

CABINET

**Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH**

Date: Wednesday, 22 May 2013

Time: 10.30 a.m.

A G E N D A

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest.
5. Minutes of the previous meeting held on 24th April, 2013 (copy supplied separately)
6. Minutes of a meeting of the Groundworks Trusts Panel held on 10th April, 2013 (herewith) (Pages 1 - 6)
 - Strategic Director of Environment and Development Services to report.
7. Minutes of a meeting of the Rotherham Local Plan Steering Group held on 19th April, 2013 (herewith) (Pages 7 - 12)
 - Strategic Director of Environment and Development Services to report.
8. Minutes of a meeting of the Members' Training and Development Panel held on 15th April, 2013 (herewith) (Pages 13 - 17)
 - Chief Executive to report.
9. Herringthorpe Playing Fields - proposed lease to Rotherham Rugby Club Ltd and responses to the legal notices. (report herewith) (Pages 18 - 23)
 - Strategic Director of Environment and Development Services to report.
10. Improving Standards in the Private Rented Sector by Adopting New Strategic Interventions (report herewith) (Pages 24 - 42)
 - Strategic Director of Neighbourhoods and Adult Services to report.

11. Rotherham Environment and Climate Change Strategy and Action Plan Review 2013 (report herewith) (Pages 43 - 79)
 - Strategic Director of Environment and Development Services to report.
12. Yorkshire and Humber Grid for Learning - Trading Arm Development (report herewith) (Pages 80 - 85)
 - Strategic Director of Children and Young People's Services to report.
13. Local Government Pension Scheme Changes (report herewith) (Pages 86 - 89)
 - Chief Executive to report.
14. Exclusion of the Press and the Public.

The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs).
15. New Discretionary Rate Relief Applications (report herewith) (advance notice given) (Pages 90 - 94)
 - Director of Finance to report.
16. Discretionary Rate Relief Top Up Review (report herewith) (advance notice given) (Pages 95 - 104)
 - Director of Finance to report.
17. New Discretionary Rate Relief Top Up Applications (advance notice given) (Pages 105 - 119)
 - Director of Finance to report.
18. Community Amateur Sports Clubs Review (report herewith) (advance notice given) (Pages 120 - 122)
 - Director of Finance to report.
19. Discretionary Rate Relief Reviews (report herewith) (advance notice given) (Pages 123 - 127)
 - Director of Finance to report.
20. Approval of Tender for the Maltby Lilly Hall Primary School Refurbishment (report herewith) (advance notice given) (Pages 128 - 131)
 - Strategic Director of Children and Young People's Services to report.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	22ND MAY, 2013
3.	Title:	GROUNDWORK TRUSTS PANEL – MINUTES OF MEETING HELD ON 10TH APRIL, 2013
4.	Directorate:	ENVIRONMENT AND DEVELOPMENT SERVICES

5. Summary

Minutes of the quarterly meetings with the Groundwork Trusts Panel are submitted to Cabinet for consideration.

6. Recommendation:-

That the minutes of the meeting of the Groundwork Trusts Panel held on 10th April, 2013, be received, and the continued excellent partnership work of both Groundwork Trusts be noted.

7. Proposals and Details

The Panel was established in March 2000 to provide a forum to discuss the on-going partnership between the Council and the two Groundwork Trusts in pursuit of the economic, social and environmental regeneration of the Borough.

The two Groundwork Trusts – Groundwork Dearne Valley and Groundwork Creswell - are able to use the quarterly meetings to raise and discuss issues with Councillors and officers.

The Groundwork Trusts make an important contribution to the regeneration of the Borough and to individual local communities. The Groundwork Trusts Panel provides an important opportunity to exchange ideas and experiences, and co-ordinate actions to maximise impact and efficiency.

8. Finance

A small fund was established to enable community groups to access third party funding in support of WREN bids. The partnership working arrangements with the two Trusts enables the delivery of a wide range of projects and initiatives.

9. Risks and Uncertainties

Without the partnership working with the two Trusts many community based and environmental projects would not be able to be delivered.

Risk that funding for projects may be withdrawn and future funding sources may not be found.

Constraints on budgets of both Groundworks Trusts and the Council.

10. Policy and Performance Agenda Implications

Sustainability is the heart of the work and operations of the two Groundwork Trusts. The Council and Groundwork Dearne Valley jointly fund a Local Action 21 officer for example.

The joint working of the Council and the Groundwork Trusts provides effective environmental protection, addresses social needs and creates employment opportunities for local people.

11. Background Papers and Consultation

A copy of the minutes of the meeting of the Groundwork Trusts Panel held on 10th April, 2013, is attached.

Contacts:- Karl Battersby, Strategic Director, Environment and Development Services, Ext. 23801

Nick Barnes, Greenspaces. Ext. 22882

Tracie Seals, Neighbourhood Services. Ext. 34969

**GROUNDWORKS TRUSTS PANEL
WEDNESDAY, 10TH APRIL, 2013**

Present:- Councillors Andrews, Beck, Sharman and Swift; together with:-

Jamie Ferneyhough	Groundwork Dearne Valley
Janet Johnson	Groundwork Dearne Valley
Caralynn Gale	Groundwork Creswell, Ashfield and Mansfield and Crestra Ltd
Katie	Groundwork Creswell, Ashfield and Mansfield and Crestra Ltd
Nick Barnes	Greenspaces RMBC

Apologies for absence were received from Councillors Akhtar, Clark, Rushforth, Smith and Whysall; and from Messrs A. Hartley and R. Saw (Groundwork Dearne Valley).

19. APPOINTMENT OF CHAIRMAN

In the absence of the Deputy Leader, it was agreed that Councillor Sharman be appointed Chair of this meeting

(Councillor Sharman in the Chair)

20. MINUTES OF THE PREVIOUS MEETING OF THE PANEL HELD ON 16TH JANUARY, 2013

The minutes of the previous meeting held on 16th January, 2013 were agreed as a correct record.

21. QUARTERLY REPORT - GROUNDWORK CRESWELL, ASHFIELD AND MANSFIELD AND CRESTRA LIMITED

Caralynn Gale and Katie (Groundwork Creswell, Ashfield and Mansfield and Crestra Limited) reported on the quarterly progress of the various projects for the period 1st January to 31st March, 2013, which included:-

(a) partnership working with CTS Training on the Foundation Learning Programme, including accredited learning and a range of community related projects (eg: hedge planting; allotments maintenance; painting of buildings);

(b) apprenticeships are centred upon young people not in employment, education or training (NEETs) and the current year's apprentices are on target to achieve their qualifications; the new intake of apprentices will study and work on either construction or horticulture;

(c) Lifeline – this project provides help and advice for people seeking treatment to help them recover from substance misuse; advice is also provided about housing, employment, training and education and about

peer support groups; Specific provision from Groundwork CAM includes practical tuition about environmental and conservation projects, focusing on health and well-being;

(d) continuing to promote the Groundworks Trusts in the Rotherham Borough area and with Parish Councils; the key services promoted are : construction, youth engagement, nature conservation, landscape design and build and also health lifestyles;

(e) Crestra Construction have completed the installation of a Colliery Wheel on the site of the former Silverwood Colliery at Hollings Lane, Thrybergh (this project is being carried out in partnership with the Parish Councils in that area); other construction projects are being planned at Ulley and at Treeton;

(f) Groundwork CAM is keen to offer support to communities on health promotion, including food labelling, growing vegetables and healthy food preparation on a limited budget.

Agreed:- That the contents of the report be noted and the progress being made be welcomed.

22. QUARTERLY REPORT - GROUNDWORK DEARNE VALLEY

Janet Johnson and Jamie Fernyhough, Groundwork Dearne Valley, described the progress of projects for the period 1st January to 31st March, 2013, as set out in detail in the submitted report, which included:-

(a) Neighbourhood Regeneration

: Coronation Park, Maltby – work with young people at the Maltby Academy to complete the eight art boards.

: West Maltby Play Area - discussions with the new 'Active Tots' group about the creation of a play facility in the west area of Maltby.

: Dalton Skate Park - discussions with Dalton Parish Council in order to create a sketch plan for a skate park for the Dalton/Herringthorpe/Thrybergh area.

: Aston Pond, Lodge Lane – the Landscape Design Team has completed a design for the development of a community garden; working in Partnership with Ulley Countryside Rangers, the local TARA and Area Assembly.

: Rowan Centre, Rawmarsh – the Landscape Design Team has completed a design for a community garden; working in partnership with Barnados.

(b) Community Well-Being

: a scheme with Rotherfed and the Borough Council, to deliver a planting event at Herringthorpe involving young people from the High Greave Primary School as part of the Rotherham Cleaner/Greener Project.

: continuing work with Maltby Town Council on the Maltby Neighbourhood Plan project; a workshop was held with the Town Councillors and Wentworth Valley Area Assembly to look at the results of the consultation to draw up priorities for Maltby, the first draft of the plan has been completed.

(c) Young People

: further development of the Brampton BMX cycling project, continuing to support the development of the Brampton BMX club and oversee coaching activities with young people.

: Rotherham BMX Club – development of funding application to Sport England (concerning land at Little Common Lane, Kimberworth).

: Involvement in the new National Citizenship Programme, which has begun during January, 2013.

: developing the Junior Wardens scheme with primary schools at Maltby.

(d) Dearne Valley Eco-Vision

: delivery of Community Engagement functions on behalf of the Sheffield City Region.

: recruitment of volunteers as part of the Community Champions project.

: development of activities around the Hidden Gems project.

(e) Local Food

: continuing with delivery of the Borough-wide Rotherham in Root campaign and progressing a number of initiatives to raise awareness; a small start-up grant has been obtained via the South Yorkshire Community Foundation.

(f) Biodiversity

: Bat boxes installed on selected trees adjacent to the Fitzwilliam Canal, Parkgate, during the community Bat Action Day; clearance of overgrown vegetation also took place;

: leaflet being prepared to issue to schools, offering assistance to improve school grounds in the Nature Improvement Area, for the benefit of local wildlife.

(g) Health Activity

: Health walks have taken place in Wath upon Dearne, as part of the Eco-Vision Hidden Gems project.

: continue to support the Rotherham Heart Town initiative.

(h) Green Infrastructure and Development

: continued support to the Friends of Greenlands Park, North Anston.

: obtained £20,000 Landfill Tax credits funding from Lafarge Aggregates.

(i) Volunteering

: continue to recruit volunteers into numerous roles within the Trust, including volunteering opportunities for young people; working with the Voluntary Action Rotherham volunteer co-ordinators forum.

(j) Rotherham ESF 14 - 19 Funded Activity

: continued delivery to both the 14-16 and 16-18 programmes.

(k) Alternative Curriculum Activity

: continue to work towards horticultural qualifications in partnership with local Comprehensive Schools.

: undertaking cycle mechanics training with local schools.

(l) Introduction to Horticulture

: a new undertaking in partnership with Dearne Valley College, delivering qualifications to young people who are likely to become NEET (ie: not in employment, education or training); importance of ensuring a full cohort of places.

(m) Apprenticeships

: a new Apprenticeship programme has begun in partnership with Dearne Valley College.

Agreed:- (1) That the contents of the report be noted and the progress being made be welcomed.

(2) That the Groundworks Trusts Panel places on record its thanks to Lucy Cheetham (who has recently left Groundwork Dearne Valley, having obtained other employment) for her work in the Rotherham Borough area, especially her assistance in progressing the Maltby Town Plan.

23. ANY OTHER BUSINESS

The Groundworks Trusts Panel received copies of the Winter 2012/13 issue of the newsletter published by Groundwork Creswell, Ashfield and Mansfield.

24. DATE AND TIME OF THE NEXT MEETING

It was agreed that the next meeting of the Groundworks Trusts Panel be held at the Town Hall, Moorgate Street, Rotherham on Wednesday, 17th July, 2013, commencing at 2.30 p.m.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	CABINET
2.	Date:	22ND MAY, 2013
3.	Title:	MINUTES OF A MEETING OF THE ROTHERHAM LOCAL PLAN MEMBERS' STEERING GROUP HELD ON 19TH APRIL, 2013
4.	Directorate:	ENVIRONMENT AND DEVELOPMENT SERVICES

5. Summary

In accordance with Minute No. B29 of the meeting of the Cabinet held on 11th August, 2004, minutes of the Rotherham Local Plan Members' Steering Group are submitted to the Cabinet.

A copy of the minutes of the Rotherham Local Plan Members' Steering Group held on 19th April, 2013 is therefore attached.

6. Recommendations:-

That progress to date and the emerging issues be noted, and the minutes be received.

7. Proposals and Details

The Council is required to review the Unitary Development Plan and to produce a Local Development Plan under the Planning and Compulsory Purchase Act 2004.

The proposed policy change of the new Coalition Government should be noted re: the Localism Bill and implications for the LDF.

8. Finance

The resource and funding implications as the LDF work progresses should be noted.

9. Risks and Uncertainties

- Failure to comply with the Regulations.
- Consultation and responses to consultation.
- Aspirations of the community.
- Changing Government policy and funding regimes.

10. Policy and Performance Agenda Implications

There are local, sub-region and regional implications. The Local Development Scheme will form the spatial dimension of the Council's Community Strategy.

11. Background Papers and Consultation

Minutes of, and reports to, the Rotherham Local Plan Members' Steering Group.

Attachments:-

- A copy of the minutes of the meeting held on 19th April, 2013.

**Contact Name : Karl Battersby, Strategic Director,
Environment and Development Services**

Ext 3801

karl.battersby@rotherham.gov.uk

ROTHERHAM LOCAL PLAN STEERING GROUP
Friday, 19th April, 2013

Present:- Councillor Smith (in the Chair); Councillors Clark and Godfrey.

together with:- Bronwen Knight, Andrew Duncan, Helen Sleight and Ryan Shepherd (Planning Service); Carolyn Jones (Leisure and Green Spaces) and Ann Todd (Press Office).

Apologies for absence were received from:- The Mayor (Councillor Pickering) and from Councillors Currie, Dodson, Lakin, McNeeley, G. A. Russell, Steele and Whelbourn and from Sumera Shabir (Legal Services).

**75. MINUTES OF THE PREVIOUS MEETING HELD ON 22ND MARCH, 2013
(COPY ATTACHED)**

Consideration was given to the minutes of the previous meeting of the Rotherham Local Plan Steering Group, held on 22nd March, 2013.

Agreed:- That the minutes of the previous meeting be approved as a correct record for signature by the Chairman.

76. ROTHERHAM LOCAL PLAN CORE STRATEGY - SUBMISSION TO HM GOVERNMENT

Consideration was given to a report presented by the Senior Planning Officer concerning the submission of Rotherham's Local Plan Core Strategy to HM Government.

