

**THE CABINET**  
**19th June, 2013**

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

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

An apology for absence was received from Councillor Hussain.

**C25        QUESTIONS FROM MEMBERS OF THE PUBLIC**

A member of the public referred to recent television and media publicity which portrayed Rotherham in a negative light, which he believed Rotherham's town folk were on the receiving end of. He asked what the Council was doing about the publicity as he did not feel they were doing enough.

The Chief Executive explained that Rotherham was a good town that had been in the spotlight recently. However, he pointed out that it was very difficult for the Council to control the press, but wanted to encourage Rotherham's citizens to talk about the good things that were happening in their town. The Council was issuing press releases on good news stories, giving media interviews and publishing information via the internet to try to get people to focus on the positive elements rather than the negative.

Discussions were ongoing within the Council as to how it could rebuild its reputation over the next twelve months. It was important that Elected Members had a role in ascertaining what local people thought about the services being delivered.

Local people needed to work with the Council more strongly as ambassadors and demonstrate their clear passion for the town in which they lived.

In a supplementary question the member of the public quoted from a free newspaper which allowed people to come to all sorts of conclusions, but asked why it was only a minority of Councillors that appeared to be putting themselves forward to counteract any negative publicity?

The Leader reiterated what the Chief Executive had already said in that the Council had no control over what was reported in the media. In terms of the Councillors who appeared on television and on the radio more than others, it was pointed out that may well be as a result of the areas they had responsibility for or if they were acting on someone else's behalf.

**C26        DECLARATIONS OF INTEREST**

Councillor Lakin declared a personal interest in Minute No. 33 (Proposals to make a 'prescribed alteration' to Thrybergh School and Sports College by a change of age range from 11-16 to 3-16 by closure of Dalton Foljambe Primary School) on the grounds that he was a Governor at both named schools and left the room whilst that item was discussed.

**C27        ROTHERHAM BIODIVERSITY ACTION PLAN 2012**

Councillor Wyatt, Cabinet Member for Health and Wellbeing, introduced a report by the Strategic Director of Environment and Development Services, which sought support for the adoption of the revised Rotherham Biodiversity Action Plan.

The 2012 Rotherham Biodiversity Action Plan would continue to support the preparation and delivery of the Rotherham Local Plan providing supporting evidence for core strategy policies and for future development management policies, particularly in respect of biodiversity, geo-diversity, green infrastructure and landscape. It would support biodiversity action and delivery until at least 2020 in line with the England Biodiversity Strategy and objectives, targets and programmes of action would be prepared with this date in mind. It was acknowledged that action would be needed to continue beyond 2020.

The adoption of the Rotherham Biodiversity Action Plan 2012 would demonstrate the commitment of the Council in the delivery of the plan. Once adoption had been formalised it would be possible to prepare a delivery plan and to consider action needed for those species with additional conservation requirements.

Resolved:- (1) That the Rotherham Biodiversity Action Plan 2012 be adopted.

(2) That the continuation of the Council's involvement in the delivery of the Rotherham Biodiversity Action Plan be approved.

**C28        SCRUTINY REVIEW OF RMBC RESIDENTIAL HOMES**

Councillor Whelbourn, Chair of the Overview and Scrutiny Management Board, introduced a report on behalf of the Review Group which set out the findings and recommendations of the Scrutiny Review into RMBC Residential Homes undertaken by the Health Select Commission.

The overall aim of the review was to achieve an understanding of value for money, outcomes and quality of service provision and in particular, the potential impact of budget cuts on this. The review would make recommendations to the Executive to be considered alongside the process of setting and reviewing the budget for 2013/14.

It would also aim to support the achievement of the following Council priorities from the Corporate Plan:-

- Ensuring care and protection are available for those people who need it most
- Helping to create safe and healthy communities.

The review was reported under the five sub headings; staffing, catering and entertainment, buildings and maintenance, costs and comparisons and options for the future. Each of these sections of the review had its own recommendations. There are ten recommendations in total, which were set out in detail as part of the report.

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

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

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

## **C29      RESPONSE TO THE SCRUTINY REVIEW OF AUTISTIC SPECTRUM DISORDER**

Further to Minute No. 203 of the meeting of the Cabinet held on 24<sup>th</sup> April, 2013, Dr. John Radford introduced the report which set out the response to the findings and recommendations of the scrutiny review of Autistic Spectrum Disorder in Rotherham.

The review was requested by the Cabinet Member for Children and Young People because of the apparent high levels of diagnosis of Autistic Spectrum Disorder (ASD) in Rotherham. This was identified in a report to the Cabinet Member and was explored further in a position paper to the Health Select Commission in July, 2012. It was agreed at this meeting that a full review would be required and this would investigate the steady increase in diagnoses within the last ten years.

