

CABINET

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

Date: Wednesday, 15 October 2014

Time: 10.30 a.m.

A G E N D A

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest.
5. Minutes of the previous meeting held on 24th September, 2014 (copy supplied separately)
6. Minutes of a meeting of the RMBC/Trades Unions Joint Consultative Committee held on 11th July, 2014 (herewith) (Pages 1 - 9)
 - Chief Executive to report.
7. Post Abuse Support Arrangements (report herewith and Presentations from the Representatives of the Named Groups) (Pages 10 - 12)
 - Strategic Director of Neighbourhoods and Adult Services to report.
8. Recruitment to Headships during School Amalgamation Policy (report herewith) (Pages 13 - 18)
 - Strategic Director of Children and Young People's Services to report.
9. Revenue Budget Monitoring for the period ending 31st August 2014 (report herewith) (Pages 19 - 33)
 - Director of Finance to report.
10. Scrutiny Review - Homelessness (Cabinet Response) (report herewith) (Pages 34 - 44)
 - Strategic Director of Neighbourhoods and Adult Services to report.

11. Scrutiny Review - Urinary Incontinence (report herewith) (Pages 45 - 59)
 - Chief Executive to report.
12. Scrutiny Review - Improving the Local Economy (report herewith) (Pages 60 - 86)
 - Chief Executive to report.
13. Anti-social Behaviour, Crime and Policing Act 2014 - Delegation of Powers (report herewith) (Pages 87 - 96)
 - Strategic Director of Neighbourhoods and Adult Services to report.
14. Rationalisation of the Property Portfolio: Asset Transfer Lease At Spen's Field, Woodall Lane, Harthill (report herewith) (Pages 97 - 101)
 - Strategic Director of Neighbourhoods and Adult Services to report.
15. Rationalisation of the Property Portfolio: Disposal of Land At Mill Lane, South Anston (report herewith) (Pages 102 - 106)
 - Strategic Director of Environment and Development Services to report.
16. Exclusion of the Press and Public.
Resolved:- That, under Section 100A(4) of the Local Government Act 1972 (as amended March 2006), the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any particular person (including the Council)).
17. Barnsley, Doncaster and Rotherham (BDR) Waste Private Finance Initiative (PFI) Project - Delegations in Respect of Operational Matters (advance notice given) (report herewith) (Pages 107 - 112)
 - Strategic Director of Environment and Development Services to report.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	15TH OCTOBER, 2014
3.	Title:	RMBC/TU JOINT CONSULTATIVE COMMITTEE MINUTES
4.	Directorate:	RESOURCES

5. Summary

The Joint Consultative Committee is a forum for consideration of Council wide Employment Relations matters.

6. Recommendations

To receive the minutes of the meetings of the RMBC/TU Joint Consultative Committee held on 11th July, 2014.

7. Proposals and Details

Joint Consultative Committee (JCC) meetings are held on a quarterly basis and provide a forum for Elected Members, Senior Officers and Trade Union Representatives to consider and discuss corporate employment relations and organisational issues. Items for the agenda may be tabled by any constituent party to the meeting.

8. Finance

There are no direct financial implications of conducting JCC but the meetings will consider items of relevance to the Council's budget and staffing costs that could be the subject of discussion and consideration by the Staffing Committee, Cabinet and full Council.

9. Risks and Uncertainties

A failure to consult and maintain a stable employment relations climate will have implications for the delivery of Council services and associated costs.

10. Policy and Performance Agenda Implications

The JCC supports the Corporate Plan Priority of 'The way we will do business'.

11. Background Papers and Consultation

A copy of the minutes of the meeting of the RMBC/TU Joint Consultative Committee held on 11th July, 2014, are attached.

Contact Name : Phil Howe, Director of Human Resources, Resources Directorate –
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RMBC/TRADES UNIONS JOINT CONSULTATIVE COMMITTEE
Friday, 11th July, 2014

Present:-

Councillor Lakin	Deputy Leader (in the Chair)
Councillor Doyle	Cabinet Member for Adult Social Care
Councillor McNeely	Cabinet Member, Safe and Attractive Neighbourhoods
Councillor Rushforth	Cabinet Member for Education and Public Health Services
Councillor Smith	Cabinet Member for Planning, Highways and Street Scene Services
Councillor Stone	Leader of the Council
Councillor Whelbourn	Chair, Overview and Scrutiny Management Board
Emma Ellis	UNISON
Tracy Rhodes	UNISON
Sharon Simcox	UNISON
Robin Symonds	UNISON
Eric Batty	GMB
Lee Simpson	GMB
Simon Cooper	Human Resource Manager
Phil Howe	Director of Human Resources
Martin Kimber	Chief Executive

72. MINUTES OF THE MEETING HELD ON 11TH APRIL, 2014

Agreed:- That the minutes of the previous meeting of this Joint Consultative Committee held on 11th April, 2014 be approved as a correct record.

73. MATTERS ARISING

(a) National Pay Negotiations

The Employer's Side made reference to the progress of the National Pay Negotiations detailing the Trades Unions' requests and the final offer that had been made to the Trades Unions.

