

**THE CABINET  
15th October, 2014**

Present:- Councillor Lakin (in the Chair); Councillors Beaumont, Beck, Hoddinott and Hussain.

Apologies for absence were received from Councillors Doyle and Godfrey.

Also in attendance were:-

Councillor Steele, Acting Chairman of the Overview and Scrutiny Management Board.

Councillors Cowles, Parker Reeder, C. Vines (UKIP Opposition Party).

**C66 INTRODUCTIONS**

The Leader of the Council declared that in the spirit of increasing openness and transparency, not provided for in Standing Orders, he intended to allow other Members of the Council, not on the membership for the Cabinet, to ask questions at the meeting. This would follow the same principle for members of the public, with the same time limit of twenty minutes.

In view of the availability of confidential reports to the UKIP Group, it was proposed that the Leader of this Group be allowed to remain in the meeting to observe the consideration of confidential items, but this would be assessed on each occasion against the statutory criteria for disclosure.

**C67 QUESTIONS FROM MEMBERS OF THE PUBLIC**

(1) A member of the public referred to the Kinkids Support Group, which originated from Rotherham and had links with other Councils across the country. Across South Yorkshire Kinkids was supporting a number of young people who may be survivors of child sexual exploitation which had shown to have taken place in Rotherham. Doncaster and Grimsby Councils were already integrating the support provided by Kinkids and it was asked if the Group could be recognised in Rotherham and for the Council to provide help and support moving forward.

The Leader confirmed that a meeting had been arranged with the Kinkids Support Group during week commencing 20<sup>th</sup> October, 2014.

(2) A member of the public referred to the Sites and Policies Document which contained a number of green belt sites and also the Council's housing allocation on existing green belt land. Bearing this in mind, the recent revisions to the National Policy Framework and the announcement by the Secretary of State for Communities and Local Government about

the greater degree of protection to the green belt, where did the Council stand on the proposal to amend the green belt boundaries and developments on existing green belt land?

The Strategic Director of Environment and Development Services confirmed the adoption of the Core Strategy by the Council on the 10<sup>th</sup> September, 2014 which would determine the housing requirements across the Borough in line with the National Policy Framework. The Sites and Policies Document was currently out for consultation identifying sites to meet the demands of need and land suitability having had a revised reduced local housing target following challenge by the Council against the Inspector's original housing figure. This approach would seek to minimise the use of green belt land where possible.

(3) A member of the public referred to the post abuse support and asked why this funding was not ring-fenced before it was extended to include other victims of abuse. The member of the public asked for the £120,000 to be just available for victims of child sexual exploitation. The Jay Report highlighted that at least 1400 children were not only victims of child sexual exploitation, but had also been massively and repeatedly failed by this Council and exceptions should be made to ensure they could access the support on offer.

It was also asked why was Neighbourhoods and Adult Services and not Children's and Young People's Services the Lead Directorate on post abuse support. Introducing another Directorate and one not expert in child sexual exploitation abuse increased the risk of post-child sexual exploitation abuse support not meeting victims' needs and complicating.

The Strategic Director of Neighbourhoods and Adult Services set out the reporting lines which fell under his remit for Commissioning, but which worked directly from the Children and Young People's Services Directorate.

The Strategic Commissioning Manager also confirmed that the £120,000 was ring fenced specifically for victims of child sexual exploitation and there were no plans to broaden to a much wider audience as outlined in the report which was also on today's agenda and which would be subject to further consideration to increase capacity beyond 1<sup>st</sup> April, 2015.

In a supplementary question the member of the public asked what input had victims had in deciding the nature of the post-abuse support that would be offered as both the Jay Report and the Children's Commissioner Report "If Only Someone Had Listened" stressed the vital importance of victims being involved in decisions on the support available to them.

The Commissioning Officer explained that from April, 2015 the commissioning process would have been progressed and would include the voice and influence of victims as part of these arrangements.