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

The four stated objectives of the review were to consider, as follows:-

- The reasons for the higher diagnosis rates.
- Services required at diagnosis stage and after.
- 16+ support and transition.
- Budget implications.

The review was, therefore, structured around these four objectives, with a dedicated meeting held for each one and evidence presented around these four headings.

Key messages that came out of the review were as follows:-

- Early intervention and prevention work is key for children with Autistic Spectrum Disorder.
- Mental health needs of children and adults with Autistic Spectrum Disorder can arise because of the lack of support.
- Lack of clarity about where the lead of support lies – Education, Health etc.
- Family and home support is a gap in provision.
- It is difficult for many parents to make sense of all of the different agencies that are involved in this area of work.
- There has been significant progress made with this area of work and this needs to continue with clear leadership and direction.
- To ensure the best outcomes for children and young people with Autistic Spectrum Disorder, parental voice and influence is absolutely crucial.
- All of the recommendations formed as part of this review were about more effective use of existing resources, achieving better value for money and becoming better organised in delivery of support. It was the view of the review group that there should not be a need for additional resources to implement the recommendations

Resolved:- (1) That the response to the Scrutiny Review of the Autistic Spectrum Disorder be approved.

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

### **C30 REVENUE ACCOUNT OUTTURN 2012/13**

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance which detailed how in 2012/13 the Council budgeted to spend £213.290m on its General Fund Revenue Account. Actual spending for the year was £212.402m, a saving against budget of £0.888m (or - 0.42%). Of this, £0.705m was accounted for by surpluses on trading accounts, leaving a net underspend of £0.183m.

Requests to carry-forward £159k of unspent 2012/13 budgets for specific projects/purposes were also included in this report. If approved the remaining balance available to support the budget was £24k.

In addition, the Delegated Schools' Budget was £183.574m. Actual spend against this was £182.958m, an underspend of £0.616m for the year. This had been added to Schools' Reserves which at 31st March 2013 stood at £8.227m.

The Housing Revenue Account (HRA) in 2012/13 was budgeted to make a contribution to the Housing Revenue Account General Reserve of £1.838m. Actual contribution to this Reserve was £6.801m - a £4.963m additional contribution.

This was a very positive outturn, especially given the challenges faced in-year which necessitated the implementation of a moratorium on all, but essential spend, from October. It was the result of the hard work of both Elected Members and staff in managing reducing levels of funding at a time of increasing service need, and also the generally good and responsible financial management on the part of budget holders.

Reflecting the above out-turn position, and assuming the recommendations in this report were approved, the Council's Revenue Reserves as at 31st March, 2013 were:-

- General Fund Reserves available and uncommitted to support the Budget £9.316m.
- Earmarked Reserves £51.345m of which £41.663m was ringfenced for Housing Revenue Account, Schools and to meet future PFI contractual obligations.
- Reserves at the end of 2012/13 were in line with planned levels.

Cabinet Members noted the underspends on the Delegated Schools' Budget and were informed that discussions were taking place with the Rotherham Schools Forum as to their future plans for this funding.

Resolved:- (1) That the Council's General Fund, Schools' and the Housing Revenue Account (HRA) Revenue Outturn Position Statements for 2012/13 be noted.

(2) That the level of the Council's Revenue Reserves as at 31st March, 2013 be noted.

(3) That the carrying forward of underspends on Trading Services (£704,895) and requests for carrying forward of specific items (£158,709) in accordance with the Council's approved policy be approved.

### C31

#### **RESPONSE TO THE REVIEW BY THE IMPROVING PLACES SELECT COMMISSION OF GROUNDS MAINTENANCE AND STREET CLEANSING SERVICES**

Councillor R. S. Russell, Cabinet Member for Waste and Emergency Planning, introduced a report which detailed the response to the recommendations made by the Improving Places Select Commission

following its review of the Grounds Maintenance and Street Cleansing services.

The recommendations of the Select Commission have been considered by officers, and a detailed response was detailed as part of the report. There were four recommendations that had been rejected, three due to other issues and one which had already been completed.

The review by the Improving Places Select Commission largely aligned with the work undertaken by officers to identify actions which mitigated the effects of the reductions in service budgets.

Resolved:- (1) That the response to the Scrutiny review be approved.

(2) That the detailed response to the Scrutiny review of Grounds Maintenance and Street Cleansing Services be submitted to the Overview and Scrutiny Management Board in due course.