The report stated that the Core Strategy has been prepared over a number of years. Most recently the Publication Core Strategy was subject to consultation between June and August 2012. Between January and February 2013 consultation took place on a number of Focused Changes to the Core Strategy. In response the Council received 333 representations from 43 individuals, organisations or agents on behalf of others. These representations were summarised in the report and the schedule of additional proposed changes was appended to the submitted report.

Members discussed the preparation of the various documents which together constitute the Core Strategy.

Reference was made to the implications for future development within the Rotherham Borough area of the forthcoming construction of the high speed railway line.

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

(2) That the Cabinet be requested to approve the submission of Rotherham's Local Plan Core Strategy to HM Government.

77. LOCAL DEVELOPMENT SCHEME

Consideration was given to a report presented by the Planning Policy Manager containing an update to the Local Development Scheme to reflect the revised timetable for submission of the Local Plan Core Strategy to HM Government. The report stated that it is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008 and the Localism Act 2011) that the local planning authority must prepare and maintain a local development scheme. The Local Development Scheme sets out an updated and revised project plan for the preparation of the Development Plan Documents which will comprise the Rotherham Local Plan. The Local Development Scheme is intended to: -

: set out the subject matter, geographic coverage, development plan status and inter-relationships of Local Plan documents and if any are to be prepared jointly with other local planning authorities;

: establish and reflect priorities for the Local Plan to steer associated work programming and resource allocation; and

: give a timetable and set milestones for the preparation and review of documents

The revised Local Development Scheme was appended to the submitted report.

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

(2) That the Cabinet be requested to approve the revised Local Development Scheme.

78. ROTHERHAM BIODIVERSITY OPPORTUNITY AREA GUIDANCE

Further to Minute No. 59 of the meeting of the Rotherham Local Plan Steering Group held on 18th January, 2013, consideration was given to a report presented by the Ecology Development Officer concerning proposed links between the Local Plan Sites and Policies Development Plan Documents and the 2012 Rotherham Biodiversity Action Plan for the provision of guidance relating to natural environment policy areas. Members noted that:-

: the Local Plan Local Plan Sites and Policies Development Plan Documents include policy SP31 (Conserving the natural environment);

: this proposal imposes no greater burden upon prospective developers;

: an explanation of Biodiversity Opportunity Area Mapping was appended to the submitted report;

: Borough-wide biodiversity opportunity mapping refines the National Character Area boundaries using more detailed bedrock and superficial geological mapping to identify three key zones or Ecoscapes (as shown on map three, appended to the report):-

: Coal Measures Ecoscape
 : Magnesian Limestone Ecoscape
 : Riparian Ecoscape

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

(2) That the expanded Biodiversity Opportunity Area information provided in the 2012 Rotherham Biodiversity Action Plan be accepted.

(3) That this Steering Group supports the creation of links between the Local Plan Sites and Policies Development Plan Documents and the 2012 Rotherham Biodiversity Action Plan as a method of providing guidance for this policy area.

79. ROTHERHAM LOCAL PLAN - DRAFT SITES AND POLICIES DOCUMENT

Consideration was given to a report presented by the Senior Planner concerning the proposal to undertake further consultation from May to July, 2013 on the Local Plan Draft Sites and Policies Document and its accompanying Integrated Impact Assessment. It was noted that it is the role of the Sites and Policies Document to identify the location of new development sites to meet the Borough and settlement targets for growth set out in policy CS1 of the Core Strategy and the development management policies will guide decision-making on future planning applications.

The submitted report provided an outline of the consultation document, which will be submitted to the Cabinet for approval to consult with the communities of Rotherham and key stakeholders. Reference was also made to the contents of the Integrated Impact Assessment document, which will be included in the public consultation process. Accompanying the consultation on proposed allocation sites will be proposed new designations for:-

: Local Wildlife Sites
 : Regionally Important Geological Sites
 : Green Infrastructure Corridors
 : Conservation Areas (new areas)

Members noted that, in due course, the Sites and Policies Document will be submitted to HM Government for examination by an independently appointed planning inspector.

Discussion took place on a number of specific sites around the

Rotherham Borough area and upon the overall target for new residential housing development.

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

(2) That the Local Plan Steering Group supports the submission of the draft Sites and Policies Document to Cabinet for approval to undertake community consultation and engagement commencing during May, 2013.

80. ROTHERHAM LOCAL PLAN - CONSULTATION AND COMMUNITY ENGAGEMENT ACTION PLAN

Consideration was given to a report presented by the Senior Planner concerning the proposal to undertake consultation on the Local Plan draft Sites and Policies Document and its accompanying Integrated Impact Assessment during the period from 20th May until 29th July 2013. The submitted report included the Consultation and Community Engagement Action Plan (as an appendix) which it is intended will be used for this Summer's consultation process.

The importance of providing extensive publicity and disseminating information for the many public drop-in sessions was emphasised.

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

(2) That the Local Plan Steering Group endorses the Consultation and Community Engagement Action Plan, as now submitted.

81. ANY OTHER BUSINESS

Bassingthorpe Farm – proposed development at Greasbrough

Members viewed the concept framework and plan for the proposed Bassingthorpe Farm development and noted that further consult will be taking place with local residents, the Environment Agency, English Heritage and Natural England. A dedicated page will be included on the Borough Council's Internet web site, where the relevant documents will be available to view. The concept framework and plan will be submitted to HM Government together with the Local Plan Core Strategy.

82. DATE AND TIME OF NEXT MEETING

Agreed:- That the next meeting of the Rotherham Local Plan Steering Group take place at the Town Hall, Rotherham on Friday, 7th June, 2013, commencing at 10.00 a.m.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	22ND MAY, 2013
3.	Title:	MEMBERS' TRAINING AND DEVELOPMENT PANEL MINUTES
4.	Directorate:	CHIEF EXECUTIVE'S

5. Summary

To consider Members' training matters.

6. Recommendations

To receive the minutes of the meetings of the Members' Training and Development Panel held on 15th April, 2013.

7. Proposals and Details

To ensure implementation of the Council's Training and Development Policy in accordance with the meeting's Terms of Reference.

8. Finance

The Panel has its own training budget.

9. Risks and Uncertainties

Without proper training and support being in place there is a risk that Members' capacity to make decisions is not soundly based.

10. Policy and Performance Agenda Implications

To consider best practice in relation to Member training and development.

The aim is for every Elected Member to be given suitable opportunities for development and training to help support all aspects of their role.

11. Background Papers and Consultation

A copy of the minutes of the meeting of the Members' Training and Development Panel held on 15th April, 2013, are attached.

Contact Name : Deborah Fellowes, Scrutiny Manager, Resources Directorate – Tel. 01709 822769 deborah.fellowes@rotherham.gov.uk

**MEMBERS' TRAINING AND DEVELOPMENT PANEL
MONDAY, 15TH APRIL, 2013**

Present:- Councillor Akhtar (in the Chair); Councillors Buckley, Falvey and Wootton.

Apologies for absence were received from The Mayor (Councillor Pickering) and from Councillors Gosling, Havenhand and Steele.

18. MINUTES OF THE PREVIOUS MEETING HELD ON 17TH DECEMBER, 2012

The minutes of the previous meeting held on 17th December, 2012, were agreed as a correct record.

19. REPORT WRITING AND PLAIN ENGLISH - CURRENT POSITION

Further to Minute No. 76 of the meeting of the Members' Training and Development Panel held on 16th February, 2012, consideration was given to a report presented by the Head of Corporate Communications and Marketing summarising the key issues concerning the standard of report writing within the Council and the provision of information to support the role and work of Elected Members.

Members agreed that there was still cause for concern and that all report authors must endeavour to use plain English and be concise and informative. The Panel asked that a survey of Elected Members be undertaken to identify specific issues and how these could potentially be addressed, along with examples of best practice.

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

(2) That a survey be undertaken and the outcome reported to the next meeting of the Members' Training and Development Panel to be held on 10th June, 2013.

20. MEMBER DEVELOPMENT PROGRAMME- UPDATE (SPRING 2013)

Consideration was given to a report presented by the Senior Scrutiny Adviser describing progress in respect of Elected Members' training and development activity. The report stated that the development programme recognises the different roles of Elected Members and the needs that arise with changes at a national, regional, sub-regional and local level. Details of the current programme (December 2012 to May 2013) were provided.

It was noted that a full review of training activity for 2012/13 will be submitted in an annual report to the next meeting of this Panel.

Discussion took place on:-

: subjects for inclusion in the forthcoming training and development

programme for the Summer and Autumn months, 2013;

: shared training and development resources available from other local authorities in the region, which helps to reduce costs;

: Parliamentary Outreach - a service available from the Houses of Parliament offering free learning opportunities for local authorities on topics such as (i) understanding the work of parliament and the passage of legislation; and (ii) good practice sharing between Select Committees and local authority Overview and Scrutiny Boards;

: emerging issues (eg: the Government's welfare reforms; the community leadership role of Elected Members);

: Members' training in respect of the responsibility for safeguarding adults;

: Members' training in respect of the use of social media (eg: Facebook; Twitter) for communications.

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

(2) That arrangements be made with other local authorities/agencies to maximise development opportunities for Elected Members, as outlined in Section 7 of the report now submitted.

(3) That a further report be submitted to a future meeting of the Members' Training and Development Panel on the effective use of the member development function to support Elected Members' needs.

(4) That the following development sessions be included as part of the Summer/Autumn 2013 training and development programme:

- (a) welfare reform (dealing with difficult situations; mediation skills);
- (b) the responsibility for safeguarding adults; and
- (c) the use of social media.

21. PERSONAL DEVELOPMENT PLANS

Consideration was given to a report presented by the Senior Scrutiny Adviser concerning the Personal Development Plan process for Elected Members. The report stated that Personal Development Plans enable Members to consider their own skills and strengths against:

- their specific roles and interests;
- broader Council and Borough-wide priorities; and
- rapid changes in Government policy and legislation.

This process allows any identified learning and development needs to be introduced into the training and development programme to ensure that individual needs are not overlooked.

Discussion took place on ways of ensuring the most effective use is made of the Personal Development Plan process, for the benefit of individual Elected Members and of the Council.

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

(2) That all Elected Members undertake the self-assessment prior to their Personal Development Plan review.

(3) That future Personal Development Plan reviews for Elected Members shall be undertaken on a two-year cycle and on a rolling programme from May 2013 to April 2015, as follows:-

Phase1: Cabinet Members, Chairs of Regulatory Boards, Overview and Scrutiny Chairs/Vice-Chairs, Chairs of Area Assemblies;

Phase 2: Members elected from 2011 onwards;

Phase 3: Other Members.

22. DATE AND TIME OF NEXT MEETING

Agreed:- That the next meeting of the Members' Training and Development Panel be held on Monday, 10th June, 2013, commencing at 11.00 a.m.

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET
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1.	Meeting:	Cabinet
2.	Date:	22nd May 2013
3.	Title:	Herringthorpe Playing Fields – proposed lease to Rotherham Rugby Club Ltd and responses to the legal notices.
4.	Directorate Area:	Environment and Development Services

5. Summary

This report presents a summary of the responses to the legal notice advertising the proposal to lease an area of Herringthorpe Playing Fields to Rotherham Rugby Club Limited, an amateur club providing training and playing opportunities for a range of ages and abilities. It also includes further responses in respect of two e-petitions that were reported to Cabinet Member for Culture & Tourism on 12th March 2013

6. Recommendations

6.1 That Cabinet approves the proposed lease of an area of Herringthorpe Playing Fields to Rotherham Rugby Club Ltd.

6.2 That Rotherham Rugby Club Ltd are requested to set up a residents liaison committee to help improve community relationships, and be a forum to raise issues such as parking and community use.

7. Proposals and Details

Summary

This report presents a summary of the responses to the legal notice advertising the proposal to lease an area of Herringthorpe Playing Fields to Rotherham Rugby Club Limited, an amateur club providing training and playing opportunities for a range of ages and abilities. The Mini/Junior section has almost 300 boys and girls taking part in 10 different age groups from 7 to 17 years old. All sections depend on enthusiastic volunteers, whose roles range from occasional help to regular team managers and coaches. The greatest difficulty that the Club has to address is the lack of facilities to sustain its activities. Due to the lack of available pitches, teams have to hire pitches for training and playing at different facilities throughout the Borough. Facilities at Dinnington, Wath, Rawmarsh, Wickersley School and Dearne Valley College have been used to accommodate the growing demands of the Club. This report also includes further responses in respect of two related e-petitions that were reported to Cabinet Member for Culture & Tourism on 12th March 2013.

Outline proposal

- Rotherham Rugby Club Ltd wish to lease a section of Herringthorpe Playing Fields to be used by their amateur teams (junior and adult) for training, competitive matches and community development purposes. The Club's requirements are for a secure site that can accommodate 3 full size rugby pitches.
- The proposal includes an investment by the Rugby Club of approximately £300,000 in fencing off an agreed area of the field, improving the playing surface and drainage, providing new changing rooms and installation of floodlighting.
- The lease would include time restrictions and require the use of the latest design in floodlighting in order to reduce impact on local residents.
- The Club would be required to develop a management plan aimed at reducing the impact of any increased car parking on the local area.
- The Club would also be required to make the facility available to other amateur clubs, and to work with the Council's Sports Development Team to organise and promote wider sport and physical activity opportunities. They would also have to make the facilities available to local schools for a variety of activities including competitive matches and finals. This community use is defined within an accompanying Service Level Agreement which will be monitored by the Sports Development Unit in Leisure and Community Services.
- The lease does not provide for the facility to be used by the Rotherham Titans.
- The Club has undertaken in its Car Parking Management Plan document which also forms a part of the Service Level Agreement which sits alongside the lease agreement, to use off site parking at the adjacent Clifton Lane site.

In addition, the following concerns have previously been raised by members of the public and were reported to Cabinet on 19th October 2011:

- 1 Loss of amenity – loss of access to the pitches for casual use by walkers, and by children and young people for informal games. Access will be prevented by the proposed fencing.

Comment: Of the existing green space that makes up the Herringthorpe Playing Fields over 90% remains unaffected by these proposals. There will be little loss of amenity. (The footprint of the old Leisure Centre is not included in this calculation but the Athletics Stadium is)

- 2 Visual – Fencing and lighting will be visually intrusive. The fencing will break up the open nature of the fields and the lighting will shine through household windows at night time.

Comment: Modern fencing of this type blends into its surroundings and it will not be intrusive. The fencing is a condition of funding from the RFU. Lighting will be on during the earlier part of the evening only. The lighting columns would be situated a minimum distance of 52.7 meters from the nearest housing on Badsley Moor Lane and 62.5 metres on Badsley Street South.

- 3 Wrong Location – Some local residents would prefer to see the facility located at the other end of the site where the old leisure centre was situated.

Comment: Cabinet has allocated this area for development.

- 4 Traffic – residents have said that they are concerned about the problem of additional parking on local streets which are already congested, particularly on match days.