(4) A member of the public referred to the recent appearance of the Leader of the Council before the Home Affairs Select Committee on Monday where he was quoted as saying "he was not a bully, had never been a bully and had a zero tolerance to bullying". He described his own position of being bullied, discriminated against and intimidation by Rotherham Borough Councillors and named Councillor Dalton along with a current member of the Cabinet.

The member of the public also referred to the Council's Monitoring Officer who had refused to investigate his complaints about bullying and asked if the Leader would be prepared to discuss the issue of bullying by Rotherham Councillors?

The Leader confirmed he would be happy to meet the member of the public and asked that he get in contact so arrangements could be made to meet.

In a supplementary question the member of the public asked if the Leader would ask Councillors to stand down immediately if they were found to have lied in statements to the Standards Committee?

The Leader asked that a meeting be arranged and for all matters to be considered before any action was taken.

(5) A member of the public asked about the role and remit of a Senior Adviser to a Cabinet Member and whether they received the same information as a Cabinet Member?

The Leader explained that the roles of Senior Advisers and Advisers was to assist and provide advice to the Cabinet Member in reaching their decision with appropriate support.

In a supplementary question the member of the public asked if it was true that Senior Advisers had the same amount of information and papers provided to them as a Cabinet Member?

The Leader explained that certain information was provided to Cabinet Members only and depended very much on the content.

(6) A member of the public referred to the grooming of young people and asked about funding to support groups to support the 1400 victims.

The Leader confirmed that this would be part of the discussion already referred to in Question 1.

## **C68**

### **QUESTIONS FROM ELECTED MEMBERS**

(1) Councillor Cowles referred to the recent statement by the Secretary of State for Communities and Local Government and asked if Rotherham would stand up and make it clear to the Inspector that there would be no

building of housing on green belt until all the brownfield sites had been utilised to stop cherry picking. This would prevent the brownfield sites being left to become tips and eyesores and would give a clear message to the Inspector and challenge that this was not good for Rotherham.

The Strategic Director of Environment and Development Services pointed out that Rotherham had made strong representations to the Inspector and which led to a revised housing target. The Core Strategy had been adopted by Council, but as part of the Sites and Policies Document the Inspector would consider the sites put forward and may or may not support them. The Council could, if it felt there had been an error in the law, seek to Judicial Review the decision if what was being proposed was not sensible for Rotherham.

In a supplementary question Councillor Cowles asked that the Inspector be strongly informed what the people of Rotherham wished to be included and that any other suggestions be resisted to prevent certain sites being cherry picked.

The Strategic Director of Environment and Development Services confirmed that any suggestions would be based on professional advice and in line with the Nation Policy Framework and every opportunity would be made to seek a sensible way forward as part of the Sites and Policies work.

(2) Councillor C. Vines asked about the recent outbreak of Ebola and asked what measures the Cabinet were putting in place in the event of a confirmed case in Rotherham?

The Director of Public Health explained that the responsibilities lay with Public Health England and the N.H.S. locally to deal with any confirmed case. Information had been shared with all General Practitioners and Sheffield was identified as an isolation centre. The Local Authority's role would be around the decontamination of any premises in line with guidance from Public Health England.

In a supplementary question Councillor C. Vines referred to the twenty-one day incubation period and pointed out that a case was very likely to come to Rotherham from either Nigeria or Somalia.

The Director of Public Health confirmed that Ebola was not present in either Nigeria or Somalia and that the infection was isolated to Sierra Leone and Liberia in a well confined area. The incubation period for the virus was from two to twenty-one days and anyone coming into contact with someone who had the virus outside this time period would not be infectious. There would inevitably be some scares with people presenting with high fevers to their General Practitioners, but this would not necessarily be Ebola and the public were not considered at risk in Rotherham.

(3) Councillor Parker referred to the budget constraints on Councils, but in view of the recent events asked if additional funding could be identified for victims of child sexual exploitation, in addition to the £120,000 already identified, which was clearly a good start, but additional funding may be required.