The offer was rejected, which resulted in a period of consultation and a one day strike on the 10th July, 2014.

The Trades Unions were commended for the conduct of their members as part of the industrial action outside Riverside House.

The Employees' Side's view was that the negotiations over the pay

award had come to a standstill and little progress was being made. Thanks were offered to those who supported the industrial action and it was hoped this would herald a change of dynamics with a way forward. If no agreement could be reached plans were in hand to take further industrial action in September.

Management was urged, however, to take a stand regarding employees who did not participate in the industrial action to ensure they remained working rather than observing those on the picket line.

The Employer's Side also confirmed that a letter had been received from the Trades Unions regarding the use of the savings from employees on strike and it was agreed that the savings would be used as individual spend on services rather than a means to funding the budget gap.

(b) Council Budget Update

The Employer's Side gave an update on the latest budget estimates with the Council facing a deficit of £15.5m in 2015/16 and an additional £16.5m in 2016/17.

Given the scale of savings required Members have given their approval to open a further window of opportunity for voluntary severance under the terms of the Council's discretionary scheme which offered an additional twelve weeks for those employees able to leave by the end of August 2014. This window would close on 31st July, 2014.

Consideration was to be given to yet more innovative ways to balance the budget. Increasingly the Council would be forced to focus on significantly reconfiguring services, working differently or with partners and outsourcing services.

(c) Rotherham Living Wage

The Employer's Side gave an update on discussions with Trade Unions on the mechanism for implementing a Local Living Wage from 1st October, 2014. A draft collective agreement had been circulated to the Trade Unions and it is hoped that this will shortly be signed by all parties.

It was noted that the implementation of a Local Living Wage at £7.65 per hour would substantially increase rates of pay beyond those proposed by the national pay offer on spinal column points 5 to 10. This would represent a 17% increase for the lowest paid employee in the Council.

The Employees' Side welcomed the proposal for the Local Living

Wage and the benefits this would bring to around 1,500 employees.

Questions were raised about the implementation of the Local Living Wage and the indications that this would only apply up to 37 hours and any additional overtime would revert back to the earlier rate without an enhancement, but then at time and a half.

The Employer's Side took on board the concerns raised and agreed to give it further consideration.

(d) Disabled Parking at Riverside House

The Employer's Side confirmed that those individuals affected by the introduction of charges for blue badge holders have either continued to park at Riverside House and pay the appropriate charge or made alternative arrangements.

(e) Unison Petition on Children's Centres

The Employer's Side confirmed that clarification had been sought on the level of signatures required on a petition in order to trigger a Council debate. The figure at which the Council had to debate a petition (or at least the issue raised by the petition) within the Council's "Scheme for handling petitions" was 5% of the local population. However, it was noted that despite the confusion over the 9,555 and 12,865 population figures the legislation with regards to petitions had changed and there was no legal requirement for a Council debate.

There would, however, be consideration to revising the Policy for adoption at the Annual Council Meeting in 2015.

(f) Travelling Time

The Employees' Side asked if any progress had been made on private home care providers and their non-payment of travelling time.

The Employer's Side confirmed that there was no further information to report on those companies who were commissioned on behalf of the Council. However, should the Trades Unions have examples of malpractice then this should be shared and would be investigated further.

(d) National Pay Negotiations

The Employer's Side made reference to the progress of the National Pay Negotiations detailing the Trades Unions' requests and the final offer that had been made to the Trades Unions.

The offer was rejected, which resulted in a period of consultation and a one day strike on the 10th July, 2014.

The Trade Unions were thanked for their co-operation on reaching agreement on exemptions from strike action for life and limb services.

The Employees' Side's view was that the negotiations over the pay award had come to a standstill and little progress was being made. The Trade Unions have indicated that if no agreement could be reached plans were in hand to take further national industrial action in September.

(e) Council Budget Update

The Employer's Side gave an update on the latest budget estimates with the Council now facing a deficit reduced from an initial £23m to a latest estimated 'gap' of £15.5m after financial accounting savings in 2015/16 and an additional £16.5m in 2016/17, before any other national adjustments via the Autumn Statement or other in-year decisions.

Given the scale of savings required Members had given their approval to open a further window of opportunity for voluntary severance under the terms of the Council's discretionary scheme which offered an additional twelve weeks for those employees able to leave by the end of August 2014. A total of 160 employees had so far sought information about their figures. This window would close on 31st July, 2014.

Consideration was to be given to yet more innovative ways to balance the budget. Increasingly the Council would be forced to focus on significantly reconfiguring services, working differently or with partners and outsourcing services.

(f) Rotherham Living Wage

The Employer's Side gave an update on discussions with Trade Unions on the mechanism for implementing a Local Living Wage from 1st October, 2014. A draft collective agreement had been circulated to the Trade Unions and it is hoped that this will shortly be signed by all parties.

It was noted that the implementation of a Local Living Wage supplement to add to substantive grade rates taking minimum Council pay rates up to £7.65 per hour would substantially increase rates of pay beyond those proposed by the national pay offer on spinal column points 5 to 10. This would represent a 17% increase for the lowest paid employee in the Council.