## **C32        DOWNSIZING POLICY REPORT**

Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director of Neighbourhoods and Adult Services which detailed how the Welfare Reform Act 2012 introduced a range of changes that would have a significant impact on people's lives, on rental income to the Council and on Rotherham's wider economy. Extensive work had been carried out by teams across the Council to prepare for the changes and detailed reports have been provided to Rotherham Partnership and Cabinet. The purpose of this report was to seek approval to implement a Downsizing Policy to support tenants who were affected by the Social Housing size criteria ('bedroom tax').

This change to policy was designed to make it easier for people to downsize. In the past the downsizing policy tried to ensure that people in large houses gave them up so that larger houses could be offered to large families who may be overcrowded in their current home. It only applied to residents of four bedroom properties who were prepared to move into one bedroom properties.

The new policy attempts to broaden the approach to also help people who were affected by the bedroom tax. It was now proposed that the highest priority for moving was also given to anyone who wanted to give up one or more bedrooms.

The report had been considered and agreed by Cabinet Member for Safe and Attractive Neighbourhoods on 20th May 2013.

Resolved:- (1) That the implementation of the Downsizing Policy be approved.

(2) That the Cabinet Member for Safe and Attractive Communities receive a review of the effectiveness of the new policy in April, 2014.

**C33 PROPOSALS TO MAKE A 'PRESCRIBED ALTERATION' TO THRYBERGH SCHOOL AND SPORTS COLLEGE BY A CHANGE OF AGE RANGE FROM 11-16 TO 3-16 BY CLOSURE OF DALTON FOLJAMBE PRIMARY SCHOOL**

The Leader introduced the report by the Strategic Director of Children and Young People's Services, which detailed how in September, 2012 Thrybergh School and Sports College formed a collaboration (formerly referred to as a soft federation) with Dalton Foljambe Primary School.

Since the collaboration had been established Dalton Foljambe Primary School had been judged good by Ofsted and the school's outcomes have been above the National floor standards. The collaboration was now well established and both schools were requesting the opportunity to enter a more formal arrangement. It was proposed that a 'Prescribed Alteration' to Thrybergh School and Sports College be consulted upon to change its age range from 11-16 to 3-16 by the closure of Dalton Foljambe Primary School and the Foljambe site becoming the Primary education phase annex of the school.

Cabinet Members noted the advantages of such a proposal and which could aid the transition arrangements for pupils leaving primary for secondary education.

Resolved:- (1) That the commencement of Pre-Statutory Consultations on the proposals be approved.

(2) That a further report be submitted to the Cabinet detailing the outcome of the consultation.

**C34 UNIVERSAL CREDIT: LOCAL SUPPORT SERVICES FRAMEWORK**

The Leader introduced a report by the Strategic Director of Environment and Development Services which detailed Universal Credit (UC), which was a new means-tested benefit for working age people both in work and out of work. The purpose of this report was to explain how Universal Credit would impact nationally and locally and how the Council intended to move this work forward in Rotherham.

The DWP have approached all local authorities to discuss the development of partnership agreements that would set out the support to be provided to help people navigate the transition to Universal Credit during phase 2 of its implementation (October, 2013 to April, 2014). It was expected that these agreements would be in place by September.

Initial discussions with DWP suggest that partnership agreements could include:-

- Increase access points for online facilities e.g. libraries and further education provision such as schools.
- Support for people to complete applications.
- Support for people to manage money and budgeting.
- One-stop shops (could be mobile) where people can get information, advice and guidance.

There was a clear expectation from DWP that libraries would have a role, particularly in providing supported access to online services.

The Government and DWP expect most people to make the transition to online assessments, but recognise that for some claimants accessing and dealing with the changes Universal Credit would bring would not be as straightforward.

Whilst the Council and Local Strategic Partnership would obviously seek to help those who were struggling to cope with the changes, there was a risk that the framework process could see local partners take on a disproportionate level of responsibility and risk, particularly if, as suggested, any funding was provided on a payment by results basis. There was no statutory basis for any agreements between the Council; partners; and DWP.

Cabinet Members welcomed this report and heard that information and various initiatives were being piloted in schools to assist with budgeting preparations, how workshops were being held for welfare and benefit advice and helping/supporting people and suggested that Area Assemblies be provided with information to act as supportive signposts.

It was also suggested that an aide-memoire be provided to all Elected Members to provide information for any members of the public turning up to surgeries.

Resolved:- (1) That the production of a project plan to address the issues arising from the introduction of Universal Credit and the development of a Local Support Services Framework be approved.

(2) That a further report be submitted to agree the local support services framework prior to the Council entering into any agreement with DWP.

(3) That a written collective partnership response be issued with the Local Strategic Partnership to the Government lead for Universal Credit, highlighting the extent of the issues affecting claimants in Rotherham.