The Director of Finance confirmed that there would be medium and long term needs for funding. Consideration was being given to a potential way forward, possibly from earmarked reserves managed through a contingency budget to support the work once the outcomes of the current inspections in conjunction with the Jay Report were known.

In a supplementary question Councillor Parker asked if further funding was required quickly whether any consideration had been given to budgets around community cohesion and the possible use of them.

The Deputy Leader confirmed that discussions were taking place in the Council and with partner agencies about longer term solutions for support to victims of child sexual exploitation. Funding had been made available in the short term and any further ideas were welcome.

#### **C69        DECLARATIONS OF INTEREST**

Councillors Hoddinott and Steele declared personal interests in Agenda Item No. 6 on the grounds that this was connected to their employment and left the room whilst matters were discussed.

Councillor Beck declared a personal interest in Agenda Item No. 12 on the grounds that this was connected to his employment and left the room whilst matters were discussed.

#### **C70        RMBC/TRADES UNIONS JOINT CONSULTATIVE COMMITTEE**

Councillor Hussain, Cabinet Member for Environment, introduced the minutes of the RMBC/Trades Unions Joint Consultative Committee held on 11<sup>th</sup> July, 2014.

Resolved:- (1) That the issues and discussions be noted.

(2) That the minutes of the RMBC/Trades Unions Joint Consultative Committee held on 11<sup>th</sup> July, 2014 be received.

(Councillors Hoddinott and Steele declared personal interests on the grounds that this was connected to their employment and left the room whilst matters were discussed.)

**C71 POST-ABUSE SUPPORT ARRANGEMENTS**

Councillor Hoddinott, Deputy Leader, introduced a report by the Commissioning Manager, as it had been recognised that additional capacity was required to enable immediate post-abuse support to be provided to victims of abuse and child sexual exploitation in Rotherham.

The Leader of the Council announced on 10th September, 2014 that £120,000 had been made available for the period until March, 2015 and would be utilised to provide an immediate response. This was short term funding until 31st March, 2015 whilst a future service model was being developed to commission post abuse service for the longer term from 1st April, 2015.

The report proposed the commissioning of this £120,000 to deliver increased capacity, counselling/family support services from the Voluntary and Community Services sector in Rotherham to support victims via the following organisations:-

- GROW - £20,000.
- Rotherham Women's Counselling Service (RWCS)/Pit Stop for Men - £20,000.
- South Yorkshire Community Foundation (SYCF) - £20,000.
- Additional Voluntary Sector Organisations - £49,000.
- Contingency - £11,000.

Representatives of three organisations were invited to give short presentations on the work that they did and how they would use the additional funding proposed to provide the support.

The organisations were South Yorkshire Community Foundation, G.R.O.W. and Rotherham Women's Counselling Service and Pit Stop for Men.

(1) Jill Heggie from Rotherham Women's Counselling Service and Pit Stop for Men gave a presentation highlighting the areas of:-

- The history of the service.
- The number of sessions provided each week.
- The current service and what this included funded by the Heritage Lottery Fund.
- Office staffing, rent and secured funding.
- Current work arrangements, number of counsellors and contracted hours.
- Number of referrals identified in the Annual Report 2013.
- Activity during 2013 and current number of referrals for 2014.
- Outcomes of sessions.
- Organisational needs moving forward.
- Use and planned spend of the £20,000 funding from the Council.

Cabinet Members sought clarification on current numbers and whether there had been a marked increase following publication of the Jay Report, targeting support for those in need and the increased numbers and dealing with pressure through demand and whether the N.H.S. were also provided services of this nature.

Information was provided on the increase of referrals following the Jay Report, the average number of sessions accessed by those in need and the support provided by specialised services in the N.H.S. It was also pointed out that every effort was being made to increase counsellor capacity to meet demand, but this was restricted by the physical space available.