Comment: The Club has undertaken in its Car Parking Management Plan document (which also forms a part of the Service Level Agreement which sits alongside the lease agreement) to use off site parking at the adjacent Clifton Lane site.

- 5 Inadequate Facilities – the lack of toilet facilities will cause problems on site if the facility is developed.

Comments: The Club has indicated that it is willing to build toilet facilities into its proposals for the site.

Comments from those in support of the proposal included the following;

- The proposed facility would provide a permanent base for amateur rugby for all ages in Rotherham. Any initiative to support quality sport at a local level should be supported.

- The council cannot afford investment in quality provisions. The development of the sports pitches by the Club should be applauded at a time when budgets are tight.
- Decent Rugby facilities for the junior and amateur game are long overdue - this proposal adds value to the local area. Schemes that encourage young people (and senior teams) to participate in sport have to be welcomed.
- Promoting exercise encourages healthy lifestyles. Rugby is an excellent way to keep fit while instilling morals and values.

Replies understood to be in response to the legal notice

There were 5,619 signatures recorded on forms which had the following statement on the header: *'We the undersigned object to the leasing and / or disposal of land on Herringthorpe Playing Fields by Rotherham Borough Council to Rotherham Rugby Club Ltd.'* This was handed to the Authority on 22nd February 2013.

There were also 63 separate letters and forms submitted in general opposition to aspects of the Rotherham Rugby Club Lease Proposal.

There were 1,147 signatures recorded on forms which had the following statement on the header: *'We the undersigned, fully support the major investment planned by Rotherham Rugby Club on a section of Herringthorpe Playing Fields to promote the playing of amateur rugby union by the young people of Rotherham, through club, schools and community use in partnership with the Council's Sports Development Team.'* This was handed in to the Authority on 15th February 2013.

There were also 177 separate letters and forms submitted in support of the Rotherham Rugby Club Lease Proposal.

e-petitions

In addition to the advertisement of the legal notice, two e-petitions were hosted by the Council's Democratic Services Team. These were reported to the Cabinet Member for Culture and Tourism on Tuesday, 12th March, 2013 and recommended for referral to Cabinet for information.

The first e-petition which ran from 13/11/2012 to 25/12/2012 containing the names of 25 people states:

'We the undersigned petition the council to refuse to lease and/or dispose of land on Herringthorpe Playing Fields to Rotherham Rugby Club Ltd Herringthorpe Playing Fields were opened by the Right Honourable George Lansbury M.P, where in declaring the fields open for ever, he paid tribute to the Council for bringing to the services of the community all the amenities that a community needs.....'

The fields were devoted to the service of all, and he had great pleasure in declaring them open for ever."

The second e-petition which ran from 07/12/2012 to 18/01/2013 containing the names of 118 people states:

'We the undersigned urge the council to approve the proposed lease with Rotherham Rugby Club Ltd to provide decent facilities to be developed for amateur rugby. Rotherham Rugby Club Ltd want to provide decent facilities at no cost to the council. Please support us and help the club develop facilities that the entire town can be proud of.'

It is therefore recommended that in light of the identified responses the Cabinet determines whether the proposed lease of an area of Herringthorpe Playing Fields to Rotherham Rugby Club should proceed.

8. Finance

The lease would be granted at a nominal rate in line with the Asset Transfer Policy. The Club is responsible for securing the funding for the development. An offer of funding by the Rugby Football Union is likely, through a combination of grant and an interest free loan, to be guaranteed by the Club's members. This funding would be subject to satisfactory planning approvals and lease agreements being in place. There are no financial consequences to the Council for this development.

9. Risks and Uncertainties

N/A

10. Policy and Performance Agenda Implications

The proposal has the potential to contribute to the Council's stated vision in respect of enjoying 'a healthy and active life' and in terms of the following statements relating to 'what we want to achieve':

- 'More people are physically active and have a healthy way of life'
- 'People enjoy parks, green spaces, sports, leisure, and cultural activities'

11. Background Papers and Consultation

Report to Cabinet, 23rd March 2011, Rotherham Rugby Club Ltd.

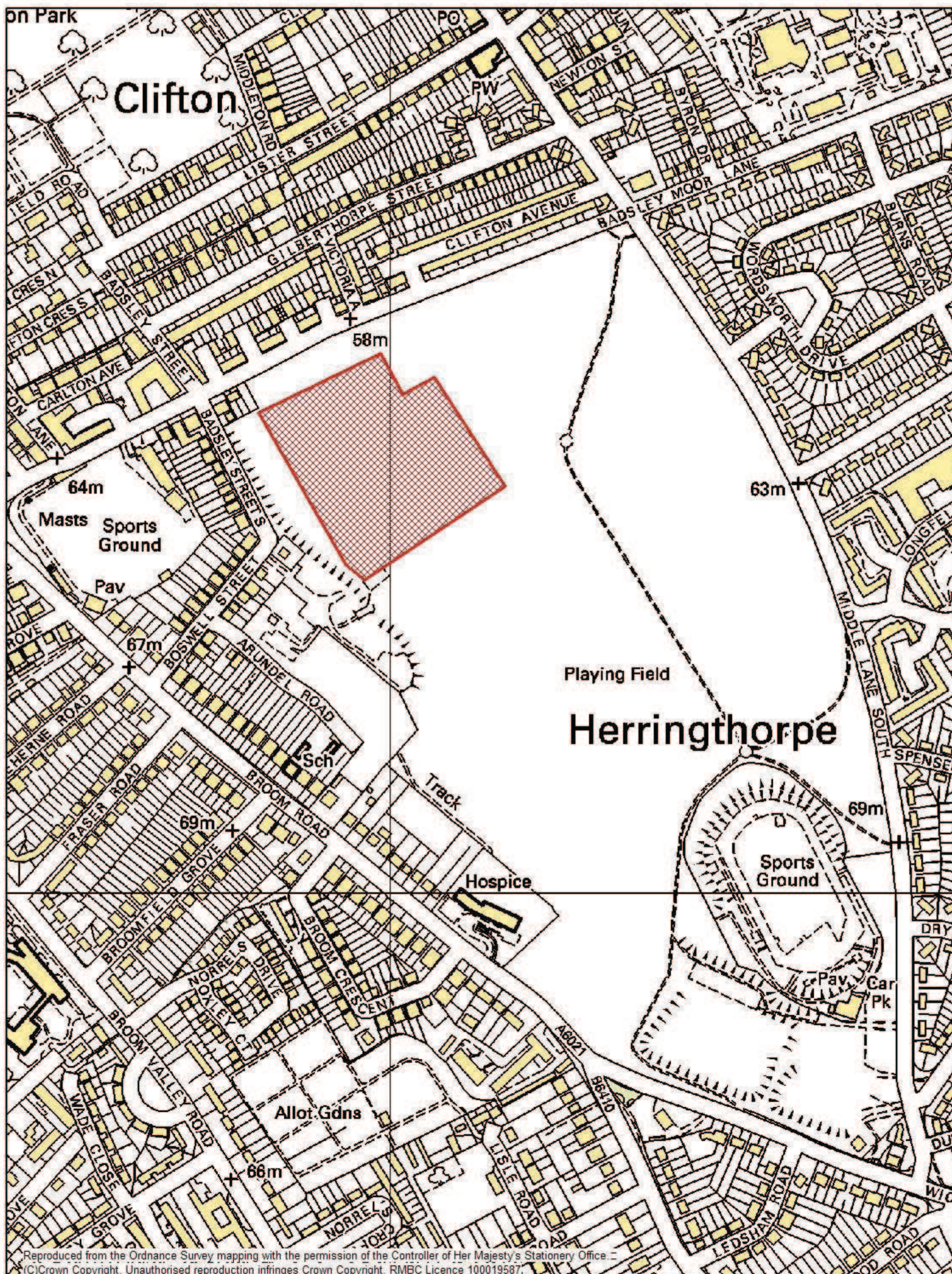
Report to Cabinet Member for Culture & Tourism, 12th March 2013, e-Petitions.

Report to Cabinet 19th October 2011, A report to summarise the consultation carried out regarding rugby development on Herringthorpe Playing Fields

Financial Services – Andy Sidney 8th May 2013

Contact Name: Nick Barnes – Principal Project Development Officer

Extension 22882, e-mail nick.barnes@rotherham.gov.uk



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Scale 1:5000
 Date: 22/01/2013
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 444101.392168

Land at Herringthorpe Playing Fields
Proposed Lease to Rotherham Rugby Club
7.15 acres (2.89 hectares)

Rotherham MBC
 Env't & Dev't Services
 Riverside House
 Main Street
 Rotherham S60 1AE

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET
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1.	Meeting:	The Cabinet
2.	Date:	22 May 2013
3.	Title:	Improving Standards in the Private Rented Sector by Adopting New Strategic Interventions
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

This paper proposes that the Council adopts new strategic interventions designed to improve Private Rented Sector accommodation standards, address low housing demand, high levels of antisocial behaviour, and the cross cutting issues within our most deprived neighbourhoods by ensuring landlords either meet minimum management standards or are not allowed to let their property. We will mainly use the powers contained in the Housing Act 2004 to do this.

The interventions proposed in this report include; Selective Licensing, Enforced Sales, Empty Dwelling Management Orders, Interim Management Orders and other enforcement options. This package of interventions do not replace existing enforcement resources, but add further capacity to enable a much more intensive approach to be adopted in areas where we have struggled to improve private sector housing conditions.

These new interventions will need to be backed up with well founded evidence, robust consultation, mainstream Council resources and work alongside other initiatives, otherwise the approach will fail to have the desired positive neighbourhood impact.

6. Recommendations

- 1. Approval is given to use a range of new interventions, identified as Enforced Sales, Empty Dwelling Management Orders, Interim Management Orders and low level enforcement options, to help improve standards in the Private rented Sector.**
- 2. With specific reference to the use of powers relating to Enforced Sales, the recommendations relating to the required processed detailed in Appendix 3 be approved.**
- 3. The Cabinet receive a future report to consider the business case for setting up a Selective Licensing scheme.**
- 4. That non fee generating work is undertaken by the Resources Directorate to assist with legal, consultation and other enabling work to develop the new strategic interventions identified in this report.**
- 5. A capital budget of £80,000 is identified to enable property improvements to be carried out as part of the use of approved tools**

7.1 Background

Rotherham has a number of neighbourhoods where housing problems in the private rented sector are contributing to low demand and antisocial behaviour. These areas exist despite the Council using its powers of enforcement and providing guidance to landlords to improve standards over many years.

In Rotherham there are six distinct areas containing 8,000 households, of which approximately 2,500 are private rented properties that have:

- above average numbers of private rented sector properties
- below average property values
- high numbers of empty properties
- high levels of antisocial behaviour and crime

These areas are:

- Canklow
- Eastwood
- Town Centre
- Masbrough/Ferham
- Dinnington
- Maltby South East

It is no surprise that all of these areas are also amongst the eleven most deprived areas in the borough. The measures outlined in this report should have a positive impact as part of the wider scope of work undertaken within the Deprived Neighbourhoods Programme.

Because of low demand, antisocial behaviour and limited impact made through existing interventions, we are proposing the use of new tools as a means of compelling private sector landlords to manage their properties and their tenants better.

The interventions described later in this report are not considered to be a cure to low demand or antisocial behaviour in themselves and can only be considered as additional tools to complement other multi agency working and regeneration activity.

7.2 The case for change

Currently the Council's Community Protection Unit (CPU) respond to enquiries regarding private rented sector properties in a reactive manner and they also offer resources to contribute to an enhanced strategic enforcement approach in areas such as Eastwood Village. But, this approach is clearly not able to make sustained inroads into the problems of poor quality private rented housing across all of our most challenging neighbourhoods.

We therefore need to look afresh at how we can draw in additional resources and utilise the most appropriate tools contained in the Housing Act that have hitherto not been used in Rotherham.

If we do nothing there is a concern that the Council and other public and voluntary bodies will continue to pour resources into these neighbourhoods in a reactive way and remain unable to achieve sustainable improvements.

Options to do things differently

The following are the suggested potential interventions which are briefly described in turn, with more details contained in the appended documents to this report. These tools if adopted can be used across the entire Borough except for Selective Licensing which will be targeted to specified neighbourhoods identified in the business case.

Using a range of 'on the ground' enforcement tools *(see appendix 1)*

The physical appearance of an area impacts on the quality of life of residents and can influence their behaviour and expectations. Currently a range of established enforcement powers are used both proactively and reactively to tackle problems associated with private sector housing conditions, neighbourhood standards such as accumulations in gardens and fly tipping, and anti-social behaviour. Appendix 1 summarises the existing powers that are in use.

The Council needs to use a range of appropriate tools that are progressively interventionist based on conditions on the ground.

Selective Licensing *(see appendix 2)*

Selective Licensing is used to control the behaviour of private landlords and raise/sustain standards in the private rented sector, where its introduction will reduce specific housing problems and where all other options have been exhausted. It is anticipated that one effect of this approach will be an improvement in market conditions, for example, by attracting higher quality landlords in to the area.

One aim of Selective Licensing is to help address low demand and high levels of antisocial behaviour, by ensuring landlords either meet minimum management standards or are not allowed to let their property. A licence fee paid by landlords will enable the Council to increase the resources employed and dedicated to meet the aims of the local scheme. Additional staff will be employed to work in the licence areas alongside landlords to improve standards by offering advice and support or by taking enforcement action when necessary. The scheme does not replace existing enforcement resources but adds further capacity to enable a much more intensive approach to be adopted in areas where we have struggled to improve private sector housing conditions.

The introduction of selective licensing must be underpinned by a robust business case, which demonstrates why it is needed and what it is expected to achieve. It is also important there is sufficient income from the combined licence fees to pay for the staff required to meet the objectives of the scheme.

Enforced Sales Procedure *(see appendix 3)*

Long term problematic empty homes are a major cause for concern. They represent waste, financial expense and missed opportunities. They can blight communities, attract vandals and tie up resources of the Council and partners. In addition there is a waste of scarce housing resource where there is a shortage of supply of affordable housing.

An Enforced Sales Procedure gives the Council an additional tool to tackle long term empty properties where the owner cannot be traced or the owner is not working with the Council to bring the property back into use.

The tool is one of last resort, used when a range of measures have been taken and failed to address the issue. Many authorities use Enforced Sale as the preferred option to tackle empty properties, given the speed, comparative low resource demand, and financial implications.

Empty Dwelling Management Orders (EDMO) (see appendix 4)

This gives the Council a tool to tackle long term empty properties that are problematic whilst ensuring that the Council has some control over the future of the properties for a prescribed period

The steps to achieve an EDMO will be influenced by the information gathering stages and in particular by the referral through to the Residential Property Tribunal for determination. Once the interim EDMO is in place it can last up to a year, although progression to full EDMO can be speedy and measured in terms of weeks or last up to 7 years.

