

THE CABINET
6th August, 2014

Present:- Councillor Stone (in the Chair); Councillors Beck, Doyle, Hussain, Lakin, McNeely, Rushforth and Wyatt.

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

An apology for absence was received from Councillor Smith.

C21 QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A member of the public asked if approval had been sought for the running of a Madrassah on Broom Lane, whether there had been any consultation with residents or members of the public in that area and whether consideration should have been given to using this property as a children's centre or affordable housing?

Councillor Hussain, Cabinet Member for Communities and Cohesion, understood that this former Doctors' Surgery was sold and purchased by a private individual who turned the premises into a faith school for young people in the community.

It was uncertain if there was a need for planning permission for a change of use for the building and it was assumed that the necessary rules and regulations with regards to safeguarding were being adhered to.

In a supplementary question, the member of the public asked if any individual could purchase a private house and use it for a community cohesion purpose and whether the Council were shutting its eyes to certain matters?

Councillor Hussain, Cabinet Member for Communities and Cohesion, pointed out that if there were any concerns over a particular property then this could be picked up with the relevant people for investigation. In terms of the property on Broom Lane the owners of the Madrassah were working in partnership with the community and had agreement by the church opposite to use their car park, which indicated that two different faiths could work together to deliver teaching for Rotherham children.

The Strategic Director of Children and Young People's Services confirmed that people could open faith schools and teaching premises, but were bound by safeguarding rules. If there were any particular concerns about such properties then this should be forwarded on and the issues would be investigated.

(2) A member of the public asked about the adoption of the Local Plan by Council next month and asked if there was to be any further public consultation on the Sites and Policies Document and if any comments received would be considered before the document was adopted?

The Director of Streetpride confirmed that there was to be a prescribed process of consultation which would give the public an opportunity to make further comments.

In a supplementary question the member of the public pointed out the reason for his question was based on his concerns for the consultation process as he had not received any response to his representations on last year's consultation on the Sites and Policies Document. He also pointed out that Redrow Homes were already measuring up a road in Whiston, which would give the public the impression that developments were going to happen irrespective of what the consultation process revealed.

The Chief Executive confirmed that the Local Development Plan and Core Strategy had been the subject of substantial local consultation and in line with national guidelines subsequently considered by the Independent Inspector, who made a number of recommendations. Taking account of public concern the Council challenged certain elements of the Inspector's decision, which led to a successful reduction in the overall housing numbers. The next stage would follow a similar format with the Sites and Policies Document putting a series of proposals forward. All comments would then be reconsidered by the Inspector prior to adoption by full Council.

C22 DECLARATIONS OF INTEREST

Councillor Wyatt declared a personal interest in Minute No. 31 (Business Rate Relief for the new KP Nuts Development at Hellaby) on the grounds that he was related to some people who were members of the Pension Fund at KP Nuts.

Councillor Hussain declared a personal interest in Minute No. 34 (Applications for Hardship Relief) on the grounds that he knew one of the applicants.

Councillor Hussain declared a personal interest in Minute No. 35 (New Discretionary Rate Relief Top Up Applications) on the grounds that he had dealings with these groups in his role as Cabinet Member for Communities and Cohesion.

C23 OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014

The Leader introduced a report by the Director of Legal and Democratic Services, which set out the changes introduced by the Openness of Local Government Bodies Regulations 2014 which come into force on the 6th August, 2014. These Regulations introduced major changes to the way in which public Local Authority meetings may be reported, to allow filming and reporting on all forms of Social Media.

Although the Regulations did present a major change to the way in which people could report Council meetings, they also provided an opportunity to those involved to show the relevance and importance of the decisions made by the Council and the positive and constructive way in which Council business was conducted with a role to play in encouraging greater understanding of, and stimulating greater involvement in, local democracy.

The purpose of this report was to make Members aware of the changes arising from the new Regulations and the actions which the Council may wish to consider in responding appropriately to the new requirements and the need for amendments to the Council's Standing Orders.

