

**THE CABINET
24th July, 2013**

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

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

C46 QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public asked if steps were being taken by the Council to implement the changes to the Dangerous Dogs Act, given that there was cross party support and whether a view had been taken which respected the Council's responsibility?

The Strategic Director of Neighbourhoods and Adult Services confirmed that discussions were still ongoing and nothing had been received indicating any revisions.

In a supplementary question the member of the public reflected local concern in the Broom Valley area allotments and observations of foxes in the area carrying articles such as children's nappies and asked if any action could be taken to ensure children's safety?

The Leader confirmed that the concerns would be investigated further.

C47 DECLARATIONS OF INTEREST

Councillor Lakin declared a personal interest in Minute No. 55 (Proposal to Make a Prescribed Alteration to the Age Range at Trinity Croft Junior and Infant School from 4-11 to 3-11) on the grounds that he was Chairman of the Governing Body of the School that had lodged an objection and left the room whilst that item was discussed.

C48 INVESTORS IN PEOPLE - GOLD STATUS

The Leader was pleased to announce that the external assessment of the Council's Investors in People accreditation was completed successfully and it had been confirmed that the Council had retained its Gold status. He wished to convey his thanks, on behalf of the Cabinet, to all those involved in the process.

C49 ROTHERHAM LOCAL PLAN STEERING GROUP

Councillor Smith, Cabinet Member Regeneration and Development, introduced the minutes of the Rotherham Local Plan Steering Group held on 5th July, 2013.

Reference was made to Minute No. 2 (Site and Policies Document) and congratulations offered to the staff for their hard work to date as part of this process.

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

(2) That the minutes of the Local Plan Steering Group held on 5th July, 2013 be received.

C50 REVENUE BUDGET MONITORING FOR THE PERIOD ENDING 31ST MAY 2013

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance, which detailed since 2011 the funding cuts implemented by the Coalition Government have required the Council to make savings of over £70 million, including £20.2 million savings which the Council must deliver during 2013/14 to deliver a balanced outturn.

This report provided details of progress on the delivery of the Revenue Budget for 2013/14 based on performance for the first two months of the financial year. It was currently forecast that the Council would overspend against its Budget by £4.849 million (+2.2%). The main reasons for the forecast overspend were:-

- The continuing service demand and cost pressures for safeguarding vulnerable children across the Borough.
- Income pressures within Environment and Development Services.
- Demand pressures for Direct Payments, Older People's domiciliary care services and day care for clients with Learning Disabilities.
- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs.
- Some savings targets were currently pending delivery in full in 2013/14.

Although the current forecast revenue pressure was significant, through the implementation of appropriate management actions it should be possible to mitigate the forecast pressure and prevent it from becoming serious. A strategy for addressing the forecast pressure was proposed within this report. This would ensure that the Council was able to deliver a balanced outturn and preserve its successful track record in managing both its in year financial performance and its overall financial resilience.

Support for the strategy was requested to address the 2013/14 forecast pressure of £4.849m. This proposed strategy consisted of three stages and incorporated key principles of increasing income, controlling costs and managing demand. Escalation to the subsequent stages of the

strategy would be dependent on the degree of success in reducing the forecast overspend towards a balanced outturn position.

Resolved:- (1) That the current forecast outturn and significant financial challenge presented for the Council to deliver a balanced revenue budget for 2013/14 be noted.

(2) That with immediate effect, the proposed strategy to bring spend in line with budget by 31st March 2014 be approved.

C51 THE IMPLICATIONS OF THE 2013 SPENDING ROUND FOR THE COUNCIL'S FINANCIAL PROJECTIONS

Councillor Akhtar, Deputy Leader, introduced a report by the Director of Finance, which detailed the implications for the Council of the 26th June, 2013 Spending Round and subsequent announcements. It was intended to inform the Budget Process and the effect of the announcement would be reflected in a revision to the Council's indicative Budget Gap for both 2014/15 and 2015/16.

Detailed information was still awaited in respect of some aspects of the Spending Round to enable a full understanding of its implications for the Council's financial planning. The issues related to:-

- £3.8bn of Health funding would be used for joint commissioning of social care by the NHS and Councils.
- £200m provided for the Troubled Families Initiative.
- £100m to enable efficiencies in collaborative service delivery.
- Schools' Funding.
- Business Rates.
- Housing and Council Tax Benefit Admin Grant.

Even without the above information, it was clear that, as expected, the Spending Review had further significantly increased the pressure on Local Government Finance and Council Budgets like Rotherham. It had, also done nothing to address the concerns of organisations like SIGOMA, that the overall impact of the Government's approach had disproportionately adversely affected authorities like Rotherham.

In terms of the 2014/15 Spending Plans, details announced in the Spending Round on 26th June required a revision of the Council's Budget projections for 2014/15 and 2015/16. The Council was already facing a reduction of 9.1% in Government grant and a budget gap of £19.120m in 2014/15. This had now increased the 2014/15 funding gap by just under £1m to £20.088m. The indicative 2015/16 Funding Gap had further increased by £5m. The changes relating to these increases were set out in detail as part of the report.