(2) Sue Barratt and Joanna Jones from G.R.O.W. gave a brief overview of the organisation, which had been in operation for the past twenty-six years and was currently delivering a number of different projects. The organisation was made up of nine workers dealing with on average three hundred and fifty women a year and their families.

The support offered did not focus specifically on one issue and it was now recognised that child sexual exploitation may be part of the problems.

The funding would be used to assist those in need with their communication skills in order that they could move towards positive life opportunities. Current projects included:-

- Teenage parents pathway.
- Pilot with five families referred from the Sexual Assessment Referral Centre.
- Young women aged thirteen to eighteen relevant to the work of child sexual exploitation.
- Early health and family support.

The funding would also support:-

- Involve Project 2013/14 and the aim to support young people.
- Positive outcomes for eighteen young people engaged with the project 2013/14.
- Positive outcomes for five families and their ten children engaged with the project.
- Year 2 2014 Outcomes.
- Post abuse funding for an additional full-time worker and an additional part-time post.

Cabinet Members asked a range of questions specifically around future funding and sustainability of organisations, funding from the Police and Crime Commissioner and the organisation's access to those in need.

(3) Ruth Willis from the South Yorkshire Community Foundation gave a brief overview of the organisation which focused on setting up and the management of funds for other organisations.

There were four key areas of activity which included:-

- Building endowments.
- Awarding grants South Yorkshire wide, of which approximately a quarter were in Rotherham.
- Administration of four large active funds.
- Providing funding advice through the South Yorkshire Funding Advice Bureau.

The Foundation was well placed for organisations to move quickly to set up funds where necessary. A recently launched CSE fund, supported by the High Sherriff, would enable groups to access money in the form of a grant of up to £5,000 or more in exceptional circumstances. A number of groups through this network were being funded to provide increased capacity to meet the post-abuse needs of child sexual exploitation victims and the funding was ring-fenced for increased capacity across Rotherham.

Resolved:- (1) That the proposals as set out to deliver immediate post-abuse support across Rotherham until 31st March, 2015 be approved.

(2) That Jill Heggie, Sue Barratt, Joanna Jones and Ruth Willis be thanked for their informative presentations outlining their use of the proposed additional funding support.

## **C72 RECRUITMENT TO HEADSHIPS DURING SCHOOL AMALGAMATION POLICY**

Councillor Beaumont, Cabinet Member for Children and Education Services, introduced a report by the Principal Officer for School Organisation, which reaffirmed the previously agreed processes for the recruitment of Head Teachers to newly amalgamated Schools.

Prior to the implementation of processes in November, 2011 there had been a presumption that where separate Infant and Junior Schools were to be amalgamated that one of the current Head Teachers would automatically be appointed to the post of Primary School Head Teacher post amalgamation. This practice had previously led to newly amalgamated schools in some cases not making expected progress and in some cases adversely affecting the Schools OFSTED inspection outcomes.

The purpose of the Policy being presented was to outline the arrangements with regard to re-organisation of Primary Schools in the Borough through amalgamation and intended to improve outcomes for pupils through accelerating pupil progress particularly at points of



transition between schools, strengthen school leadership and provide improved value for money from financial and human resources.

Resolved:- That the Policy in relation to the recruitment of Head Teachers where schools are to be amalgamated be approved.

### **C73 REVENUE BUDGET MONITORING FOR THE PERIOD ENDING 31ST AUGUST 2014**

Councillor Hoddinott, Deputy Leader, introduced a report by the Director of Finance which provided details of progress for the first five months of this financial year. It was currently forecast that the Council would overspend against its Budget by £3.105m (+1.5%).

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.

Following Cabinet's approval to provide a window of opportunity for Voluntary Early Retirement/Voluntary Severance (VER/VS) permission had been given for forty-four employees to leave the Council and decisions regarding thirty-four applications were pending. Savings arising from these staff releases were reflected in the forecast outturn position.