The information set out in the report was largely taken directly from the Regulations, as well as the guidance issued by the Department for Communities and Local Government (DCLG), entitled "*Open and Accountable Local Government*".

Cabinet Members noted the changes to regulations and were informed that consideration would now be given to further investigation with costs associated with webcasting in the Council Chamber, Committee Rooms and the John Smith room

Resolved:- (1) That the changes introduced by the Regulations be noted.

(2) That the waiving of Standing Order 18 for the purposes of allowing filming of the Cabinet meeting today be approved.

C24 REVENUE BUDGET MONITORING 2014/15

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Director of Finance which provided details of progress on the delivery of the Revenue Budget for 2014/15 based on performance for the first three months of the financial year. It was currently forecast that the Council would overspend against its Budget by £6.752m (+3.2%).

Members would recall that when the 2014/15 Budget was set there was recognition that there was the potential for this to be a challenging year with the need to manage service demands very closely and that the level of balances reflected this potential increase in financial risk in the system.

The main reasons for the forecast overspend were:-

- The continuing service demand and cost pressures for safeguarding vulnerable children across the Borough.
- Cost pressures arising from some schools converting to academies.
- Income pressures within Environment and Development Services and ICT.
- Demand pressures for Direct Payments within Older People and Physical and Sensory Disability clients.
- Additional, property costs from the continued rationalisation of the Council's buildings as part of the efficiency drive to reduce operational costs.
- Some savings targets were currently pending delivery in full in 2014/15.

Cabinet had agreed the implementation of the opportunity for staff to apply for Voluntary Severance/Voluntary Early Retirement and where this could be supported these savings would help to reduce the in-year financial pressure and also contribute to closing the budget funding gap for 2015/16 and beyond.

As the current forecast outturn was significantly different to budget, Cabinet was asked to support the implementation of the same successful three stage strategy (Section 7.4 of this report) used in 2013/14 to bring spend in line with budget by the end of 2014/15.

The above actions would mitigate the current level of forecast overspend and assist the Council to deliver a balanced outturn and preserve its successful track record in managing both its in year financial performance and its overall financial resilience.

Cabinet Members noted the continuing service demand and cost pressures associated with safeguarding vulnerable children across the Borough and welcomed the extensive work taking place in order to bring down the cost of placements without significantly affecting the quality of services these children received.

Resolved:- (1) That the current forecast outturn and significant financial challenge presented for the Council to deliver a balanced revenue budget for 2014/15 be noted.

(2) That the three Stage Strategy to address the forecast overspend as detailed in this report, to bring spend in line with budget by 31st March 2015 be approved.

(3) That Members of Parliament be notified of concerns relating to budget pressures falling on the Council as a result of some Academy Conversions and implementing the requirements of the Care Bill.

C25 SCRUTINY REVIEW OF THE SANCTIONS AND CONDITIONALITY REGIME

Further to Minute No. 254 of the meeting of the Cabinet held on 21st May, 2014, the Leader introduced a report by the Strategic Director of Environment and Development Services, which detailed the outcomes of the scrutiny review of the sanctions and conditionality regime which was established in response to evidence suggesting that potentially unfair implementation of sanctions was taking place and making the most vulnerable families within the Borough more vulnerable. The purpose of the review was to ensure the Department for Work and Pensions' conditionality and sanctions regime was implemented fairly, consistently and flexibly, reflecting the needs and circumstances of claimants, with increased transparency and more effective partnership working.

The key findings of the review were grouped under four headings: Communication, Flexibility and Discretion, Vulnerable Claimants and Local Working Protocol. There was one overarching recommendation of the scrutiny review, with six recommendations beneath which were all accepted, directed to the partners on the Welfare Reform Steering Group, via Rotherham Partnership, which aimed to establish a local working protocol. The overall aim of this was to ensure complete fairness in the process of implementing sanctions in Rotherham. Within this framework, partners were specifically asked to consider the six elements.