Resolved:- That the contents of the report and its implications for the Council's 2014/15 and 2015/16 financial projections be noted.

C52 CORPORATE RISK REGISTER

Councillor Akhtar, Deputy Leader, introduced a report by the Strategic Director of Environment and Development Services, which detailed the current Corporate Risk Register summary. The summary showed the risks associated with the Council's most significant priorities and projects, and actions being taken to mitigate these risks.

The Council's key current risks continued to relate to the financial pressures faced by the Council and the implications of the Welfare Reforms. The report summarised the management actions that were being taken to mitigate these and other risks in the register.

The risk score on the priority relating to achieving economic growth had increased in recognition of the on-going weak economic conditions. The financial risk associated with the administration of Municipal Mutual Insurance had been downgraded following more certainty over the Council's financial liability and the availability of funding to meet the liability.

A new risk relating to Family Poverty (0044) had been added to the register in recognition of it being a key priority for the Health and Wellbeing Board.

Cabinet Members noted the actions being taken to mitigate the risks, especially in Children and Young People's Services and the work being undertaken to deliver in budget.

Resolved:- (1) That the Corporate Risk Register summary attached at Appendix A be noted.

(2) That the current assessment of the Council's top corporate risks be approved.

(3) That any further risks or opportunities that it feels should be added to the risk register be identified.

C53 COMMUNITY INFRASTRUCTURE LEVY : PRELIMINARY DRAFT CHARGING SCHEDULE

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for consultation on a Rotherham Community Infrastructure Levy Preliminary Draft Charging Schedule.

The Community Infrastructure Levy would largely replace off-site Section 106 financial contributions that were negotiated on a site-by-site basis (for example, education provisions). Section 106 would still be used to secure affordable housing, where appropriate, and for on-site mitigation.

The Community Infrastructure Levy would help to deliver the Borough's strategic priorities for infrastructure provision. It would be generated by housing and economic growth and reinvested into further growth and infrastructure. Successful implementation and investment of Community Infrastructure Levy funds would make the Borough more competitive.

Consultants were appointed by the Council in May to undertake a Community Infrastructure Levy Viability Study for the introduction of a Rotherham Community Infrastructure Levy.

The recommended Community Infrastructure Levy rates were based on the ability of development to pay. The Viability Study had shown that Community Infrastructure Levy was viable for residential, convenience retail (supermarkets) and retail warehouse, but not for any other development type.

Approval was being, therefore, sought for consultation on a "Preliminary Draft Charging Schedule", for a nine week period from 5th August to 7th October, 2013. This would largely be a web-based consultation targeted at key stakeholders.

The Council then had an opportunity to consider issues raised by respondents before issuing a Draft Charging Schedule. This would be subject to a further public consultation (expected January – February, 2014) with an opportunity for the Council to consider any additional matters raised. Finally, the Draft Charging Schedule must be submitted for independent examination (typically by a Planning Inspector) – possibly in June, 2014. Adoption would then follow as soon as possible.

Cabinet Members noted that Rotherham was ahead of the game in terms of moving forward with a proposed charging schedule.

Resolved:- (1) That consultation on a Preliminary Draft Charging Schedule for a Rotherham Community Infrastructure Levy be approved.

(2) That a further report be submitted to Cabinet on the outcomes of the consultation in due course.

C54 CORPORATE PRIORITIES

The Leader introduced a report by the Chief Executive which provided the refreshed draft corporate priorities for consideration, together with the more detailed key commitments that formed the draft "plan on a page".

The report also set out the rationale for arriving at these priorities and provided a timetable for final approval and dissemination to staff and partners. The priorities were:-

- Stimulating the local economy and helping local people into work.
- Protecting our most vulnerable people and families, enabling them to maximise their independence.
- Ensuring all areas of Rotherham are safe, clean and well maintained.
- Helping people to improve their health and wellbeing and reducing inequalities within the borough.

Resolved:- (1) That the new priorities and plan on a page be considered and any feedback provided to guide further development and discussion.

(2) That further work take place to identify the outcomes to be achieved and to ensure that the plan reflects the need for a new approach to meet the challenges facing the Council.

(3) That a final version of the priorities and plan be submitted to the Cabinet for discussion and agreement in September, before seeking final approval from full Council.

C55 BUS RAPID TRANSIT NORTHERN ROUTE - FULL APPROVAL AND COLLABORATION AND FUNDING AGREEMENT

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and Development Services, which reported on the current position regarding the Bus Rapid Transit (BRT) North Project and sought approval to submit the Full Approval application to the Department for Transport and to sign the Collaboration and Funding Agreement between the project partners.