**(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO SHARE THE RESULTS OF THE RESPONSE URGENTLY)**

**C35 HOME AFFAIRS SELECT COMMITTEE - CHILD SEXUAL EXPLOITATION AND THE RESPONSE TO LOCALISED GROOMING**

Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services, which confirmed that the Home Affairs Select Committee (HASC) published its report 'Child Sexual Exploitation and the response to localised grooming' on Monday, 10th June, 2013.

The Chief Executive and the Strategic Director of Children and Young People's Services were called to give evidence to the Home Affairs Select Committee on the 8th January, 2013. Tackling the sexual exploitation of children and young people remained the highest priority for the Council and the report by the Select Committee was welcomed as a body of evidence and advice that could be used by local authorities around the Country to improve their response to these horrific crimes.

The response to the Select Committee findings would be met from existing resources, but it was noted that an additional £50k had been secured for the work of the CSE team from the Safer Rotherham Partnership managed funds from the Police and Crime Commissioner. These funds were for a period of three years.

Resolved:- (1) That the findings of the Home Affairs Select Committee and the opportunity to improve the response to child sexual exploitation be welcomed.

(2) That a detailed report on the self-assessment against the recommendations from the Home Affairs Select Committee report be submitted to the Cabinet on the 3rd July, 2013.

**C36 EXCLUSION OF THE PRESS AND THE PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relating to financial and business affairs of any particular person).

**C37 PRICE OF A SCHOOL LUNCH 2013-2104**

Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services, which outlined two options for the price of a school meal from September, 2013.

The price of a school meal had previously been set in collaboration with the Cabinet Member for Children and Young People's Services with a yearly 5p increase set for a three year period, ending 2012-2013.

The options for 2013-2014 were to retain the current school lunch price or to increase the school lunch price by 5p per meal. The impact of each option on the service was set out in detail as part of the report. The short term financial position and projected outturn for 2012-2013 were also included.

Education Catering Services created the budget for the 2013-14 financial year using the protocol of a 5p increase effective from September, 2013. This increase allowed the service to meet its budgetary targets whilst accommodating the inflationary pressures from food costs, salary increases and funding reductions. Retention of the current lunch price would require the service to use the surplus generated in 2012-2013 to offset any income shortfall.

Cabinet Members were mindful of the impact of welfare reform and to mitigate any further financial hardship suggested that the current price of a school meal be held for a further year, but the subsequent two years the cost of a meal be increased by 5p per year (Option 1).

Resolved:- (1) That the price of a school lunch be not increased by 5p and be maintained at the 2012/13 price as detailed in Option 1.

(2) That the surplus generated in 2012/13 be used to offset the budget shortfall created from the retention of the current meal price.

(3) That the price of a school lunch be increased by 5p in both 2014/15 and 2015/16 school years.

**C38 MARCH FLATTS COMMUNITY HALL AND LAND, MARCH FLATTS ROAD, THRYBERGH**

Councillor Smith, Cabinet Member for Regeneration and Development Services, introduced a report by the Strategic Director of Environment and Development Services, which proposed the disposal of the above-mentioned site which was surplus to the requirements of the Department of Housing and Neighbourhood Services and no longer required by the previous trustees.

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

Resolved:- (1) That the disposal of the asset on the basis set out in Option 3 of this report be approved.

- (2) That the Director of Audit and Asset Management negotiates the terms of disposal.
- (3) That the Director of Legal and Democratic Services completes the necessary documentation.

**(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM URGENTLY IN ORDER TO SECURE A LEVEL OF LEVERED FUNDING)**

**C39 CONSTRUCTION WORKS TO 133 NON-TRADITIONAL BUILT COUNCIL DWELLINGS IN WATH UPON DEARNE**

Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, presented a report by the Strategic Director of neighbourhoods and Adult Services, which sought approval to invoke Standing Order 38.1, which permitted exemption from normal Contract Standing Orders. This would allow SIG Energy Management (SIGEM) to undertake a package of works, predominantly installation of external wall insulation, at 133 non-traditional built, Council owned dwellings in Wath upon Dearne.

Resolved:- (1) That the contract for the package of works, including external wall insulation, to 133 Council-owned dwellings at Wath-upon-Dearne, be exempt from the provisions of Standing Order 48.2 (requirement to invite between 3 and 6 tenders for contracts with an estimated value of £50k or more) and the contract be awarded to SIGEM.

(2) That existing capital budget be approved to meet the costs of the unfunded works as set out in the report.

(The Mayor agreed to exempt this item from call-in to prevent any prejudice to the Council's interest and allow the Council to secure the Energy Company Obligation funding)