As a consequence of the Scrutiny Review officers received good co-operation from the local Department for Work and Pensions and which assisted with the design of a local protocol that worked well with local citizens.

Following on from the Scrutiny Review the three Rotherham Members of Parliament were advised of the matters raised.

Cabinet Members welcomed this review and hoped that the work programme providers could be involved in the co-ordination of a programme that met the needs of local people.

Resolved:- (1) That the response to the Scrutiny Review of the Sanctions and Conditionality Regime recommendations be approved.

(2) That the scrutiny recommendation to establish a local working protocol around the DWP sanctions and conditionality regime be supported.

(3) That everyone involved in this review be thanked for their input.

(4) That the response to the Scrutiny Review be submitted to the next available meeting of the Overview and Scrutiny Management Board and partners as appropriate.

C26 CSE 2013/14 ANNUAL REPORT AND 2014/15 ACTION PLAN

Councillor Lakin, Deputy Leader, introduced a report by the Strategic Director of Children and Young People's Services, which provided a summary of some of the key achievements in the first year of the CSE Strategy against each of the seven strategic objectives and provided the next steps for 2014-15.

Further information was provided on the details of the partnerships achievements against the seven strategic objectives in the first year of the strategy incorporating case studies, areas of developed good practice and data. Details were also given of planned next steps for 2014/15.

It was to be noted that there have been significant changes in practice and recording procedures over the course of the year as part of the service development and improvement programme. Therefore some statistics, although similar in definition, would not be 'like for like' comparisons.

The Independent Inquiry of historic CSE in Rotherham commissioned by the Chief Executive was drawing to its conclusion and was to be published in September.

In addition, the report from the recent HMIC child protection inspection of South Yorkshire Police was still awaited, which incorporated the follow-up of the 2013 thematic CSE review.

Once published the findings from both these reports and associated recommendations would be incorporated into the multi-agency delivery action plan as appropriate.

Central to these developments was the creation of a Multi-Agency Safeguarding Hub (known as a MASH). Launched in August 2014, the co-located service would bring together key officers to not only tackle CSE, but also domestic abuse, anti-social behaviour and the wider safeguarding children agenda.

In addition, stronger links would be built with local communities, including EU migrants and procedures would be reviewed to make sure looked after children placed outside the area were protected in line with local plans.

Resolved:- That the progress to date by noted and the further development areas be approved.

C27 CHILDREN'S CENTRE BUDGET OPTIONS TO ACHIEVE REQUIRED SAVINGS

Further to Minute No. 7 of the meeting of the Cabinet held on 18th June, 2014, Councillor Rushforth, Cabinet Member for Education and Public Health, introduced a report by the Strategic Director of Children and Young People's Services, which approved the retention of three additional Children Centre buildings Wath Victoria Children's Centre (Wentworth North); Dinnington Children's Centre (Rother Valley South) and Park View Children's Centre (Rotherham North). This increase in the number of Children's Centres from the proposed nine to twelve would cost an additional £350K.

This report assessed the options in detail for budget adjustment, service re-configuration and possible income generation to address the £350K shortfall whilst continuing to achieve the required 2.2m savings.

However, in view of the important contribution that Children's Centres made to improving health outcomes health partners would be approached for a 230K contribution towards the 350k shortfall. This would equate to a 10% budget contribution from health based on the 2015/16 total children's centres budget.

If Health were unable to contribute financially to the shortfall, the Local Authority would have to lose Children's Centre front-line staff who currently delivered services and met health outcomes as part of the children's centre core purpose.

Under these circumstances, a request was made to approach Health to agree to taking on the responsibility for meeting all health outcomes under the Children's Centre Ofsted Framework. This would enable the Local Authority to refocus and prioritise the remaining frontline centre staff to meet the child development, school readiness, parenting elements of the children's centre "core purpose".