Members were asked to note that on 2<sup>nd</sup> September, 2014 the Chief Executive used his delegated authority (Cabinet Minute No. C24 6<sup>th</sup> August, 2014) to implement a moratorium on non-essential spend. This would assist with reducing the forecast overspend.

There were a small number of historic, recurrent budget pressures across the Council. Approval was requested within this report for a permanent budget virement (realignment of budget) to address these, which related to:-

- £700k recurrent ICT income pressure due to the renegotiated prices charged to Schools for the Rotherham Grid for Learning and a number of schools leaving the service (£387k) and recurrent unachievable income targets due to reduced headcount across the Council and reduced customer ICT development spend (£313k). It should be noted that this income pressure exists despite a significant reduction in staff and other related costs within the ICT service over the last 3 years.

- £97k to address the forecast recurrent income pressure in Parking Services due to the likely impact of the new Tesco store.
- £437k to address the non-delivery of the corporate commissioning savings target set in previous years. Members should note that current directorate commissioning savings targets are being delivered.
- £166k to address a previous year's unrealisable income targets associated with proposed Housing related Customer services developments.

Additionally, Cabinet was asked to formally approve virement of the uncommitted balance of the Central Services Local Investment Budget (£120k) to provide additional support services for victims, families and those affected by Child Sexual Exploitation as announced by the Leader of the Council.

Revenue staff savings from the day of industrial action (10<sup>th</sup> July, 2014) amounted to £86k. Cabinet was asked to support a recommendation that these savings be utilised to reduce staff cost pressures contained within Appendix 1 which were part of the overall forecast Council overspend.

Continued close management of spend remained essential if the Council was to deliver a balanced outturn and preserve its successful track record in managing both its in year financial performance and its overall financial resilience.

It was also suggested that the continuing service demand and cost pressures for safeguarding vulnerable children across the Borough be considered further by the Self Regulation Select Commission.

Cabinet Members sought clarification on the contribution by Rotherham to the Sheffield City Region and welcomed the opportunity for further scrutiny of the budget, specifically around the demand and cost pressures for vulnerable children.

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

(2) That the Budget Virements proposed at Section 7.4 of this report be approved.

(3) That use of the revenue savings from the day of industrial action to contribute to reducing staff cost pressures within the overall forecast Council overspend be approved.

(4) That the Self Regulation Select Commission consider, as part of their work programme, the continuing service demands and cost pressures for safeguarding vulnerable children across the Borough.

#### **C74 SCRUTINY REVIEW - HOMELESSNESS**

Further to Minute No. 255 of the meeting of the Cabinet held on 21<sup>st</sup> May, 2014 Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director of Neighbourhoods and Adult Services, which was welcomed and provided an opportunity to raise awareness and also explained homelessness procedures.

As the review coincided with the renewal of the Homelessness Strategy 2014 to 2018 most of the recommendations from the review were incorporated into the Homelessness Strategy Action Plan 2014 - 2018.

All of the recommendations were accepted and would continue to be monitored in due course apart from Recommendation No. 3 regarding the option of issuing a newsletter to private sector landlords. It was, therefore, suggested that this be amended to offer an alternative method of communication with private sector landlords as it was anticipated that other methods of communication, i.e. Council website, landlord forums and the landlord accreditation would offer ample opportunities to promote the benefits of the private rented sector and how they could contribute towards reducing homelessness.

Reference was also made to the subject of revenge evictions and whether this could be researched further and it was reported that work with landlords would continue to explore all options of sustaining tenancies.

Resolved:- (1) That the response to the Scrutiny Review of Homelessness be approved with the revision to Recommendation No. 3.

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

(3) That the response to the Scrutiny Review be submitted to the next available meeting of the Overview and Scrutiny Management Board.

#### **C75 SCRUTINY REVIEW - URINARY INCONTINENCE**

Councillor Dalton, Chairman of the Review Group, introduced the report which set out the findings and recommendations of the scrutiny review of urinary incontinence.