Interim Management Orders

(IMO) and Final Management Orders (FMO) (see appendix 5)

An IMO transfers the management of a residential property to the Council for a period of up to twelve months. In particular the IMO allows the Council:

- Possession of the house against the immediate landlord, and subject to existing rights to occupy;
- To do anything in relation to the house, which could have been done by the landlord, including repairs, collecting rents etc.;
- To spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the house;
- To create new tenancies (with the consent of the landlord).

A FMO cannot be made unless immediately beforehand an IMO or another FMO was in force. An FMO lasts for a maximum of five years and allows the Council to manage as in an IMO.

Compulsory Purchase Orders (see appendix 6)

This gives the Council a tool to tackle long term empty properties and occupied properties that are problematic whilst ensuring that the Council has some control over the future of the properties in that the forced sale is to the Council.

Like Selective Licensing and Enforced Sale the tool is one of last resort used where a range of measures need to have been taken to address the issues before seeking the CPO.

It can be used to acquire a single property or more usually multiple properties. However, the process is lengthy, resource intensive and not always successful as the Council has found out in a previous case.

Existing Support to the Private Rented Sector

The Council and its partners are already giving a significant amount of support to this sector. Interventions include:

- Affordable Warmth grant funded programmes which are insulating properties and making them more affordable to heat for tenants.
- Landlord Accreditation which is helping to manage private properties and or achieve prescribed standards so the Council can help let them.
- Landlord Forums are supported by the Council with officer input at meetings offering advice and awareness on a variety of issues.
- Landlord News Letters sent giving up to date information and support.
- Landlord Rent in Advance and Bond Guarantee schemes to help tenants secure a home. The Council is putting sufficient funds in place to meet the demand for this service and benefits by reducing the incidence of homelessness.
- Housing advice to tenants wishing to access the private rented sector via our Property Shop.
- Empty Homes initiatives where the Council offers advice and support to bring empty homes back into use.
- Money Advice and Credit Unions which is helping tenants manage their household income better.
- Area based regeneration initiatives which are making neighbourhoods more attractive places to live.

Summary

It is important sufficient staff resources are deployed to meet the objectives of the interventions described above. Taken together and as part of wider enforcement and regeneration activity, these tools will provide the Council with the interventions it requires to raise standards in the Private Rented Sector.

The main initial draw upon staffing resource in the short term, is the intensive preparatory work required to establish Selective Licensing. A member of staff has already been re-assigned to undertake this work. Once this work is completed and a decision has been taken to introduce selective licensing the Council can collect the licence fee and use it to employ dedicated staff to work in these areas to deliver the objectives of the scheme. Key to successful delivery will be identifying areas that meet the conditions and containing a sufficient number of landlords to ensure the scheme is affordable and not subsidised by the Council.

In using the tools identified above, the Council will need a capital operating budget sufficient in size to carry out essential works to properties. It is difficult to judge how large the budget should be as it will be replenished through property charges, the collection of rent and court decisions.

Some of the benefits of adopting this approach are:

- Dedicated staff improving PRS standards
- Standards are set and there is accountability of landlords and tenants
- All landlords will be required to hold a licence
- A reduction in long term empty properties

- Reduction in ASB
- Improved confidence in the area
- Increase housing demand

The benefits for landlords are:

- All landlords will be on a level playing field
- Potential to increase rents when standards rise and demand increases
- Investment and support into training and support
- The Council can discharge its homelessness duty to accredited landlords
- The Council can offer tenant references to landlords where there is a known good track record

Next Steps

Key milestones for delivery have been identified together with an estimated scheme commencement date. The option for phased implementation across neighbourhoods has been considered, but in order to benefit from the economies of scale and to ensure an affordable licence fee is charged, this approach is not appropriate.

Shown below is a hypothetical timetable for implementing a selective licensing scheme together with new enforcement tools within Rotherham.

Time Period	Completion Date	Selective Licensing
		Type of activity
3 weeks	End May 2013	Finalise area data to define precise areas for inclusion in Selective Licensing
2 weeks	June 2013	Set out what the offer is, how much it will cost and identify landlords
2 weeks	June 2013	Carry out Equality Analysis and write Business Plan
3-4 weeks	September 2013	Management and Cabinet approval of business plan and consultation plan
14 weeks	September – Dec 2013	Consult landlords and stakeholders (12 weeks) and report on consultation
3-4 weeks	March 2014	Management and Cabinet decision process. Forward to Full Council to Designate if approved.
	April 2014	Designation made and Selective Licensing in place.
3 months	April 2014 to July 2014	Start implementation & Statutory communication and introduction period (Housing Act 2004, s82(8)). <ol style="list-style-type: none"> 1. Recruitment and establishment of delivery team/organisation 2. Communication of new designation to the communities affected and landlords 3. Direct contact with respondents to consultation
5 years	End August 2014	First Licences awarded for a maximum period of 5 years

Appendix 7 provides details of the work programme.

8. Finance

Funding, both revenue and capital, will be required to support the introduction and operation of these tools. The selective licensing **business case preparation** and, in particular, the consultation process and initial salary costs will require funding in advance of securing the income generated from the licence fee.

In addition, given the timelines it can be anticipated that both the recruitment and early working of the **delivery team** will require up front financing ahead of licensing income. This financing should be viewed from using Invest to Save Principles.

If opportunities allow (by way of budget slippages etc), the costs of introducing Selective Licensing will be met from existing NAS budgets.

Once the scheme is operational, **property improvement works** will be necessary to some of the properties taken into the management of the Council where a landlord does not meet basic management standards. In these cases the Council will need to fund works in advance to ensure the property is free from hazards, the costs will then be met through rent paid by the tenant.

For a modest initial investment and development of this project there is an anticipated reduction in the cost of a range of cross cutting issues which will reduce overall spending for the Council and other agencies in these deprived neighbourhoods. In effect the project reflects an Invest to Save approach.

Looking at each of these in turn:

- **Business case preparation**

The full cost of the development and creation of the Selective Licensing business case must be borne by the Council and this cost is not recoverable as part of the licence fee. Therefore it is necessary to either identify sufficient funding to undertake the preparatory work on the business plan or use internal capacity. It is recommended we use internal capacity because of General Fund pressures and speedier deployment of internal staff resources. This work has commenced.

To undertake the consultation process and based on the total number of households (8,000 approximately) to be consulted over a three month period, a dedicated Team Leader (Band L) would be required to manage the process.

The affect would be to displace an M2 Manager from Community Protection for a period of six months. The remaining 2 Community Protection unit Managers will provide temporary cover. The affect of this approach will be a reduction in capacity to carry out other community protection and neighbourhoods' work in the short term.

The Manager will need to be able to draw upon existing resources from Housing and Neighbourhood Services teams, including Community Protection Unit, Community Safety, ASB, Sustainable Communities Team and Area Partnerships. All revenue costs will be absorbed from within existing budgets. Other resources will be required such as support from corporate consultation, equality and diversity resources.

- **Property improvement works**

Once a council takes control of a property it has to ensure that it is 'free from hazards' and therefore there is a direct cost to the Council to ensure that the

property meets the minimum standards for letting. The estimated cost, based on Key Choices Property Management data, to remove hazards in private rented properties currently occupied is £1,500 - £2,000 per property. It is unknown how many properties will fall into this category, however a budget of £80,000 would be prudent to set aside for such works during the first two years of operation. This amount of money will have to be available 'up front' to ensure that the quality of life of the tenant is instantly improved from the Council taking management responsibilities for the property. The cost of repairs can be reclaimed by the Council from the rental income and then recycled to support the removal of hazards in other private rented properties managed by the Council. Whilst properties are being managed, the Council will be able to recover monies from the rent appropriate to the cost of providing a management service and offering tenancy support. The remaining monies received from the rental income will be returned to the private landlord.

- **Income generated by the licence fee**

A designated Selective Licensing area must be self financing and the landlord will be charged a licence fee for their properties and this will be a one off cost. The scheme which is developed will be designed to be value for money for the landlords within the borough, be affordable and enable proper support for tenants and landlords whilst providing the opportunity for robust and proportionate enforcement of licence conditions. When benchmarking against other schemes fees range from £500 to £1000 per property for the duration of the Licensing scheme. The money generated will have to cover the cost of running the scheme for the five year duration and the monies ring fenced to this purpose only.

Resources Table		
Activity	Cost	Note
Detailed Business Case	To be absorbed from within existing budgets	1 manager working for 8 months to develop the scheme with support from other teams as required, including consultation with approximately 8,000 households, room bookings and publicity material
Property Improvement works	£40,000 per year	Capital expenditure to long term empties and the removal of hazards associated to those properties subject to Interim management orders. Expenditure for these issues is expected to be recovered from landlords
Selective Licensing Team	To be finalised but funded wholly from licence fee income and to be designed to be value for money	Funded by licence income is based on 2,000 PRS homes being included in the scheme and a one off licence fee paid for a 5 year period . The decision on the level of the licensing fee will be determined as part of the Business Case.

Note: The costs are indicative as the number of licences is not known yet and the amount of capital work undertaken is not fully understood at the time of writing this report.

9. Risks and Uncertainties

The risks of doing nothing are:

- The gap in our most deprived neighbourhoods continues to widen.
- We are unable to sustain current levels of resources that are deployed in a reactive way to resolve Private rented sector issues.
- Empty properties blight neighbourhoods negatively affecting the local housing market.

These risks can be mitigated by introducing the interventions described earlier

The redeployment of staff to work up the business case for selective licensing could have service implications that temporarily reduce service performance in those teams which are operating with reduced staff resources. This will be mitigated by effective management to assist with prioritising work and sharing responsibility for work.

10. Policy and Performance Agenda Implications

Improving the Private Rented Sector housing in Rotherham has a positive impact on helping to narrow the gap in our most deprived neighbourhoods and is a commitment in Rotherham's new draft Housing Strategy.

Through the effective use of Council resources, in this case CPU and Legal staff resources and in conjunction with other regenerative initiatives the Council is delivering much needed improvements in the private rented sector and offering a viable alternative to social affordable housing which is in great demand and so demonstrating value for money.

11. Background Papers and Consultation

Local Authorities utilising Selective Licensing – Blackpool, Hyndburn, Burnley and Leeds
CLG guidance on establishing Selective Licensing
Community Protection Unit, Housing Strategy and Legal Services and Deprived
Community Lead Officers

Contact Name : Tom Bell, Strategic Housing and Investment Manager Tel; 54954
email.: tom.bell@rotherham.gov.uk

On the Ground Enforcement Tools

Timescales

Short Term – can be measured in days, weeks or months depending upon the issue to resolution. Although prosecutions can lead to several months delay.

The powers to act include:

- Housing Act powers relating to the health & safety of the housing conditions
- Environmental Protection Act 1990 and the Public Health Acts for nuisance, rubbish in gardens, alleyways, Littering and fly tipping
- Clean Neighbourhoods and Environment Act 2005 for Dog fouling, defacement and waste disposal controls;
- Town and Country Planning Act 1990 for dealing with visually detrimental buildings.
- Anti-Social behaviour (ASB) tools and powers under the Crime and Disorder Act in relation to general ASB and the Housing Act 2004 for ASB affecting council housing.

Advantages

- Provides for resolution of issues through set legal process
- Can lead to prosecution and consequent message to others
- Works can be done in default and consequently land charges would result which would support enforced sale for example.
- Gives the Council an visual presence
- Gives the Council and community evidence that action is being undertaken to improve the quality of life
- Relatively inexpensive option
- Provides relatively short resolution timescales
- Flexible and adaptable

Disadvantages

- Is not the complete answer, sustainability needs to be achieved through effective cross Council and partnership working to provide long term resolution
- Requires corporate buy in to support the actions and sustainability
- Limited resources and a Statutory Duty to deal with all issues across the Borough not just within a focused area

Selective Licensing

The methodology for implementation

It is necessary to show that the methodology followed in setting up a licence area follows the Government guidance otherwise the Council will be open to challenge that could prevent the scheme going operational. The Council can self designate any scheme but It will need to produce a robust business case to clearly demonstrate it is the best option to achieve the desired outcomes.

Developing the Business Case for Selective Licensing will take 6 months to complete. A report will then be drawn up to present to Cabinet for consideration and appended to this report will be the proposal to designate the scheme in identified neighbourhoods of Rotherham.

The main areas of work which follow government guidance on establishing Selective Licensing areas are:

Identifying compliant areas where Selective Licensing can make a positive difference. To identify areas there needs to be evidence gathered on:

- ASB levels
- Void levels
- Low demand issues (Housing Market Intel)

Clear mapping then needs to take place with red line plans of compliant areas

Interventions previously used to try and improve the area

- What other strategies have been tried
- Why not worked

Clear rationale developed for why the boundary was chosen.

- Consider other options e.g. crime and disorder strategies
- Why will Selective Licensing work?
- Is the scale/size right to make affordable and sustainable?

Options for improvement, what's the offer?

- Draft licence fee proposals, how much will it cost
- What do the landlords get in return for paying the fee?
- What is the fee income paying for?
- Does it represent value for money?

Developing a consultation plan

- Identify landlords
- Set out timetable for meetings and resource requirement
- Prepare consultation material
- Develop record keeping of responses

Consultation

- 12 week period to conform to RMBC protocols
- Start with Elected member briefings
- Letter mail out
- Face to face and attend forums and meetings etc

The Licence fee will be used to fund the management of the licensing regime. To do this staff and resources will need to be identified and put in place for the start of the scheme delivery. Prior to this the Council will need to fund business case enabling work, however these costs cannot be funded by the licence fee and therefore will need to come out of existing Council resources. Enabling and Management resources are described in the body of the report under the Finance section.

Whilst detailed business planning is underway, the Council's Community Protection Unit (CPU) will continue to respond to enquiries regarding private rented sector properties in a reactive manner and they will also offer resources to undertake an enhanced strategic enforcement approach in areas such as is being carried out in Eastwood Village.

