations for 2014-15 be noted.

(3) That work would continue with schools and other partners to consider ways to manage this pressure within year.

**C207      PROPOSAL TO MAKE A PRESCRIBED ALTERATION TO THE AGE RANGE AT TRINITY CROFT JUNIOR AND INFANT SCHOOL**

Councillor Lakin, Cabinet Member for Children’s, Young People and Families Services, introduced a report by the Strategic Director of

Children and Young People's Services which detailed the prescribed alteration to the arrange range at Trinity Croft Junior and Infant School, which was currently a 4-11 age range school. The Governing Body at the school have proposed to change the use of the existing Foundation Unit from an FS2 class to an FS1/FS2 combined Foundation unit.

Where the age range of a school was to be changed this was classed as a prescribed alteration under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

Following the pre-statutory consultation period on the proposals, this report sought approval to progress to the statutory consultation phase.

Resolved:- That the statutory consultation on the proposal take place and that a further report be submitted to the Cabinet with details of the outcome of the consultation.

#### **C208 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 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).

#### **C209 COMMISSIONING EFFECTIVE TOBACCO CONTROL FOR ROTHERHAM**

The Leader introduced a report by the Director of Public Health, which set out how the four South Yorkshire public health departments have completed a one-year project working with Sheffield University's School of Health and Related Research (SchARR) to use multi-criteria decision analysis (MCDA) to determine the correct balance of funding across the Tobacco Control Programme in order to deliver a reduction in smoking prevalence over a five year period, with a particular focus on the three Public Health outcomes framework indicators:-

- To reduce smoking prevalence among adults.
- To reduce smoking prevalence among 15 year olds.
- To reduce smoking prevalence among pregnant women.

The report outlined the proposals for future tobacco control commissioning emerging from this work demonstrating a shift away from treatment towards greater early intervention and prevention.

Cabinet Members sought clarification on the targeted groups and as to why these had been chosen.

Resolved:- (1) That the broad proposals for future commissioning of the tobacco control activity in the Borough be approved specifically relating to:-

- The need to give notice to our existing Stop Smoking providers during 2013
- Undertake a procurement exercise for a reduced cost, more targeted Stop Smoking Service (potentially a South Yorkshire-wide service) to start in April 2014.

## **C210 CAPITAL PROGRAMME - CAPITAL RECEIPTS UPDATE**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which highlighted changes to the forecast of capital receipts.

Almost £10m in capital receipts was generated in 2012/13.

The sales completed reflected a positive achievement by the Asset Management Service in the current economic conditions and represented a good contribution towards the current strategy of reducing costs through effective property rationalisation.

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

Resolved:- That the position on the current status of the capital receipts be noted.

## **C211 RATIONALISATION OF PROPERTY ASSETS - FORMER NHS HEALTH CLINIC, LIBRARY, AND AREA OF GREENSPACE, WHEATLEY ROAD, KIMBERWORTH PARK, ROTHERHAM**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the disposal of the above-mentioned property asset. The library was now vacant and surplus to the requirements of the Department of Planning, Regeneration and Cultural Services. The former NHS clinic (now owned by the Council) and area of greenspace have already been declared surplus to the requirements of the Department of Audit and Asset Management and the Department of Housing and Neighbourhoods.

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

Resolved:- (1) That declaration of the library being surplus to requirements be approved.

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

(3) That the Director of Audit and Asset Management negotiates the terms of disposal of the asset as described in the report.

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

**C212 RATIONALISATION OF THE PROPERTY PORTFOLIO: FORMER MALTBY CRAGS NURSERY SITE, WALTERS ROAD, MALTBY**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the disposal of the above-mentioned property asset which was surplus to the requirements of the Department of Audit and Asset Management.

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

Resolved:- (1) That the Director of Audit and Asset Management be authorised to market the asset on the basis set out in Option 2 of the report. If, however, Option 2 could not be pursued then revert to dispose of the asset as outlined in Option 3.

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

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

**C213 RATIONALISATION OF THE PROPERTY PORTFOLIO: 118, FERHAM ROAD, MASBROUGH**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the disposal of the above-mentioned property asset which was surplus to the requirements of the Department of Audit and Asset Management.

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

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

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

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

**C214      RATIONALISATION OF THE PROPERTY PORTFOLIO: KIRK HOUSE, BROWNING ROAD, HERRINGTHORPE**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the disposal of the above-mentioned asset, which was vacant and surplus to the requirements of the Department of Health and Wellbeing.

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

Resolved:- (1) That the Director of Audit and Asset Management be authorised to market the asset on the basis set out in Option 3 of the report.

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

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