This review was approved by the Overview and Scrutiny Management Board as part of the work programme of the Health Select Commission. The key focus of Members' attention was to establish the extent to which preventive measures were promoted in Rotherham to reduce urinary incontinence, given the impact it had on people's quality of life.

There were three aims of the review, which were to:-

- Ascertain the prevalence of urinary incontinence in the Borough and the impact it has on people's independence and quality of life.
- Establish an overview of current Continence Services and costs, and plans for future service development.
- Identify any areas for improvement in promoting preventive measures and encouraging people to have healthy lifestyles.

Urinary incontinence affected all age groups and should not be viewed as inevitable as people get older. Many forms may be treated or cured and it was vital to expand preventative work and continence promotion to try and reduce the numbers of people becoming incontinent. It was also important to ensure more people were having an assessment of the cause of the problem rather than coping as best they could with off the shelf products or struggling because they are too embarrassed to seek professional help.

Members recognised the good services provided by the award winning Community Continence Service (CCS) and that the Rotherham Clinical Commissioning Group had been unique in reducing expenditure on continence products in the last five years yet delivering improved outcomes for service users. The Community Continence Service did engage in preventative work and plans for future service development included greater focus on this area. One workstream would be to consider developing an integrated continence care pathway, with a single point of access.

General awareness raising with both the public and health and care professionals was needed to emphasise the importance of good bladder and bowel health and how healthy lifestyle choices could help to prevent incontinence. Pelvic floor muscle training had been proved to relieve symptoms and may reduce the risk of developing stress incontinence. More people could be encouraged to do these exercises as a preventative measure and there was scope to consider if they could be incorporated more widely within sports and fitness activities.

The spotlight review made six recommendations which were:-

- 1 RMBC and partner agencies should ensure all public toilets in the Borough are clean and well equipped to meet the needs of people who have urinary incontinence, including suitable bins for the disposal of equipment and disposable products.
- 2 Greater links should be established between the Community Continence Service and Rotherham MBC Sport and Leisure team to support people to participate in appropriate sport and physical activity.

- 3 Rotherham MBC and other sport and leisure activity providers should consider building more pelvic floor exercises into the Active Always programme and wider leisure classes.
- 4 There should be greater publicity by partner agencies to raise public and provider awareness of:
  - (a) The importance of maintaining good bladder and bowel health and habits at all life stages (through media such as screens in leisure centres and GP surgeries, further website development, VAR ebulletin and a campaign during World Continence Week from 22-28 June 2015).
  - (b) Healthy lifestyle choices having a positive impact on general health but also helping to prevent incontinence, such as diet, fluid intake and being active.
  - (c) The positive benefits of pelvic floor exercises as a preventive measure for urinary incontinence, including the use of phone apps for support.
  - (d) The need to include the impact of incontinence due to medication, such as diuretics, within a patient's care.
- 5 More work should take place with care homes to encourage staff to participate in the training offered by the Community Continence Service and to increase staff understanding of the impact of mobility, diet and fluid intake on continence.
- 6 That the Health Select Commission receives a report in 2015 on the outcomes of the project considering future service development of the Community Continence Service.

Resolved:- (1) That all those involved in the Scrutiny Review be thanked for their input.

(2) That the Scrutiny Review – Urinary Incontinence 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.

## **C76 SCRUTINY REVIEW - IMPROVING THE LOCAL ECONOMY**

Deborah Fellowes, Scrutiny Manager, introduced the report of behalf of the Chairman, Councillor Wallis, which set out the findings and recommendations of the scrutiny review of improving the local economy.

The review group was established as part of the work programme for 2013/14. It took place during November, 2013 to May, 2014.