Exploration of the service budgets across Children and Young People's Services showed that there was no potential to contribute to the 350K shortfall in light of the significant budget savings to be achieved in 2015-16 and beyond. These services have already had significant budget reductions to achieve the Council's required savings.

On the basis of funding twelve centre buildings instead of the original nine proposed, a review of centre opening times, running costs and staffing structures had been undertaken to identify how the 350K shortfall could be addressed, which would realise £120K contribution towards the £350k shortfall.

Further service reconfiguration to achieve additional savings to further contribute to the shortfall would have a high risk of compromising the children's centre delivery to a point where it was no longer viable.

Cabinet Members were very mindful of the budget reductions from the Early Intervention Grant and the decision by the Council to retain as many Children's Centres as possible.

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

(2) That the following options to address the 350k shortfall be approved:-

- To approach Health partners for a £230k contribution.
- Proposal to achieve £120k from a further Children's Centres service reconfiguration.

C28 PRIORITY SCHOOLS BUILDING PROGRAMME (2)

Councillor Rushforth, Cabinet Member for Education and Public Health, introduced a report by the Strategic Director of Children and Young People's Services, which detailed the Department for Education (DfE) announcement on the 1st May 2014 that the Government would fund a further phase of the Priority School Building Programme (PSBP). The new phase known as PSBP 2, would follow on from the original PSBP launched in 2011 in which Rotherham were successful in their bid to replace Oakwood High School and Wath Victoria Primary School.

PSBP 2 would be a five year programme operating between 2015 and 2021 and would undertake major rebuilding and refurbishment projects in schools and sixth form colleges in the very worst condition.

The Local Authority (LA) was responsible for co-ordinating and submitting applications from all maintained schools and voluntary aided and controlled schools. Academies could either be included in the LA submission or apply on their own behalf.

Expressions of interest had to be submitted online by the 21st July, 2014 and the Local Authority had used the knowledge gained through Building Schools for the Future (BSF) and the Primary Capital Programme, the Asset Management Plan (AMP) and in liaison with the School Admissions Team to establish which schools would form the basis of an expression of interest from the Local Authority to the DfE for inclusion within the PSBP 2.

The Schools chosen were:-

- Badsley Moor Lane Junior School – Replace Junior School.
- Laughton Junior and Infant School – Replace with new school.
- Harthill Primary School - Replace temporary classrooms.
- Wales Primary School – Part new build/refurbishment.
- Swinton Community School.
- St Pius X RC High School.
- Newman School.

Cabinet Members noted the delays in initial Priority School Building Programme, but were content that Oakwood and Wath Victoria would be completed by next year.

Resolved:- That support be given for the inclusion of Swinton Community School, St. Pius X Catholic High School, Badsley Moor Lane Junior School, Harthill Primary School, Wales Primary School, Laughton Junior and Infant School and Newman School in the submission to the DfE for the PSBP 2.

C29 REVIEW OF NEIGHBOURHOOD CENTRES- PHASE TWO

Further to Minute No. 77 of the meeting of the Cabinet Member for Safe and Attractive Neighbourhoods held on 7th April 2014, Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods, introduced a report by the Strategic Director of Neighbourhoods and Adult Services, which detailed recommendations for fourteen of the twenty-three neighbourhood centres and emerging proposals for the laundry facilities. Recommendations for the remaining nine neighbourhood centres, laundry and guest bedroom facilities would be submitted to a future meeting.

Tenants residing on a scheme with access to a centre have to pay a mandatory communal facility charge (CFC) which was currently set at £4.77 per property per week as agreed within their tenancy agreement for use and access to the neighbourhood centre. This charge provided income for the centres to support the associated running costs.

A review of the centres was initiated following customer requests in relation to the potential to opt out of the communal facility charge and declining usage of the facilities by residents.

In addition, increasing management costs due to rises in utility costs and repairs and maintenance requirements, had resulted in the centres operating at an overall financial deficit and consequently creating budgetary pressures.