When Selective Licensing is successful it can:

- Reduce antisocial behaviour
- Increase housing demand
- Provide support and training for private landlords
- Improve housing and management standards
- Offer a positive economic future for the local community and local businesses
- Accountability and responsibility for repairs
- Accountability for tenants' behaviour, including other people who reside in the properties
- Tenants more aware that they must act in a reasonable manner and not be associated with anti social behaviour
- Tenants benefit from the guarantee of safe and well managed housing
- Poor landlords are forced out of the area
- Profile and public image of the area is raised, encouraging tenants into the area and inward investment
- Make private rented sector more viable
- Will give the Council an overview of the private rented sector in these areas aiding strategic direction

Specific benefits to landlords are:

- Responsible landlords will receive information and support
- Licensing creates a level playing field, so decent landlords will not be undercut by unscrupulous landlords
- Poorly performing landlords will receive support and training to improve
- Improved rental income as areas improve
- Improvement in the reputation of private landlords
- Shorter void periods and reduced tenant turnover
- Landlords have the option to join an accredited scheme for additional support and advice

Specific benefits to tenants are:

- More professional landlords should bring about improvements to the quality and management of property
- Tenants could also see economic benefits, for example in reduced heating costs and improved likelihood of regaining any deposit paid
- Improvements to the neighbourhood would also benefit private tenants' security and sense of community
- Better management practices should help to increase length of tenure and reduce incidence of unplanned moves or homelessness

Equally the introduction of a licensing scheme would bring with it certain obligations for Landlords including:

- Hold a current annual gas safety certificate for the premises
- Ensure any provision of furniture complies with the Furniture Furnishings (fire) (safety) Regulations 1993
- Ensure electrical appliances in the dwelling are safe, and provide a safety declaration if requested to do so
- Fit and maintain smoke alarms as necessary
- Issue tenants with a written tenancy agreement that includes terms and conditions regarding nuisance and anti-social behaviour
- Take reasonable and practicable steps to prevent or reduce anti-social behaviour
- Obtain references for prospective tenants
- Carry out repairs and other legal responsibilities in a reasonable time
- Give their contact details to tenants
- Required to hold a licence and pay a fee which local authorities set
- Landlords will have to demonstrate that they are a fit and proper person

The risks associated with running a Selective Licensing scheme are listed as follows:

- Notional Selective Licensing term of five years requires a resource commitment from all partner agencies. A robust business case has to be supported with both revenue and capital monies throughout the period.
- Revenue cost of delivering the scheme has been proved by other local authorities to be higher than landlords' expectations and therefore local authorities have actively subsidised the scheme to encourage 'buy-in' by landlords. Investigations need to be undertaken to establish whether the licence fee is sufficient to cover all on-costs associated with administering the scheme.
- Lack of funding being available to support commissioning/delivery teams will result in the areas continuing to cause resource problems for the Council.
- Resistance from landlords can be overcome with detailed evidence highlighting the area to be of low demand. Landlords and tenants will be offered advice and support to minimise problems associated with tenancy management. Selective Licensing needs to improve the area so property values will increase.
- If Selective Licensing is not introduced with careful planning, there is a risk that Selective Licensing could have a negative impact, as good and bad landlords alike leave the area due to the licence fees and increased obligations. This could result in an increase in abandoned properties and displaced and homeless people from the area.

- The 'fit and proper' test will be based on local knowledge that may not highlight a person's appropriateness for operating as a landlord. Ensure that there is a robust and supported person check in place to minimise problems being created by uneducated landlords. Offers of landlord development can be made in cases where there is concern regarding the appropriateness of the landlord.

Examples of Selective Licensing Delivery Teams in other LAs

Below are 2 examples of Local Authorities who are currently operating Selective Licensing schemes and the resources and anticipated benefits they are receiving.

Blackpool Council

Blackpool Council currently delivers a selective licensing scheme consisting of 790 properties and the following is an extract from their selective licensing designation document for South Beach Blackpool.

The operation of the scheme will be funded through the revenue raised from the fees collected, which provisional estimates put at approximately £547,000 over the five years of the project. This figure is based on assumptions about the number of people who may apply early and receive discounts, or conversely may be penalised as described earlier.

It may also be the case that for various reasons that a number of rented units presently seen in the area may reduce, thus reducing the council's projected income from these.

It should be stressed that any income raised is ring fenced meaning that it can only be used for this project and not for any other reasons.

The calculations of the fee structure have been based on the following posts needed to operate the scheme:

- 4 Licensing Officers
- 4 Licensing Support Officers
- 1 Landlord Support/Anti Social Behaviour Officer
- 1 Modern Apprentice

This adds to the existing compliment of 4 Housing Enforcement Officers and a Housing Enforcement Manager.

Burnley Council

Burnley Council commenced the Trinity Selective Licensing Designation Area in 2008 to last 5 years and the following is extracted from their 3rd year review of the scheme, *The Third Year of Selective Licensing in the Trinity Area – Annual Monitoring Report (October 2010-October 2011)*.

From 2008 to January 2012, £326,156 has been spent on the delivery of the selective licensing designation area. For the same period £480,000 income has been received through licence fees, court costs and internal Housing contributions. This leaves a current reserve of £153,844. It is predicted that a further £50,000 licence income will be received in 2012/13 and 2013/14 taking the current reserve to £203,844. The remaining predicted spend for the remaining months of 2011/12, 2012/13 and 2013/14 is £197,899 leaving a credit of £5,945 at the end of the designation area.

Enforced Sales Procedure**Timescales**

Medium Term – requires initial enforcement action and works in default together with a land charge placed on the property. Speed will be subject to the legal process.

Why do it

An Enforced Sales Procedure gives the Council an effective tool to tackle long term empty properties where the owner cannot be traced or the owner is not working with the Council to bring the property back into use.

Similarly to Selective Licensing the tool is one of last resort used where a range of measures need to have been taken to address the issues before seeking Enforced Sale.

Advantages

- Increased likelihood that the new owner will refurbish the property ensure habitation.
- Financial charges which could otherwise prove impossible to recover, can be discharged out of the proceeds of the sale.
- Increased encouragement on owners to discharge their debts more readily, carry out works pursuant to statutory notices served and keep their properties in a reasonable state and condition. This results in less resources being expended by the Council and partners.
- The Enforced Sale Procedure is presently more expedient and involves less bureaucracy than making a Compulsory Purchase Order.
- The process does not add to the burden on resources for NAS
- The process is relatively speedy
- The process is very much an add on to existing enforcement Works in Default. The burden of the add on would be with Legal rather than NAS
- Financially there would be no additional costs to NAS, other than the resources needed to formulate and put into place an Enforced Sales Policy.

Disadvantages

- There is no guarantee that the property will again be lived in once sold, and the Council does not have the powers to force the property to be inhabited.
- The owner is able to repay the debts while the Enforced Sale process is underway, which although repaying the debt does not ensure that the property is inhabited again.

Required Process

Whilst the use of Enforced Sales powers provide a method for getting long term problematic properties back into use, it is primarily designed to enable Councils to recover outstanding debts created by the discharge of other remedial legal actions that have resulted in a land charge against a property (usually where statutory notices have not been complied with and works in default have been undertaken).

There is a need for key issues, as follows, to be agreed:

1. Debt Threshold

It is fundamental that the Council establishes a level of debt at which it would seek to utilise the Enforced Sale Procedure. It is recommended that, taking into account both the use of the power by other Local Authorities and advice from the Head of Legal Services regarding the proportionality of the scheme, this **level of debt shall be set at £500.**

2. Procedure

In addition, the use of the statutory powers require adherence to an adopted procedure. Such a procedure has been finalised with advice from the Head of Legal Services. The procedure is divided into two processes; the first part of which deals with the process up to the stage of the service of notice under section 103 of the Law of Property Act 1925 which will be dealt with by the Council's Community Protection Unit; the second stage following the service of the s.103 notice will be addressed by the Council's Legal and Democratic Services. It is recommended that **the Director of Housing & Neighbourhood Services approves the working procedure** for operational implementation.

Empty Dwelling Management Orders

Timescales

Medium to Long Term – the process to interim EDMO will be influenced by the information gathering stages and in particular by the referral through to the Residential Property Tribunal for determination. Once the interim EDMO is in place it can last up to a year, although progression to full EDMO can be speedy and measured in terms of weeks.

Why do it

Gives the Council a tool to tackle long term empty properties that are problematic whilst ensuring that the Council has some control over the future of the properties over a prescribed period.

Like Selective Licensing and Enforced Sale the tool is one of last resort used where a range of measures need to have been taken to address the issues before seeking the EDMO.

Advantages

- Compliments other powers
- Brings the property back into use
- Improves problematic properties and quality of life around them
- Can utilise partner property management agencies to manage the properties
- Can provide long term occupation of a property of up to seven years
- No right of appeal in relation to final EDMOs

Disadvantages

- Properties are in hard to let areas
- Interim EDMOs are open to appeal
- Process can be lengthy, costly and resource intensive going in preparation and going through the RPT
- Owner can take back control at Interim EDMO stage
Need owners consent at Interim EDMO stage to place tenants

Interim Management Order (IMO) and Final Management Order (FMO)

An IMO transfers the management of a residential property to the Council for a period of up to twelve months.

In particular the IMO allows the Council

- Possession of the house against the immediate landlord, and subject to existing rights to occupy;
- To do anything in relation to the house, which could have been done by the landlord, including repairs, collecting rents etc.;
- To spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the house;
- To create new tenancies (with the consent of the landlord).

What is an FMO?

A Final Management Order (FMO) cannot be made unless immediately beforehand an IMO or another FMO was in force.

An FMO lasts for a maximum of five years.

The FMO transfers the management of the house to the Council for the duration of the order.

In particular the FMO allows the Council

- Possession of the property against the immediate landlord, but subject to existing rights of occupation;
- To do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc ;
- To spend monies received through rents and other charges for carrying out its responsibility of management , including the administration of the property;
- To create new tenancies (without the consent of the landlord).

Compulsory Purchase Orders

Timescales

Long Term – process and challenges can cause lengthy delays

Why do it

Gives the Council an effective tool to tackle long term empty properties and occupied properties that are problematic whilst ensuring that the Council has some control over the future of the properties in that the forced sale is to the Council..

Like Selective Licensing and Enforced Sale the tool is one of last resort used where a range of measures need to have been taken to address the issues before seeking the CPO.

Advantages

- Removes a range of blight in the area
- Increases community confidence in the Council's commitment
- Recovers the Council's WID debts
- Can be used to target a single property
- Can be used to kick start regeneration in an area

Disadvantages

- Open to Public Enquiry
- Contentious
- Often consider to be 'difficult' by Councils
- Resource intensive
- Costly in terms of process, relocation and compensation
- Council can have a portfolio of the worst properties in the Borough

ROTHERHAM BOROUGH COUNCIL

1.	Meeting:	Cabinet
2.	Date:	22 May 2013
3.	Title:	Rotherham Environment and Climate Change Strategy and Action Plan Review 2013
4.	Directorate:	Resources

5. Summary

This report asks Cabinet to approve changes to the Council's Environment and Climate Change Strategy and Action Plan and to sign up to the 'Climate Local' commitment to reducing CO² emissions and improving the environment.

Rotherham Council approved the Environment and Climate Change Strategy and Action Plan in August 2011. A number of significant changes including new legislation; Council restructure and economic situation have resulted in the requirement to review and update the Strategy and Action Plan.

'Climate Local' is a Local Government Association initiative that commits local authorities signing up to the initiative to reduce carbon emissions and adapt to the affects of our changing climate.

6. Recommendations

Cabinet is asked to:

- **Endorse the revised Environment and Climate Change Strategy and Action Plan.**
- **Commit and sign up to the Local Government Association Climate Local Scheme.**

7. Proposals and Details

Rotherham Environment and Climate Change Strategy and Action Plan have been through a review process to revise and update as a result of new legislation, RMBC restructure, changes to roles and responsibilities and the economic situation we are currently experiencing. Key stakeholders; lead officers and Members have been consulted and workshops and one to one meetings have been held resulting in a number of amendments to the Strategy and Action Plan. The revised Environment and Climate Change Strategy and Action Plan are at **Appendix A**.

In November 2007, Rotherham Council signed the Nottingham Declaration on Climate Change. 'Climate Local' is a Local Government Association initiative that replaces the declaration and commits signatories to:

- Set out actions to reduce carbon emissions and respond to changes in the climate.
- Set targets; method of monitoring and performance management.
- Demonstrate achievements and share with other councils and national partners:
 - Actions undertaken to achieve our targets.
 - Our progress
 - Learning from our experiences and achievements.

All of the requirements required by signing Climate Local are included in the revised Environment and Climate Change Strategy. Monitoring and performance management will be done through the Members Environment and Climate Change Group.

Further details about Climate Local are at **Appendix B**.

8. Finance

There is no additional cost directly associated with the review and update of this strategy.

9. Risks and Uncertainties

The main risk and uncertainty is ensuring that Rotherham Council work to continue to improve our environmental performance and comply with environmental legislation.

10. Policy and Performance Agenda Implications

The Environment and Climate Change Strategy and Action Plan will drive environmental improvements; carbon dioxide emission reductions and measures to adapt to climate change in accordance with the Corporate Plan.

11. Background Papers and Consultation

Contributions from a wide range of stakeholders including officers and Members have been included in the revised Strategy and Action Plan.

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Appendix A

Rotherham's Environment and Climate Change Strategy and Action Plan 2011 - 2015

Introduction

National Environmental and Climate Change legislation places significant duties and expectations on local authorities to address climate change issues.

The purpose of this Strategy is to explain how Rotherham MBC will reduce our environmental impact; reduce its contribution to climate change and adapt to future changes resulting from climate change. The strategy will contribute to national climate change objectives including:

- Reducing greenhouse gas emissions by 80% by 2050 against a 1990 baseline.
- Reducing fuel poverty and improve energy efficiency through the Government Energy Company Obligation and Green Deal.
- Generating 15% of the UK's energy consumption from renewable energy by 2020.

Climate change is set to be an issue that will dominate the 21st century because of its economic, social and environmental implications. Although an international issue, many of the effects will be felt, and ultimately will need to be managed, on a local scale.

Progress of the Strategy and Action Plan will be regularly monitored. Achievements and areas of concern against the objectives and targets will be reported annually. The strategy will be reviewed annually or as a result of significant changes from local, regional or national legislation and policies.

The Challenge of Climate Change

There is a wide range of evidence indicating our climate is changing largely as a result of human activities. UK Climate Impacts Programme reported changes are already occurring including:

- Global average temperatures have risen by nearly 0.8 °C since the late 19th century, but the rise has slowed recently.
- On average since 1900 sea-levels have risen by about 10cm around the UK and about 17cm globally.
- Sea-surface temperatures around the UK coast have risen over the past 3 decades by about 0.7 °C.

Seasons are changing in the UK with the growing season starting earlier and finishing later; average rainfall in the summer is decreasing, while in winter it is increasing; species are changing their behaviour, from butterflies appearing earlier in the year to birds starting to change their migration patterns.

Not only is it necessary to take action to mitigate future climate change, there is also a need to adapt to the changes we are likely to face.

Results of modelling carried out for the Yorkshire and Humber Regional Climate Change Adaptation Study also suggest that by 2050:

- Increased and more frequent floods would bring an extended, higher intensity winter flood season and flash flood flows.
- Air pollution, especially during extreme heat events in urban areas, is expected to increase the incidence of health complications.
- Increased pressure on biodiversity and changing eco-systems.