Due to the changes to Local Government Finance and in particular the business rates, it was agreed that the Council needed to focus on ways to support the local economy to generate an increase in business rates. These efforts also needed to focus on generating employment and training opportunities for local residents and stimulating the multiplier effect, retaining as much private sector investment in the local economy as possible. This review was scoped to complement the Commissioning review being carried out by the Self Regulation Select Commission which was focused, amongst other things, on the potential for the public sector to stimulate the local economy via its procurement function. The outcomes of both reviews should be considered as a suite of recommendations with the aim of maximizing the impact of both private and public sector investment in the Rotherham economy.

Resolved:- (1) That all those involved in the Scrutiny Review be thanked for their input.

(2) That the Scrutiny Review – Improving the Local Economy 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.

(Councillor Beck declared a personal interest on the grounds that this was connected to his employment and left the room whilst matters were discussed.)

## **C77 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - DELEGATION OF POWERS**

Councillor Hussain, Cabinet Member for Environment, introduced a report by the Crime and Disorder Manager, which provided an overview of the Anti-Social Behaviour (ASB), Crime and Policing Act 2014, the measures and remedies made available within the Act to tackle Anti-Social Behaviour and crime and the work taking place to implement these measures in Rotherham.

The report also highlighted the amendments required to the current Scheme of Delegation to accommodate the new measures within the Act.

The Act replaced nineteen pre-existing measures with six new measures for tackling anti-social behaviour, which were:-

- Injunction to deal with anti-social behaviour.
- Criminal Behaviour Order (CBO).  
These measures replaced the existing ASBO; ASBO on conviction; Drinking Banning Order; Drinking Banning Order on conviction; ASB Injunction; Individual Support Order and Intervention Order.
- Dispersal Power.  
This measure replaces the existing Section 30 Dispersal Order and Section 27 Direction to Leave.
- Community Protection Notice (CPN).
- Public Spaces Protection Order (PSPO).
- Closure Power.  
These measures replace the existing Litter Clearing Notice; Street Litter Clearing Notice; Graffiti/Defacement Removal Notice; Designated Public Place Order; Gating Order; Dog Control Order; ASB Premises Closure Order; Crack House Closure Order; Noisy Premises Closure Order and Section 161 Closure Order.

The Act also introduced:-

- A new absolute ground for possession of Secure and Assured tenancies, associated with anti-social behaviour or criminality.
- The power for the Secretary of State to make regulations under which the keeper of a vehicle may be required to pay a fixed penalty where litter has been thrown, dropped or otherwise deposited from the vehicle.
- Requirement for each local policing body to prepare a community remedy document for its area with a list of actions to be carried out by a person who has (a) engaged in anti-social behaviour or has committed an offence and (b) is to be dealt with for that behaviour or offence without court proceedings.
- A response to Complaints about Anti-Social Behaviour – ‘Community Trigger’

Reference was also made to the Dangerous Dogs Act, 1991, which had also been added to the list of statues delegated to the Director of Streetpride, which also extended powers to include attacks on support dogs by other dogs.

Cabinet Members welcomed the new powers and suggested that a briefing session or Members’ Seminar be arranged to share information on what the new powers covered.

(1) Resolved:- (a) That the new powers in the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 be noted.

(b) That a briefing session or all Members' Seminar be arranged to share the new powers contained within the Anti-Social Behaviour, Crime and Policing Act, 2014.

**(2) Recommended:- That the proposed amendments to the Scheme of Delegation detailed in Section 7.3.be approved.**

**C78 RATIONALISATION OF THE PROPERTY PORTFOLIO: ASSET TRANSFER LEASE AT SPEN'S FIELD, WOODALL LANE, HARTHILL**

Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director of Environment and Development Services, which considered a request by Harthill-with-Woodall Parish Council for an Asset Transfer Lease on land known as Spen's Field, Woodall Lane, Harthill.

Harthill with Woodall Parish Council occupied an area of land that extended to 10.42 acres (4.22 hectares) known as Spen's Field at Woodall Lane, Harthill (the recreation ground and car park) under a 20 year lease that expired on the 31<sup>st</sup> March, 2020.