A thorough consultation exercise for each of the neighbourhood centres, including communal lounge areas, guest bedrooms and laundry facilities had been undertaken, to determine proposals relating to future use.

Based on a range of parameters including usage, financial information, Ward Member feedback and consultation responses from tenants the recommendations for the remaining twenty-three neighbourhood centres were as follows:-

- Retain four neighbourhood centres which were considered to be sustainable.

- Ten neighbourhood centres (including communal lounge, laundry and guest bedroom facilities) were considered to be unsustainable, of these it was proposed to:-
 - Convert eight centres to residential units; the centres would be converted and re-let as Council homes to support housing need and demand.
 - Asset transfer two centres; expressions of interest have been received which comply with the relevant policy. This would allow management of the centres and the associated costs to be transferred to the identified group (including removal of the communal facility charge) as well as retaining a community facility. The proposed asset transfer of the two units identified would transfer full management and maintenance responsibilities to the lessee. However, if asset transfer did not go ahead then the units would be converted to residential units.
- Five neighbourhood centres have been identified as unsustainable, however, current usage of the laundry facility was above the proposed minimum threshold. Recommendations would, therefore, be deferred until the laundry consultation had been concluded.
- Four neighbourhood centres were being deferred pending further analysis

It was recommended that further consultation in relation to the proposed laundry charge be undertaken to enable recommendations to be concluded.

A programme of investment would be undertaken to improve the service offer within retained centres including both decoration and new furniture as required to encourage further use of neighbourhood centres. This would support the Council's wider emerging older peoples housing strategy objectives in relation to maintaining independence, preventing social isolation and promoting health and wellbeing and would provide suitable facilities for what was hoped would be a wider range of health and social activities.

Resolved:- (1) That the decommissioning and alternative use of ten neighbourhood centres (including communal lounge, laundry and guest bedroom facilities) as identified in Appendix 1 be approved.

(2) That the retention of a further four neighbourhood centres as identified in Appendix 1 be approved.

(3) That the rationale for the laundry facilities as detailed in 7.3 be supported and the recommended consultation in relation to the proposed increased charge be approved.

(4) That the proposed next steps identified in 7.6 be noted.

C30 YORBUILD2 CONSTRUCTION FRAMEWORK

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Strategic Director Environment and Development Services, which set out proposals for the procurement of a YORbuild 2 Construction Framework and for the Council to continue in its lead role within the management of the YORhub frameworks.

The YORbuild1 Construction Framework had been in place since December, 2009 and had successfully delivered building projects both in Rotherham and more broadly in the Yorkshire and Humberside Region. The Framework provided for speedy, efficient and inexpensive procurement of construction contracts. It also supported local employment and economy objectives by providing employment and skills opportunities to local residents.

Local contractors would be advised about the opportunities from being involved in the Framework and encouraged to participate in it.

There could be a small unbudgeted cost associated with setting up the Framework, although there was only a small risk of this falling directly on the Council as other funding was expected to be available to cover the costs.

Resolved:- (1) That Rotherham continue as the lead authority for the South Area of YORbuild Construction Framework in procuring Yorbuild2 and enter into a partnership agreement with the other lead authorities for the procurement of the Framework.

(2) That a framework be entered into for contract agreements with the contractors appointed under the Framework.

(3) That the Cabinet Member for Planning, Highways and Street Scene Services be authorised to approve recommended lists of contractors for tender and, subsequently, lists of contractors for appointment to the Framework.

(4) That Rotherham continue to participate in the management of the YORhub frameworks including the YORhub Framework Board.

C31 BUSINESS RATES RELIEF FOR THE NEW KP NUTS DEVELOPMENT AT HELLABY

Councillor Wyatt, Cabinet Member for Finance introduced a joint report by the Director of Finance and Strategic Director of Environment and Development Services, which sought approval to support KP Nuts moving in to a new factory on the Hellaby Industrial Estate, by assisting the company with business rates relief. The company were moving from their

old building at Eastwood and investing circa £15 million in a new facility at Hellaby, safeguarding 144 jobs and creating 62 new jobs by 2016.