Climate change will present the borough with opportunities as well as challenges:

- Increasing job opportunities in the low carbon sector.
- Providing opportunities for the Advanced Manufacturing and Technology Sector and industries in developing solutions to climate change challenges.
- Potential increase in arable farming yields

Action Plan

The action plan sets out 10 key areas of action where we have the greatest scope to make changes; improve our local environment and reduce carbon emissions. The key areas are:

1. Strategic Planning and Policy
2. Built and Natural Environment
3. Emergency Planning and Recovery, Social Care and Health
4. Energy and Water
5. Engagement, Education And Awareness Raising
6. Housing
7. Procurement and Resources
8. Regeneration and Business
9. Transport
10. Waste and Recycling

Reducing our carbon emissions is essential to translating our commitment into actions. Carbon reductions can often be linked to improving efficiency and reducing cost by reducing waste; reducing energy and water consumption; using low carbon modes of transport; implementing sustainable procurement processes; contributing to carbon reductions through our built and natural environment and influencing behaviour through planning, policies, training and awareness.

1. Strategic Planning and Policy

Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
1.1 Strategic approach to sustainable development adopted that cuts across all aspects of estate management, service delivery and community leadership	1.1.1 Dedicated Resource and Network for Climate Change Co-ordination	Dec 2013	Identify Climate Change Champions at Senior Officer and Elected Member level	RMBC Cabinet; SLT	Current
	1.1.2 Report performance and progress of action plan through the annual Environment Statement	March 2014	Annual report	Asset Management	Current
1.2 Ensure that a system is in place for gathering data in relation to climate change	1.2.1 Audit of Environmental and Climate Change activities across RMBC	March 2014	Internal Audit Programme / Annual updates Contribution to Annual Environmental Statement	Asset Management	Current
1.3 Commit to LGA initiative and become a Climate Local council	1.3.1 Sign up to the Climate Local commitment	April 2013	Annual Declaration Annual progress report	Resources Directorate	Current
	1.3.2 Comply with the commitment through: <ul style="list-style-type: none"> - Declaration of targets and actions - Share learning and experiences with other Local Authorities - Report progress 				

2. Built and Natural Environment					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
2.1 Manage and improve the quality and accessibility of parks, open spaces and public rights of way	2.1.1 Development of Site Management Plans	Ongoing annual target dates (March)	Site Management Plans (currently 19)	Streetpride; Planning & Regeneration.	Current
	2.1.2 Implementation of Rights of way improvement plan		Team Action Plan (Rights of Way Team) and independent verification of targets for Rights of Way Improvement Plan as requested by the Local Access Forum.		
2.2 Improve street cleanliness by reducing litter, graffiti, fly tipping and other enviro-crime	2.2.1 Maintain cleanliness standards	Ongoing annual target dates (March)	Local Performance Indicators	Streetpride	Current
	2.2.2 Undertake awareness / action campaigns		Campaign reports		
2.3 Conserve existing biodiversity and reduce sources of harm	2.3.1 Implement Rotherham Biodiversity Action Plan 2012	Ongoing to 2020	Project Plans and biodiversity records Preparation and delivery of Implementation Plan	Streetpride	Current
	2.3.2 Develop and implement site based management plans for Council owned sites	Ongoing	Management plans		
	2.3.3 Maintain the Local Wildlife System to encourage all landowners to manage important biodiversity sites appropriately	Ongoing	System records		
	2.3.4 Ensure all land use and management strategies, policies and plans take account of biodiversity-related climate change issues and incorporate adaptation measures.	Ongoing	Management plans, corporate strategies and policies		

2. Built and Natural Environment					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
2.4 Establish ecological networks through habitat protection, restoration and creation to create ecologically resilient and varied landscapes	2.4.1 Agree Green Infrastructure mapping and incorporate into Local Plan delivery	2012 - 2014	Current ecological network extent mapped, connectivity targets agreed and supporting policies in place.	Streetpride; Planning & Regeneration.	Currently within Local Plan production scope
	2.4.2 Work with partner organisations to deliver network enhancement and connectivity.	Ongoing	Project plans		Current
2.5 Maintain environmental evidence base to allow sound ecological decisions to be made	2.5.1 Undertake regular monitoring of evidence base to ensure appropriate systems are in place.	Ongoing	Provision of relevant performance indicator data. Provision of data to support decision making.	Streetpride	Current
2.6 Manage Rotherham woodland	2.6.1 Maintain, manage and conserve trees & woodlands in the borough	Annual certification	FSC Certification and Management Plans / improvement schemes	Streetpride	Current
	2.6.2 Identify local market for wood management by-products				
	2.6.3 Support woodland management projects for socially excluded communities				
2.7 Ensure that asset portfolio's are sustainable by integrating sustainability into all capital and asset management strategies, plans, programmes and projects	2.7.1 Promote sustainable design and construction through asset management and procurement practices.	Annual reporting project dependant	Design standards BREEAM ratings subject to projects and funding	Asset Management Department	Current
	2.7.2 Adopt environmental sustainability measures within estates management.	Annual Report	Building performance standards		
2.8 Employ planning policy to address climate change	2.8.1 Consider climate change impacts and incorporate sustainable features in applications	Ongoing	Planning applications	Planning & Regeneration	Current
2.9 Ensure Biodiversity Duty (NERC Act 2006) is implemented in line with	2.9.1 Integration of biodiversity considerations into all relevant service areas and functions	Ongoing	Annual compliance monitoring to be undertaken by Defra.	Streetpride	Current

2. Built and Natural Environment					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
recommended Best Practice.			Internal monitoring system (to be agreed)		

3. Emergency Planning (and Recovery), Social Care & Health					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
3.1 Ensure potential environmental damage is minimised in emergency situations and accidents through the development of emergency response plans at sites of significant environmental risk	3.1.1 Maintain and implementation if required: <ul style="list-style-type: none"> - Borough Emergency Plan - Site specific plans - Multi Agency flood plan. 	Annual Review	Annual training and exercises together with validation	Asset Management Department; Rotherham Emergency Planning Forum and the South Yorkshire Local Resilience Forum	Current
3.2 Ensure communities are prepared and able to adapt to future climate	3.2.1 Undertake Local Climate Impact Profile	Rolling Programme	Production of a local risk register	Asset Management Department	Current
	3.2.2 Raise community awareness		Validation of Awareness Raising Events Place Survey		

4. Energy & Water					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
4.1 Sustainable energy use and wider sustainable development recognised as a priority	4.1.1 Ensure energy issues reported regularly to Senior Management Teams	Annual / 6 monthly	Annual / 6 monthly reporting	Asset Management Department	Current
4.2 Reduce CO ₂ emissions	4.2.1 Reduce CO ₂ emissions from RMBC activities	Annual - July	GHG Report Annual CRC report	Asset Management Department	Current
	4.2.2 Promote energy efficiency in schools through technical improvement and awareness	Annual	Energy Performance Certificates / Display Energy Certificates	Asset Management Department	Current & external funding
4.3 Improve water management	4.3.1 Reduce water consumption from operational activities and include water management features in new build / refurbishment projects subject to projects and funding	Annual	<ul style="list-style-type: none"> - Water management features in RMBC assets - Water consumption - Adaptation improvement report / action plan 	Asset Management Department; Planning & Regeneration; Adaptation Working Group	Current; potential EU funding
	4.3.2 Assess the feasibility of developing and adopting a Sustainable Water Management Strategy including adaptation measures				
4.4 Adopt /promote renewable energy	4.4.1 Increase renewable energy generation year on year in the borough to reach 36Mw by 2021.	Annual	Renewable energy generation in the year	Planning & Regeneration	Local Plan
	4.4.2 Identify and implement projects through FITS / RHI	Ongoing	FITS / RHI project records	Asset Management Department	FITS/RHI

5. Engagement, Education and Awareness Raising					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
5.1 Provide environmental training and information	5.1.1 Implement an ongoing communications and awareness campaign / training	Ongoing	Records of awareness campaigns / training sessions School training records	Asset Management Department	Current
	5.1.2 Support community groups / champions to provide local environmental advice	Ongoing	Records of support	Neighbourhoods and Adult Services	Current
	5.1.4 Communicate the environmental performance and initiatives of RMBC	Ongoing	Articles and press releases	Resources Directorate	Current
5.2 Work in partnership with schools, and other organisations to promote and support action / projects that improve the quality of our environment	5.2.1 Support Schools with Eco-Schools / Schools Collaboration Programme	Ongoing	Schools Collaboration Programme Report ECO schools / standard in Rotherham	Asset Management Department	Current

6. Housing					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
6.1 Improve the energy efficiency of social housing as measured through the SAP rating	6.1.1 Improve insulation	Ongoing	SAP rating of 75 by 2015	Housing & Neighbourhood Services; Strategic Housing Investment Service	Current and external funding
	6.1.2 Improve heating systems				
	6.1.3 Improve energy awareness				
6.2 Improve and maintain access to information on energy efficiency for Rotherham residents	6.2.1 Provide householders with a local energy efficiency advice and grant information services	Ongoing	Case / advice records	Housing & Neighbourhood Services; Strategic Housing Investment Service	Current
	6.2.2 Neighbourhood Service Centres advice				
6.3 Obtain external funding to support energy efficiency initiatives	6.3.1 Promote ECO/Green Deal	Jan 2013 - 2014	Projects using: Green Deal / ECO Funding for all 3 strands: 1. Affordable Warmth 2. Carbon Saving Communities 3. Carbon Savings	Housing & Neighbourhood Services; Strategic Housing Investment Service	ECO / GD Funding
6.4 Aim to achieve zero carbon new residential development	6.4.1 Evaluate the outcome of the Government Building Standards review announced by Government October 2012, with expected changes in 2013 resulting in: - Developing target(s) to achieve the objectives in line with changes to building standards. - Implement key actions to ensure compliance	2013	To be confirmed in 2013	Housing & Neighbourhood Services; Strategic Housing Investment Service	Current

7. Procurement & Resources					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
7.1 Promote sustainability and environmental considerations through procurement activities	7.1.2 Comply with the Sustainable Procurement and Commissioning Code of Practice	2013	CoP monitoring through environmental audit programme Whole Life costs procedure and records of application	Procurement and Commissioning Teams	Current
7.2 Encourage procurement of local products and services	7.2.1 Action through the Procurement Strategy	Ongoing	Increased local products or services	Procurement and Commissioning Teams	Current
7.3 Where feasible, purchase goods and materials that can be manufactured and disposed of in an environmentally sustainable way	7.3.1 Action through the procurement activities	Ongoing	Types of goods and materials purchased	Procurement and Commissioning Teams	Current
	7.3.2 Award suppliers who have proven sustainability credentials.				

8. Regeneration / Business

Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
8.1 Regenerate derelict land and focus new developments on brown-field sites	8.1.1 Review and improve the current non domestic regeneration and land policy	Ongoing	Number of regeneration projects on brownfield sites	Planning & Regeneration	Current
	8.1.2 Review Local Plan land allocations in relation to modern market requirements		Local Plan		
	8.1.3 Maximise the amount of future housing which is built on previously developed land		Domestic properties constructed on brownfield sites		
8.2 Communicate the advantages to businesses of adopting new environmental practices, that reduce costs and increase business performance	8.2.1 Provide information to businesses on the environmental and economic benefits of low carbon and energy efficient practices	Ongoing	Number of businesses reached	Planning & Regeneration; RiDO Business Development Team	Current
	8.2.2 Raise awareness of loans and assistance for SMEs, particularly linked to the low carbon agenda & their bottom line				

9.Transport					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
9.1 Reduce the environmental impact of fleet transport and promote the use of sustainable transport	9.1.1 Assess feasibility of alternative fuel fleet vehicles	Ongoing	Alternative fuel vehicles	Streetpride; Corporate Transport Unit	Current / external funding
	9.1.2 Install on board tracking device	Ongoing	Tracking devices fitted		
	9.1.3 Promote sustainable transport through the Local Transport Plan	Ongoing	LTP projects and performance indicators	Streetpride; Transportation Unit; Transportation and Highways Projects Group	Current
	9.1.4 Reduce staff grey fleet mileage	5% Annual	GHG report RMBC Travel Plan revised Autumn 2012	Streetpride; Transportation Unit	Current
	9.1.5 Service Planning to contribute to LTP targets	Annual	LTP targets considered in service plans	Service Directors; Performance & Quality; Transportation Team	Current
	9.1.6 Raising awareness and gaining commitment to sustainable transport from staff and contractors including moving people to public transport	Monitor annually	RMBC Travel Plan revised Autumn 2012 All modes travel survey required –capture data Contract monitoring and LPS Staff / contractor buy ins Service level agreements	Streetpride; Transportation Unit	Current Corporate funding

9.Transport					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
9.2 Management of taxies and contractors	9.2.1 Develop clear set criteria for taxies and hire vehicles including: <ul style="list-style-type: none"> - set age limits and emission standard following technology standards e.g. euro five - Install on board tracking device - Enforce idling regulations 	2014	Ongoing consultations with Taxi Licensing and Taxi Operators association	Streetpride; Transportation Unit	Current

10. Waste / recycling					
Objective	Key Actions	Target Date	Progress Measure	Delivery Lead	Resources
10.1 Reduce the amount of waste produced through the adoption of the waste hierarchy 'reduce - reuse – recycle - recover'	10.1.1 Implement Waste Management Strategy	Waste Strategy target dates	Performance indicator reports	Streetpride; Waste Management Team	Current
	10.1.2 Assess and improve internal waste management		Waste management arrangements and volume Domestic waste arisings		
10.2 Reduce the amount of waste produced in schools	10.2.1 Promotion of waste minimisation and recycling including: paper banks composting	Ongoing	Number of schools with recycling facilities	Streetpride; Waste Management Team	Current
10.3 Improve management of ICT Waste	10.3.1 100% targets for reuse / recycling	Ongoing	Waste reused / recycled	Asset Management Department; Corporate ICT, ICT Governance & Change	Current

Key:

SLT	Strategic Leadership Team
DEC	Display Energy Certificate
EDS	Environment and Development Services
EMS	Environmental Management System
EPC	Energy Performance Certificate
LP	Local Plan
LTP	Local Transport Plan
NAS	Neighbourhoods & Adult Services
RMBC	Rotherham Metropolitan Borough Council
DECC	Department of Environment and Climate Change
LGA	Local Government Association
MoU	Memorandum of Understanding
BREEAM	Building Research Establishment Environment Assessment Method
NERC	Natural Environment and Rural Communities
DEFRA	Department for Environment Food and Rural Affairs
RHI	Renewable Heat Incentive
FITS	Feed in Tariffs
RIDO	Rotherham Investment and Development Office
EST	Energy saving Trust
CoP	Code of Practice
SME	Small / Medium Enterprise

Climate Local

Information Pack for Councils

An information pack of resources for Councils

June 2012



What is Climate Local?

Climate Local is an LGA initiative to drive, inspire and support council action on a changing climate. The initiative supports councils' efforts both to reduce carbon emissions and also to improve their resilience to the affects of our changing climate and extreme weather.