The rent was reviewed on a five yearly basis, with the next review due 1<sup>st</sup> April, 2015. The use of the land was for public open space and a recreation ground with ancillary car parking for the use and enjoyment of the District or Parish of Harthill-With-Woodall. The lease did not contain any break provisions.

Under the terms of the existing lease the Council were responsible for the general grounds maintenance of the land including the marking out of the football pitches, along with maintenance of all trees, hedges and periodic inspections of all play equipment and its ongoing maintenance.

This work was currently carried out at the expense of EDS - Greenspaces, who received the annual rent.

In order to secure the long term future of the recreation ground and to seek further grant funding, the Parish Council were seeking to transfer the asset under the Asset Transfer Policy for a term of ninety-nine years at a nominal rent of £1 per annum without any break options.

Under the terms of this proposed lease the Parish Council would be fully liable for all grounds maintenance and for the repair and maintenance of all existing and future play equipment located on the site, and as such the ownership of all such equipment would transfer to the Parish Council. The Parish Council would like the Asset Transfer lease to be in place for next financial year, commencing from the 1<sup>st</sup> April, 2015.



As granting a lease without break options for such a long period fell outside of the adopted Asset Transfer Policy and as such required Cabinet approval.

Resolved:- (1) That the granting of a lease agreement under the provisions of the Council's Asset Transfer policy for the management and maintenance of land at Spen's Field under the terms reported be approved.

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

**C79 RATIONALISATION OF THE PROPERTY PORTFOLIO: DISPOSAL OF LAND AT MILL LANE, SOUTH ANSTON**

Councillor Beck, Cabinet Member for Business Growth and Regeneration, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the retrospective disposal of a small strip of the above-mentioned HRA land which Cabinet previously gave authority to dispose of the whole to a Registered Social Landlord.

Shortly after this, the Estates Team were contacted by Network Rail requesting consent to erect a temporary site compound within the Mill Lane Site in order to carry out site investigations and emergency works to the adjoining rail embankment.

Estates had been advised that this stretch of the embankment had been identified as weak and was under regular inspections by Network Rail.

Following this inspection, works were identified that required an 85 square metre strip to enable the embankment to be stabilised. It was also identified that these works had to be carried out at the time and prior to purchase of the land.

Rather than using their statutory powers to compulsory purchase the land required, Network Rail have requested to retrospectively purchase this land by agreement.

Resolved:- (1) That the Director of Audit and Asset Management be approved to dispose of the asset on the basis recommended in Section 7 in the report.

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

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

**C80 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).

**C81 BARNESLEY, DONCASTER AND ROTHERHAM (BDR) WASTE PRIVATE FINANCE INITIATIVE (PFI) PROJECT - DELEGATIONS IN RESPECT OF OPERATIONAL MATTERS**

Councillor Hussain Cabinet Member for Environment, introduced a report by the Strategic Director of Environment and Development Services, which sought certain officer delegations in order to put in place a number of potential measures that could secure operational savings and/or income generating opportunities for the Barnsley Doncaster and Rotherham (BDR) Partnership in respect of the BDR Waste Private Finance Initiative (PFI) Project.

Further information was sought on the technicalities of the recycling at this plant with a suggestion that consideration be given to a site visit for Elected Members.

**Recommended:- (1) That delegated authority be given to the Strategic Director, Environment and Development Services, in consultation with the Cabinet Member for Environment, Director of Legal and Democratic Services and the Director of Finance, to approve proposals to secure operational savings and/or income generating opportunities in respect of the BDR Waste PFI Project**

(2) Resolved:- That the Director of Legal and Democratic Services and/or an appropriate nominated officer be approved to execute any necessary agreement to give effect to such arrangements.

(3) That the Director of Legal and Democratic Services or their nominated officer(s) be approved to authorise a certificate under the Local Government (Contracts) Act 1997.

(4) That the provision of an indemnity to the officers so authorised be approved.