Business rates payable for the new building totalled £198,825.00, however this was based on an estimate that the Valuation Office Agency (VOA) provided on 16th October, 2013. A request has been made to the Valuation Office Agency for a formal valuation now that the property was occupied and operational. The final rateable value could be higher or lower than the estimate. This was £85,073 per annum higher than their existing building (based on estimate only). It was proposed to hold rates payable for the new building at the same level as the old building for three years until tax year 2017 – 18 subject to State Aid de minimis limits.

Cabinet Members were supportive of maintaining this business in Rotherham and the safeguarding of employment for local people.

Resolved:- (1) That the support to KP Nuts with their business rates payment for three years from the 2014/15 year be approved as this would enable the company to invest and grow here in Rotherham, safeguarding existing jobs and create new jobs in the future.

(2) That as a result of EU State Aid Regulations, the support be limited to 200,000 Euros over the three year period, which equates to £161,290 at 1.24 Euros to the £.

(Councillor Wyatt declared a personal interest in Minute No. 31 (Business Rate Relief for the new KP Nuts Development at Hellaby) on the grounds that he was related to some people who were members of the Pension Fund at KP Nuts)

C32 NOS. 25 - 29 HIGH STREET, 'THE THREE CRANES', AND NO. 29A HIGH STREET

Further to Minute No. 135 of the meeting of the Cabinet held on 27th November, 2013, Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director Environment and Development Services, which set out the formal request from a local businessman, Mr. Chris Hamby, for:-

- An additional long term capital finance loan from the Council of £300,000 to bring the re-development of Nos. 25 – 29 High Street 'The Three Cranes'; and No. 29a High Street, a former Georgian Town House, to a successful conclusion.
- A grant of £190,000 from the Council to help bridge the funding shortfall which had arisen through the unforeseen delays and additional costs incurred by Mr. Hamby in delivering this complex heritage project.

The previous loan facilities were to facilitate the purchase and subsequent re-development of Nos. 17,19 and 21 High Street along with the following listed buildings: Nos. 25 – 29 High Street ‘The Three Cranes’; No. 29a High Street a former Georgian Town House and The George Wright Building.

Development by a private sector owner was necessary to lever in Heritage Lottery Funding (HLF) to meet the cost of additional works to the listed buildings.

Mr. Hamby had since drawn down on the loan facility in full and successfully completed the redevelopment of Nos. 17, 19 and 21. Work had also commenced on the three Grade 2 Listed buildings, Nos. 25-29 (Alfonso's and Three Cranes) and the George Wright building and the work on these properties was scheduled to be completed by the end of December, 2014.

There have, however, been significant delays on the redevelopment of the three listed buildings. This had arisen due to delays in securing the HLF funding, the severe winters causing additional damage to the fabric of the building, additional unforeseen structural issues and subsequent additional costs associated with specialist archaeological and architects fees. In addition extra “abnormals” such as unforeseen works to the basement of 29 High Street and the party walls to 25/27 and 29 High Street have led to further costs that were not anticipated at the start of the project. The result was that Mr Hamby was experiencing a funding shortfall in order to complete the full restoration of these important historical buildings.

The Cabinet, therefore, had two options to consider:-

- Option 1 - not provide assistance
- Option 2 – to provide further financial assistance

Cabinet Members welcomed the opportunities to support organisations or people through prudential borrowing where the benefit was for the Rotherham people and the Borough.

Resolved:- (1) That the financial support towards the regeneration of Rotherham High Street buildings as detailed in Option 2 of this report being the provision of a capital loan facility of up to £300,000 and the payment of a capital grant of £190,000 be approved.