In December 2011 the DfT announced that this funding bid was successful and since then significant progress had been made on the Bus Rapid Transit North scheme. The key milestones achieved since then have been:-

- Sheffield City Council (SCC) successfully completed the Compulsory Purchase Order process to obtain the land required for Bus Rapid Transit North in Sheffield.
- Sheffield City Council had tendered and was currently assessing Tenders for the construction of Tinsley Link which formed a substantial part of the Bus Rapid Transit North project.
- Sheffield City Council had secured £3,000,000 from the Growing Places Fund to cover Section 106 (S106) contributions until these have been paid.

Resolved:- (1) That the submission by the SYPTTE on behalf of the project partners of a Full Approval application to the DfT for the implementation of the BRT North scheme, with the bid to seek £19.406m from the DfT towards the total scheme cost of £36m be approved.

(2) That the Collaboration and Funding Agreement Bus Rapid Transit between Rotherham and Sheffield Northern Route be signed.

(The Mayor agreed to exempt this item from call-in on the grounds that it was urgent due to the deadline for submission being 2nd August, 2013)

C56 PROPOSAL TO MAKE A PRESCRIBED ALTERATION TO THE AGE RANGE AT TRINITY CROFT JUNIOR AND INFANT SCHOOL FROM 4-11 TO 3-11

The Leader introduced a report by the Strategic Director of Children and Young People's Services which detailed the proposals to change the age range at Trinity Croft CE Junior and Infant School from 4 to 11 years to 3 to 11 years by establishing a Foundation Stage 1 class.

The proposals have stood from 16th January, 2013 including the Statutory Notice Period from 3rd May, 2013 to 14th June, 2013 and one formal objection had been received.

The proposal may cause some movement from existing pre-statutory age provisions in the local area, but the increased demand for places for 2 year olds that would need to be accommodated would mean that places freed up would be reallocated by this demand.

Resolved:- (1) That, after consideration of the formal objection, the proposal to change the age range at Trinity Croft CE Junior and Infant School from 1st September, 2014 be approved.

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

C57 URGENT CARE CENTRE CONSULTATION

The Leader introduced the Director of Public Health who outlined how the Rotherham Clinical Commissioning Group (CCG) was consulting on a proposal to transfer the NHS Walk in Centre from the Community Health Centre Greasbrough Road to the Rotherham Hospital site. Within this "lift and shift" approach were changes in the way patients would access out of hours unscheduled care, including out of hours GP home visiting and the operation of "walk in".

The proposal had been discussed in detail in by the Health Select Commission who supported the clinical case for integration of the services.

The Health Select Commission did raise the following significant concerns:-

- The capital costs of the proposals in the light of the current economic climate.
- The current NHS walk-in centre situated at Rawmarsh was a relatively new facility, which was valued, well used and in an easily accessible town centre location.
- Whether there would be adequate car parking at the hospital and the possibility that car parking charges may be imposed upon visitors to the service
- Patient access to the hospital site creating a barrier for citizens to access the care they need.

This report reflected the concerns about transport and parking at the hospital site as well as the practical aspects of telephone triage. The Clinical Commissioning Group was firmly of the opinion that the benefits and efficiencies to patients from the clinical model far outweighed the capital costs.

Cabinet Members were in general support of the relocation of this facility as there were benefits, but requested that consideration be given to the concerns raised by the Health Select Commission, streamlining the current triage system and replicating the free parking provision currently at Greasbrough Road at the hospital site.

Resolved:- (1) That the development of an integrated urgent care service in Rotherham that would provide safer emergency care to the people of Rotherham be supported.

(2) That the Director of Public Health work on behalf of the Council with the Clinical Commissioning Group to develop a service that reflected the principles outlined in the report.

(3) That the Clinical Commissioning Group be requested to demonstrate in their final proposals that patients' NHS Constitutional Rights were being appropriately safeguarded.

(4) That the Clinical Commissioning Group consider the concerns raised by the Cabinet, particularly around free parking.

C58

SECTION 106 DEVELOPER EDUCATION CONTRIBUTIONS POLICY

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 sought approval of the draft Section 106 Developer Education contributions policy.

Housing development could have a significant impact on the local education infrastructure and create a projected shortfall in places for local schools. The Section 106 Developer Education Contributions Policy sets out the Council's strategy towards analysing the impact on education and requesting developer contributions towards creating additional school places where necessary and appropriate.

Cabinet Members noted that Section 106 Developer Education Contributions would continue until the Community Infrastructure Levy was in full operation.

Resolved:- That the draft Section 106 Developer Education Contributions Policy be approved.

C59 EXCLUSION OF THE PRESS AND PUBLIC

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

C60 PROPERTY RATIONALISATION - MALTINGS YOUTH AND COMMUNITY CENTRE, MALKILN STREET, ROTHERHAM

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

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

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

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

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

C61 CAPITAL PROGRAMME : CAPITAL RECEIPTS UPDATE

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

The Capital Receipt Programme was forecast over a four year period. The programme reflected the risks associated with disposing of the types of assets the Council currently held for sale and took account of the depressed local and regional markets.

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

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