Climate Local will help councils across the country to capture the opportunities and benefits of action on climate change, through saving on their energy bills, generating income from renewable energy, attracting new jobs and investment in 'green' industries, reducing flood risks and managing the impacts of extreme weather, such as drought, tackling fuel poverty and protecting our natural environment.

It consists of:

- A Climate Local Commitment – for councils to sign to demonstrate their commitment to addressing climate change and to challenge themselves to build on their existing achievements
- A set of topic-based guides and templates to help guide councils in setting local commitments and milestones and reaching their ambitions
- Additional resources and support – new web-based resources, a new online community and opportunities for peer learning
- A Climate Local Steering Group - bringing together nominated members of the LGA's Environment and Housing Board, council representatives and national partners

How will it help councils?

Sir Merrick Cockell, Chairman of the LGA:

"The aim of Climate Local will be to drive and champion council-led action on climate change in a way which will ensure local authorities can get the best results and value for money with the resources they have available."

Cllr Paul Carter, Leader of Kent County Council, Chairman of the Kent Forum:

"Climate Local is great opportunity for us to show leadership and practical action to cut energy bills for hard-pressed local families and businesses. We'll set local targets to address real priorities."

Cllr Alan Clark, Portfolio Holder for Energy and Sustainability, Nottingham City Council

"We are really proud to be signing this agreement and to build on Nottingham's heritage and achievements in tackling climate change. We will continue to improve our own energy use, create affordable energy for the city and encourage the growth of 'green' jobs. Climate Local will work with local people to set local action plans to tackle climate change."

Becoming a Climate Local council provides a way to show council leadership on climate change. It will enable councils to demonstrate leadership individually – to their communities, stakeholders and peers – and collectively – to Government and other national stakeholders.

The Climate Local initiative aims to:

- Drive and inspire councils to act on the causes and effects of climate change
- Enable councils to demonstrate their commitment, ambition and achievements
- Enable councils to show collective leadership on climate change
- Provide a framework through which councils can organise and plan their journey in addressing climate change
- Provide a forum for peer-to-peer learning and support for councils.

How can my council get involved?

The first step to becoming a Climate Local council is signing up to the Climate Local commitment (See Annex 1 – Climate Local Commitment).

By signing the commitment, your council will be asked to:

- Set out what actions you intend to undertake locally to reduce carbon emissions and respond to changes in the climate within your own operations, your services and with your local community.
- Set out your level of ambition and how you are going to monitor and demonstrate your achievements.
- Share with other councils and with national partners:
 - what actions you are undertaking and your ambitions
 - your progress; and
 - the learning from your experiences and achievements.

Support for councils to help them meet their commitments and actions is available through the LGA website (www.local.gov.uk/climate-change). Further resources will be available through the LGA's Knowledge Hub (<https://knowledgehub.local.gov.uk/>).

How will it work?

Becoming a Climate Local council involves a four-stage cycle.

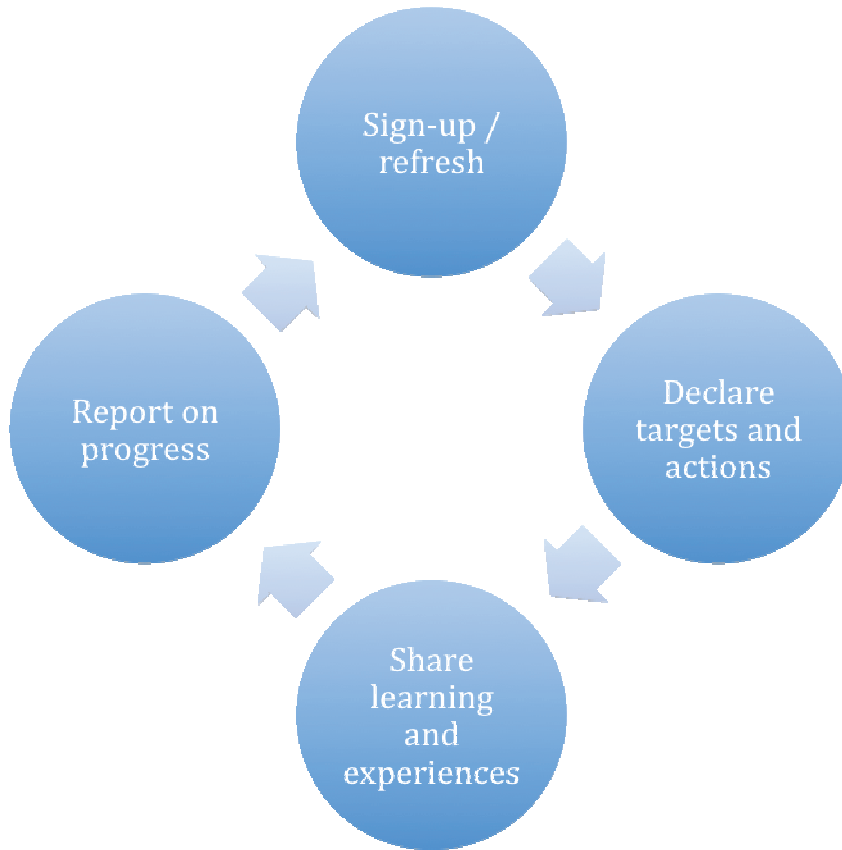


Figure 1. The Climate Local cycle

1. Sign-up to the Climate Local commitment

The first step is to sign-up to the Climate Local commitment [See Annex 1 – Climate Local Commitment]. You can sign up as an individual council or as a group of authorities.

LGA will then add you to the list of signatories on the LGA website and will welcome you into the Climate Local family, signposting you to sources of support to help you on your journey.

2. Declare commitments and actions

Once you have signed-up, you will be asked to set out the commitments and actions you intend to undertake locally. You will be asked to do this within six months of signing-up.

Whilst it is up to councils to determine their own local commitments and actions, all councils should be able to put forward a number of commitments and actions across the mitigation and adaptation agendas. However, care needs to be taken to ensure that the commitments are realistic and deliverable. So before setting your commitments think about:

- **How will you use Climate Local?** Are you just starting out in developing your response to climate change? Or are you using it as an opportunity to reiterate or reinvigorate your existing commitments, or to stimulate new action?
- **What are your priorities?** It will be important to take a strategic approach to Climate Local. Understanding your baseline position in terms of carbon emissions and climate vulnerability will help you to work out where best to focus your efforts and enable clear priorities to be set.
- **What level of resources is available for delivery?** The Climate Local topic guides include advice about funding sources but you also need to think about your internal staff resources and the resources of partner organisations for delivering on the commitments you make, monitoring progress and sharing your learning and experiences.
- **How will you report on and share progress?** Climate Local asks councils to share progress on their commitments and actions and provides a light-touch template for doing this. However, think about whether the commitments and actions you are signing-up to are manageable in terms of reporting and sharing progress.

The LGA have developed a template for you to set out your chosen commitments and actions [See Annex 2 – Commitments and Actions Template]. Actions should be specific, measurable and time bound.

LGA will also provide a menu of possible commitments and actions. Councils are encouraged to adapt these suggestions to suit their own priorities and also to create their own locally-determined commitments and actions.

3. Sharing learning and experiences

As a Climate Local council you will be actively encouraged to share your learning and experiences with other councils. The Climate Local forum on the LGA Knowledge Hub will provide an interactive space for councils to share to post up case studies and materials and to swap advice and tips.

The LGA will also facilitate opportunities for face-to-face learning for Climate Local councils. We will publish your commitments and actions so that we demonstrate how councils are taking a lead.

4. Sharing progress

To celebrate your achievements and to let your communities and stakeholders know how you are getting on, you will be asked to share progress on your commitments and actions once a year. We have provided a simple template for you to do this [See Annex 3 – Sharing Progress Template].

1 (again!). Refresh your commitments and actions

On a regular basis, we will ask that you refresh your commitments and actions to ensure that they remain current and relevant to local priorities.

How will the LGA support Climate Local?

The LGA will support Climate Local through:

- Facilitating the Climate Local process
- Working with central government and others, to provide support, resources and signposting services for councils to help them achieve their ambitions
- Championing individual and collective council good practice through a range of different media, such as events, showcase reports, website features, and e-bulletins etc
- Facilitating councils in sharing their ambitions, progress and learning
- Developing a Climate Local network that will be used as a forum to provide feedback to national Government on what is required to help accelerate local progress.

For more information please contact:

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For a copy in Braille, Welsh, larger print or audio, please contact us on 020 7664 3000.

We consider all requests on an individual basis.

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Contact the Local Government Association

Telephone: 020 7664 3000

Email: info@lga.gov.uk Website: www.local.gov.uk

Climate Local [insert council(s) name]:

Our commitment to taking action in a changing climate

We recognise that our council has an important role to help our residents and businesses to capture the opportunities and benefits of action on climate change. These include saving money on energy bills, generating income from renewable energy, attracting new jobs and investment in ‘green’ industries, supporting new sources of energy, managing local flood-risk and water scarcity and protecting our natural environment.

We will progressively address the risks and pursue the opportunities presented by a changing climate, in line with local priorities, through our role as:

- Community leader – helping local people and businesses to be smarter about their energy use and to prepare for climate impacts;
- Service provider – delivering services that are resource efficient, less carbon intensive, resilient and that protect those who are most vulnerable to climate impacts;
- Estate manager – ensuring that our own buildings and operations are resource efficient, use clean energy, and are well prepared for the impacts of a changing climate.

In signing this commitment, **we will:**

- **Set locally-owned and determined commitments** and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- **Publish our commitments, actions and progress**, enabling local communities to hold us to account;
- **Share the learning from our experiences and achievements** with other councils; and
- **Regularly refresh our commitments and actions** to ensure they are current and continue to reflect local priorities.

[Date]
[Name of council or group of councils]
[Signature of Leader or Mayor of Council]

Annex 2 – Commitments and Actions Template

Climate Local Commitment

Commitments and Actions template:

Climate Local [insert council name]:

Our commitments and actions

_____ Council(s) signed the Climate Local Commitment on _____ [date] in recognition of the important role that local authorities have in tackling climate change.

In signing the Commitment we pledge to set locally-owned and determined targets and actions on both mitigation and adaptation and publish these within six months.

The table below sets out our priorities commitments the actions will undertake to deliver them. We will monitor our performance against these actions and report regularly on our progress. We will also regularly refresh this list of actions to ensure they are up-to-date and reflect local priorities.

Annex 2 – Commitments and Actions Template

Low carbon pathways

In order to create an 'energy smart' low carbon future we make the following commitment(s):

Commitment:		
Justification:		
Specific action(s)	Measure	Timescale

Commitment:		
Justification:		
Specific action(s)	Measure	Timescale

Annex 2 – Commitments and Actions Template

Worked example:

Commitment: We will reduce carbon emissions in the housing sector by 20% on 2010 levels by 2020		
Justification: 50% of the area's carbon emissions come from the housing sector		
Specific action	Measure	Timescale
We will go out to tender to secure a Green Deal provider	Green Deal provider will be in place	March 2013
Roll out a free loft insulation programme for the elderly and fuel poor	10,000 lofts will be insulated or topped-up	2016
We will run a Green Deal promotional campaign aimed at private householders	10,000 residents will receive Green Deal information packs Green Deal information pages published on council website	By December 2013

Annex 2 – Commitments and Actions Template

Climate resilience

In order to adapt to the risks and opportunities that our changing climate will present, we make the following commitment(s):

Commitment:		
Justification:		
Specific action(s)	Measure	Timescale

Commitment:		
Justification:		
Specific action(s)	Measure	Timescale

Annex 2 – Commitments and Actions Template

Worked example:

Commitment: We will ensure that flood risk is understood and planned for		
Justification: We have a good understanding of tidal and fluvial flood risk but a poor understanding of surface water flood risk		
Specific action	Measure	Timescale
We will work with the Environment Agency and other partners to develop an improved map of whom and what is at flood risk from all sources of flooding today, and to predict future flood risk for all flood sources.	Flood mapping results published	March 2014
We will develop a surface water management plan which identifies and prioritises areas at risk and develops more detailed plans for the priority areas.	Surface water management plan published	December 2012

Annex 2 – Commitments and Actions Template

Guidance notes for councils

1. Complete at least one action on mitigation and one on adaptation. Use the Menu of Local Commitments and Actions to guide your **choice of actions**, or feel free to create your own.
2. Use the Menu of Local Commitments and Actions to guide your **choice of commitments**. This menu is not exhaustive and councils are welcome to include and develop their own commitments to suit local priorities.
3. For each action, please be Specific (what is you want to achieve, how will you go about achieving it), ensure it is Measurable (how much, how many, how will you know when the action or target is accomplished) and Timebound (when will it be achieved).
4. When completed and published, please send to the LGA

Annex 3 – Sharing Progress Template

Climate Local Commitment

Sharing progress template:

Climate Local [insert council name]:

Our progress on [insert date]

Since signing up to Climate Local onwe have made the following progress towards achieving the commitments and actions we pledged on

Mitigation

1.	Progress
Commitment:	[provide a summary of progress in achieving this commitment overall to date]
[insert commitment]	
Action(s):	Progress
[insert actions]	[provide a summary of progress in achieving this action to date]

Annex 3 – Sharing Progress Template

Adaptation

1.	Progress
Commitment:	[provide a summary of progress in achieving this commitment overall to date]
[insert commitment]	
Action(s):	Progress
[insert actions]	[provide a summary of progress in achieving this action to date]

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	22nd May 2013
3.	Title:	Yorkshire and Humber Grid for Learning – Trading Arm Development
4.	Directorate:	Children and Young People’s Services

5. Summary

Yorkshire and Humber Grid for Learning (YHGfL) is the broadband consortium across the Region that Rotherham has been a member of since it was established in 2002. YHGfL is currently consulting with member Authorities to look at the possibility of establishing a trading arm which would allow YHGfL to sell services direct to schools within each Local Authority and to external organisations including schools from outside of Yorkshire and Humber.

6. Recommendations

- (i) that Cabinet receive this paper; and**
- (ii) that Cabinet approves the making changes to constitution of the Foundation so that external trading can take place.**

7. Proposals and Details

YHGfL (the broadband consortium that Rotherham is a member of) is currently consulting with member Authorities to look at the possibility of establishing a trading arm which would allow YHGfL to sell services direct to schools within each Local Authority and to external organisations including schools from outside of Yorkshire and Humber.

Changes to schools funding regimes and the impact of budget cuts in councils has in recent years put additional pressure and a large degree of uncertainty on YHGfL and put into doubt its future.

Over the past year the Foundation has been considering the option to establish a trading arm to ease the uncertainties, exploit further the opportunities that it offers to schools and Local Authorities within Yorkshire and Humber and allow the Foundation to offer services direct to schools rather than via the LAs.

This would safeguard the investments made by all Authorities over the last 11 years and provide competition to those private companies who currently aggressively sell their services to schools.