(2) That responsibility for drawing up the financial agreement on appropriate terms and conditions be delegated to the Director of Financial Services and Responsible Legal Officer.

(3) That the urgent decision be exempted from the call-in process due to the need to secure additional funding and the need to meet HLF funding deadlines.

(The Mayor agreed to exempt this item from the call-in process due to the urgent need to secure additional funding and the need to meet HLF funding deadlines.)

C33 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 it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relates to finance or business affairs).

C34 APPLICATIONS FOR HARDSHIP RELIEF

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Director of Finance, which detailed two organisations which have applied for Hardship Relief under Section 49 of the Local Government Finance Act 1988.

The details of the applications, along with the financial and legal information, were set out in detail as part of the report.

Resolved:- (1) That the relief in both cases be refused in line with previous decisions and in accordance with the policy approved at Cabinet on 24th April, 2013 on the basis that:-

- The problems regarding cash flow do not appear to be a one off and seem set to continue.
- There was no evidence that assisting as requested would lead to the long term sustainability of the businesses.
- There was nothing to suggest that the hardship was as a direct result of unusual factors outside the control of the businesses.

(Councillor Hussain declared a personal interest in Minute No. 34 (Applications for Hardship Relief) on the grounds that he knew one of the applicants)

C35 NEW DISCRETIONARY RATE RELIEF TOP UP APPLICATIONS

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Director of Finance, which provided details for four organisations currently in receipt of Section 43 Mandatory Relief which have applied for 20% Discretionary Relief top up.

The details of the four applications, along with the financial and legal information, were set out in detail as part of the report.

Resolved:- That the relief to all applicants be refused in line with previous decisions and in accordance with the policy agreed at Cabinet on 24th April, 2013.

(Councillor Hussain declared a personal interest in Minute No. 35 (New Discretionary Rate Relief Top Up Applications) on the grounds that he had dealings with these groups in his role as Cabinet Member for Communities and Cohesion)

C36 COMMUNITY RIGHT TO BID

Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director Environment and Development Services, which set out details of a recently received objection to the original successful listing of a property within Rotherham's Register of Assets of Community Value and noted the provisional decision of an internal adjudication decision.

Details of the application, the objection from the landowner with a request for an internal review, the appeals assessment criteria and the decision made to uphold the objection were considered on the basis set out in the report.

Resolved:- That the proposed decision be authorised to uphold the objection received.

C37 FORMER LIBRARY AND NEIGHBOURHOOD OFFICE, RAWMARSH HILL, RAWMARSH

The Leader 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 surplus to the requirements of the Children and Young People's Services and Neighbourhoods and Adult Services Directorates.

Details about the asset, its state of repair and the approaches with proposals from two local parties were considered and were set out in detail as part of the report.

Taking into account these approaches, the options for the future use of the site were considered:-

- Option 1 – Lease at market rent and (subsequent) dispose of the asset to Party 1.
- Option 2 – Asset transfer lease to Party 2.
- Option 3 – Sale of the asset on the Open Market.

A Ward Member also requested that, as part of the options for the site, that in the event of demolition the historical fascia or features of the building be retained or preserved in some way.

Cabinet Members sought clarification on whether all three options had been fully explored and received information relating to each in turn.

Resolved:- (1) That the Director of Audit and Asset Management be approved to dispose of the asset on the basis recommended in Option 3 in the report.

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

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

C38**DISPOSAL OF LAND AT PITHOUSE WEST**

Further to Minute No. 111 of the meeting of Cabinet held on 5th December, 2012, Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director Environment and Development Services, which set out details on negotiations for the disposal of land at Pithouse West following previous Cabinet reports of 11th April and 5th December, 2012.

Further information was provided on the previous agreement and its terms of sale, milestone events, update on the current scheme and the reason for consideration of the termination of the development agreement.

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

(2) That the recommendations contained in Section 7.5 of the report be approved.

(3) That a progress report be presented to Cabinet in three months' time.