An extra-Ordinary General Meeting is due to take place on Friday 7th June at which members are asked to vote on whether or not to approve the establishment of a trading arm. The approval of this will be based on a majority decision of member authorities. Sue Wilson, Performance and Quality Manager will be representing Rotherham at the meeting.

8. Finance

A significant investment has been made over the past 11 years from member authorities and it is felt that by allowing external trading to take place this should help to safeguard these investments further into the future.

It is hoped that by generating external income it should in the long term reduce the costs to existing member authorities.

Annually, Rotherham schools contribute £61,000 to the Consortium and an additional £90,000 for broadband connectivity. The current contract with YHGfL expires in May 2014, however we are looking to extend the contract period up to July 2016.

The Foundation was set up as a company limited by guarantee to ensure that no local authority would be liable for more than £1 if the Foundation failed or was disbanded.

9. Risks and Uncertainties

A potential risk for local authorities is if the trading arm were not to be established: the last 11 years' investment in the Foundation would be at risk, as would the connectivity and services to schools currently provided by the Foundation and the costs of replacing them.

If the trading arm were to fail, the maximum cost to the Foundation would be the value of shares issued – likely to be £1 – and any cashflow funding which the Foundation was providing.

If the Foundation were to fail, the maximum cost to member authorities would be £1.

10. Policy and Performance Agenda Implications

YHGfL, in addition to broadband connectivity to schools, also provides resources and services including Continuing Professional Development for teachers, e-safety and e-learning resources which are available for use in Rotherham Schools.

11. Background Papers and Consultation

- Briefing paper from YHGfL – Appendix 1

Colleagues from Legal Services in Rotherham have also been involved in the consultation process and have been liaising with legal representatives from other Local Authorities and solicitors representing the Foundation.

Contact Name: Sue Wilson, Performance & Quality Manager,
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Context

YHGfL Foundation Ltd was set up by 12 local authorities in the region in 2002 to act as a vehicle for joint procurement of broadband connectivity and related services for schools. The way that the local authorities wanted the Foundation to be established meant that it could take advantage of the Teckal exemption to procurement law – in effect, meaning that none of the member local authorities would have to procure services from the Foundation.

Further, the Foundation was set up as a company limited by guarantee to ensure that no local authority would be liable for more than £1 if the Foundation failed or was disbanded.

The governance of the Foundation was also agreed by the local authorities and a Board was established containing a nominee of each member local authority, although the Directors themselves would serve a personal directorship. Thus, although members are invited to attend the Annual General Meeting, the governance of the Foundation was, in effect, delegated to the Board and has been for the past 11 years.

In terms of funding, specific grant was initially available to local authorities to connect schools to broadband and the Consortium agreed that a budget for the work that the authorities wished to commission would be agreed annually – and some local authorities did provide some of that funding from their own budgets.

However, over time, particularly in the last two years, none of the funding comes from dedicated grant nor from local authority budgets. Funding has increasingly come from schools where local authorities have been able to aggregate demand for services from its schools. That shift in funding, together with significant budget cuts for local authorities themselves, has had implications for schools across the region and for how the Foundation must now operate.

As one example of the consequences of funding changes, the Consortium has recently asked the Foundation to change the way it offers a significant part of its current services – from a core provision, paid for by all local authorities equally, to a ‘pay-as-you-go’, optional service. This has the effect of reducing significantly the contribution that the Foundation needs from local authorities for its core services. Clearly, for a company that cannot take commercial risks, this change has the potential to strike at the core of its ability to survive. In addition, the rise of competition from companies looking to capitalise on the immature market which has sprung up over the past two years is putting further pressure on the Foundation.

The Foundation is limited by its Articles and Memorandum of Association to activities which are educational and within the Yorkshire and Humber region – a further limitation on its ability to increase revenue, decrease costs to the local authorities and thus remain viable.

The creation of a trading arm allows the Foundation to overcome these issues and to have a channel which can operate as a full commercial entity – thus having a chance to preserve the investment of local authorities and schools over the 11 years of its existence.

The initial purpose of the Foundation was to benefit schools in the region by providing cost-effective services of a good quality. The Foundation has taken that as its guiding principle and wishes to continue doing so despite the funding issues which beset both local authorities and schools. The purpose of proposing a trading arm is to secure that principle for the future – benefitting schools, whether they are part of a local authority or not, and preserving a link back to local authorities if circumstances change in the future.

The proposal

The document ‘YHGfL Trading arm business plan’ contains all of the information relating to the setup, operation and plans for the trading arm. However, there are some key points that local authorities may want to note.

Funding

The Foundation has never been able to distribute profits or surpluses to member local authorities – it is prohibited from doing this due to its status. And, while the Foundation agrees a budget with the Consortium for the costs of the work being commissioned, it is the Foundation Board which has the final say on how its funds are spent. Clearly, this is one situation where the Directors regularly balance their Director’s responsibility for the well-being of the company with the needs of their nominating (and employing) body. At no point

have member local authorities questioned any decision of the Board – the opportunity to do so at the Annual General Meeting has never been taken by any local authority.

The funding cannot be given back to local authorities as cash but could be used to reduce the Foundation's costs – but that would be for a limited time only, is not sustainable and would not address the core issues which would remain once the benefit of a subsidy runs out.

Further, the funding is support for cashflow for the trading arm rather than a lump sum investment. For that reason, the amount given to the trading arm will fluctuate over time depending upon its needs. That forecast will obviously be reported to the Foundation Board as owners of the trading arm – and it will be within the Board's remit to make decisions about whether, to what extent and when that support should be given. In addition, the trading arm's Board itself (containing commercial and educational sales expertise) would also have a duty to ensure that the trading arm is viable and trading legally.

Governance

As mentioned above, Foundation Directors are responsible for the effective running and profitability of the organisation – but frequently have to balance their responsibilities as employees of their nominating authorities as well. Legal advice suggested that up to two of the existing Foundation Directors also serve on the Board of the trading arm – with appropriate policies and processes relating to conflicts of interest.

Other Directors on the trading arm board would be drawn from people with acknowledged expertise in the commercial sector, meaning that the direction of the company would benefit from the expertise and experience of successful business people. They would be balanced by the Foundation Directors who would also understand the viewpoints of Foundation owners/members.

Local authority risk

As has been mentioned above, a potential risk for local authorities is if the trading arm were not to be established: the last 11 years' investment in the Foundation would be at risk, as would the connectivity and services to schools currently provided by the Foundation and the costs of replacing them.

If the trading arm were to fail, the maximum cost to the Foundation would be the value of shares issued – likely to be £1 – and any cashflow funding which the Foundation was providing.

If the Foundation were to fail, the maximum cost to member authorities would be £1.

Commercials

The financial planning which we have done for a potential trading arm is commercially extremely sensitive and would be of value to any existing or new business with whom we may compete. For that reason, we are reluctant to distribute spreadsheets and documents with details of, for example, cashflow and product or service costs: it would not be sensible to hand over information which would allow others to undercut us.

In the first instance, the Foundation Board will make a decision about a trading arm based on its viability – and that will involve consideration of detailed plans for the business. The Foundation Board has a statutory responsibility to ensure that their decisions do not harm the company: that includes ensuring that a venture such as the setting up of a trading arm is not likely to lead the company into difficulties.

A trading arm Board would also have that responsibility and, given that a number of Directors would have direct experience in the commercial educational market, they would not allow strategies to be put in place that would put the trading arm in jeopardy.

Competition

A number of local authorities in the region have set up traded services which are working in areas which will be covered by the trading arm – those authorities may have some concerns about the impact of a trading arm on their own services. However, we are not aware of the Foundation 'stealing' work or income from local authority services: indeed, we can point to a number of specific instances where the Foundation has worked closely with those services with a view to increasing each other's' value to schools. This would be the aim of the trading arm – to work with local authority services where they exist, as we have always done.

At the same time, we would want the trading arm to be a real alternative to some of the companies currently aggressively targeting local authority schools – something we cannot do due to our status and constraints on any commercial activity.

ROTHERHAM BOROUGH COUNCIL

REPORT TO CABINET

1.	Meeting:	CABINET
2.	Date:	22nd May 2013
3.	Title:	Local Government Pension Scheme Changes
4.	Directorate:	Human Resources

5. Summary

This report highlights the recently published proposals to change the Local Government Pension Scheme (LGPS) from April 2014 and seeks to receive any comments on the proposals and latest consultation.

6. Recommendation

Cabinet to note the details and estimated future cost pressures regarding the implementation of the new LGPS from April 2014.

Cabinet to receive the update on technical scheme regulation changes.

Cabinet Members to consider the proposals in respect of the new employee scheme and Elected Member pensions.

7. Proposals and Details

7.1 Background and Context

Changes to the Local Government Pension Scheme (LGPS) are not unusual with significant changes having been made over recent years such as in 2006 (Taxation changes), 2008 (tiered employee contributions & 60ths accrual).

As a result of changing demographics, where people are living longer and with the costs of providing pensions increasing, the government has now required that the scheme be required to deliver £900m of savings from the current and future costs of the pension scheme.

Colleagues will be aware that in order to help try and reach these required savings and meet the future challenges of providing a reasonable pension for retirement, a new scheme will apply from 1st April 2014. This will be a Career Average Scheme and apply to all 7814 members employed by Rotherham M.B.C. Various changes will apply to the new scheme rules covering accrual rates, contributions while certain specific protections are to be provided for employees within 10 years of their normal retirement date as at April 2012.

The main changes to the principles of the scheme already communicated to the scheme membership are set out below for information: -

A Career average scheme is to start from April 2014 replacing the current Final Salary Pension Scheme.

Increases to personal contribution rates are proposed in the region of 3.5% and up to 5% more for the very highest paid.

Employees would see the accrual rate improve to 1/49th as opposed to 1/60th and part time employees would pay contributions on actual earnings rather than current more expensive whole time equivalent salary approach. A '50-50' scheme is also to be made available that is hoped to reduce potential opt-outs from the scheme.

Contributions will also be payable on all additional earnings in future including non-contractual overtime and all additional hours that do not currently attract pension contributions.

Pensions for Elected Members could change with the following options now being consulted on: -

- i) No future access to the scheme (Government's preferred position);
- ii) Two-tier membership for 'Front-Bench' councillors i.e. Leader, or others with Special Responsibility Allowances;
- iii) No change (Continued access to scheme based on current arrangements).

Councils are asked to comment on which of the 3 options would be preferred or any other alternative proposals. Additionally if Councillors continue to have access to the pension scheme whether the proposed contribution rates would be acceptable

(minimum rate of 6% up to £21K pa; 6.5% for £21K up to £34K pa; other rates apply above these levels).

The future scheme is designed to reduce overall costs of the scheme to the Government is considered to give immediate additional cost implications for the Council. The proposal to include all earnings as pensionable based on an assessment of all current non-pensionable pay which totals approximately £5.7m per annum would then incur employer contribution costs of 12% on every pound earned. This includes all additional plain time hours and all non-contractual overtime (down from £2.3m in 2009 to £1.2m last year). If all this is deemed pensionable the Council could be faced with a budget pressure in the region of £500K per annum from April 2014. This figure could be affected dependant on Scheme membership behaviours on the advent of the new scheme. Colleagues could elect to 'Opt-out' or potentially join the '50-50' scheme which again would potentially reduce this estimated additional cost figure.

The Council has already agreed to apply the available Transitional Relief to defer the requirement to automatically enrol employees in to the LGPS and written to all 1992 affected employees to inform them that this would now take place in October 2017 rather than 1st March 2013. This action has had the result of deferring a potential extra cost of around £1.5m per annum if all of the 1992 non-members who were eligible joined and remained in the Scheme. Affected employees would still be able to 'opt out', but every 3 years Councils will be required to undertake a process to re-enrol them.

This action to defer automatic enrolment will also avoid the need for lower paid non-scheme members to pay their own personal pension contributions of a minimum of 5.5% on earnings, which in this climate would be a significant pressure for our lower paid employees not currently in the Scheme.

Teachers Pension Scheme covers some 2400 members and it was ultimately confirmed deferral was not allowed, so we have written to all current 47 non-members and automatically joined them in that scheme since March 2013. We are now receiving some requests from those Teaching colleagues to opt out.

In addition to the above we have now received further details for consultation that relate to a number of technical and administrative arrangements for which views are sought: -

The draft LGPS Regulations 2013 - Responses to be submitted by 3rd May 2013. South Yorkshire Pensions Authority has already responded on these mainly technical scheme management regulations.

The draft LGPS (Transitional Provisions and Savings) Regulations 2013 – Responses to be submitted by 24th May 2013, relating to membership, contributions and benefits,

The draft LGPS (Miscellaneous Amendments) Regulations 2013 – Responses to be submitted by 24th May 2013.

Proposals in respect Taxpayer funded Pensions for Councillors – Responses to be submitted by 5th July 2013.

South Yorkshire Pensions Authority has analysed the technical details on behalf of all scheme employers in respect of the first consultation and have provided all employers with a copy of their response. Other considerations are being compiled and will again be

shared with employers. Elected Members are invited to contribute any comments on the new scheme for referral to national employers.

8. Finance

The new 2014 Scheme is designed to save in the order of £900m across the whole country and membership. Local Councils are anticipating some reduction of current contribution rates over time (excluding funding of historical liabilities) subject to Actuary assessment of the impact of the new Scheme.

The potential implications for the current and future financial years are outlined in the body of the report.

In future all additional hours worked would be deemed pensionable and incur employer contribution costs of 12% on every pound earned. In addition Sleep-in payments, Standby, enhancements at weekends and night work etc would in future become pensionable. Based on current levels this equates to an amount of £5.7m per annum currently non-pensionable pay that will in future be pensionable. This would add a further £500K budget pressure from April 2014 onwards and so provision for this has now been included in the MTFs.

The action to defer automatic enrolment until 2017 is a mechanism to help the financial impacts of pension contributions and our actions have temporarily avoided a potential additional cost to the Council of an estimated £1.5m per annum. This has also avoided the need for lower paid employees to pay personal pension contributions of 5.5%, which in this climate would be a significant pressure for those lower paid employees not currently in the Scheme.

There could be some additional system development costs alongside indirect HR Service Centre costs / time spent working on implementing the required administrative requirements that had not been forecast nor planned.

Additional administrative costs may result in respect of administration undertaken on behalf of Doncaster Council for whom Rotherham MBC provide transactional HR & Payroll services under our new shared service operation.

9. Risks and Uncertainties

Concern has been expressed that proposed changes to the LGPS due to take effect from April 2014, may result in greater numbers opting out of the pension scheme.

Other payroll providers commissioned by schools would need to be able to cope with the new arrangements. Schools need to be satisfied that their provider would be able to cope with the complexity of this new arrangement.

10. Policy and Performance Agenda Implications

The provision of an attractive pension scheme is a key element of the Council's remuneration package which supports its ability to attract and retain staff.

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