1F RMBC/TRADES UNIONS JOINT CONSULTATIVE COMMITTEE - 11/07/14

The Employees' Side welcomed the proposal for the Local Living Wage and the benefits this would bring to around 1,500 employees.

Questions were raised about the implementation of the Local Living Wage and the indications that this would only apply up to 37 hours and any additional overtime would revert back to the substantive rate with the appropriate enhancement.

The Employer's Side agreed to give this point further consideration.

74. ORGANISATIONAL UPDATE

The Employer's Side gave an update on the various Directorates drawing particular attention to matters within:-

- Children and Young People's Services.
- Environment and Development Services.
- Neighbourhoods and Adult Services.
- Resources.

The Employees' Side welcomed the proposal that a further three Children's Centres would continue to be run by the Council making twelve in total across the Borough. Questions had been raised regarding 'pre-determination' when it was noted that a press release was issued at the beginning of May about increasing the numbers to a further three when the consultation process only closed on the 30th April, 2014.

The Employer's Side explained the rationale behind the press release and the interim report that was presented to Cabinet for information only, which highlighted the need for some reconsideration around geographical spread and demographic usage.

Attention would now be given to the expressions of interest that had been received from schools and other agencies about running those centres no longer being funded by the Council.

The Employees' Side wished to place on record their thanks to the Council for officer involvement in discussions to seek to resolve the Abbey School dispute.

In terms of Resources the Employees' Side referred to the Single Fraud Investigation Service and the anticipation that six members of staff would be transferring to this new service. The Council was urged to review if any re-engineering of the service might impact on the prospects for people employed by Rotherham and therefore avoid any need to transfer.

The Employer's Side confirmed this would be relayed to service managers for their consideration.

75. MILEAGE RATE

This item was deferred for a second time to enable the representative from Unison who originally submitted the item to be present.

76. SICKNESS ABSENCE QUARTERLY INFORMATION (2013/14 QUARTER 4 INFORMATION TO 31ST MARCH, 2014)

The Employer's Side confirmed that the year-end figure for days lost due to sickness per employee for 2012/13 was 7.51 days. This represented a reduction of 0.45 days compared to 2011/12.

The final year end figure for 2013/14 Quarter 4 ending 31st March, 2014 was now officially reported at 8.3 days.

This year's Chartered Institute of Personnel and Development and Simply Health Absence Management Survey had noted an overall increase in absence rates across the country. For organisations of 5000+ the average was reported to be 9.2 days.

Some of the rise in the Council's sickness absence could be attributed to the statistical fact that the Council's workforce 'denominator' had reduced due to the significant number of transfers out of lower absence School-based employees to Academy or Trust status. If those Schools that had converted to Academy status last year were factored back into the Council's absence calculation, the year end outturn would have been 7.75 days, representing only 0.24 days higher than the year before.

The Employees' Side considered the sickness absence information to be positive, but suggested that the increase could probably be attributable to anxiety and stress as a direct result of the impact on staff by the budget cuts.

The Employer's Side took its role as a responsible employer seriously and was continuing to consider how it could the deliver services and manage public expectation realistically without overloading the already hard working staff whilst managing sickness levels.

The Employees' Side also raised some concern about the process of managing sickness absence, the prognosis and options for returning/not returning to work and the termination of employment with compensatory payments.

The Employer's Side listened to the concerns, but pointed out that it was necessary to consider a variety options as part of managing sickness in the workplace. The Council's has an excellent track record of dealing proportionately and sympathetically with sickness absence balanced against a need to take appropriate action where sickness absence had reached levels of concern..

1F RMBC/TRADES UNIONS JOINT CONSULTATIVE COMMITTEE - 11/07/14

Agreed:- That the information be noted.

77. ANY OTHER BUSINESS

There was no other business to report.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	15th October, 2014
3.	Title:	Post Abuse Support Arrangements
4.	Directorate:	Neighbourhood and Adult Services

5. Summary

It has been recognised that additional capacity is 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 has been made available for the period until March 2015 and will be utilised to provide an immediate response. This is short term funding until 31st March, 2015 whilst a future service model is being developed to commission post abuse service for the longer term from 1st April, 2015.

The report proposes 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.

6. Recommendations

That Cabinet

- 6.1 Approves the proposals as set out to deliver immediate post abuse support across Rotherham until 31st March, 2015.

7. Proposals and Details

7.1 Background Information

Funding identified of £120,000 by the Leader is to be commissioned for front line post abuse support services and to increase capacity in the VCS. This support will be delivered in two phases with an immediate response with services commissioned until 31st March, 2015 and longer term commissioning arrangements from 1st April.

7.2 Proposed Organisations and Funding

It is proposed that the following organisations are funded from the £120,000 to provide post abuse support in Rotherham:

GROW - £20,000

GROW are currently commissioned by Safer Rotherham Partnership to deliver services to young people and families engaged in CSE activity and currently has 1 full time worker.

GROW proposes that the funding is used to appoint an additional 1.5 FTE staff. This will increase capacity to receive referrals for young people as both new victims and to those victims who are now coming forward and disclosing historical abuse. Also, to provide families with support to enable their recovery, and their ability to be a protective factor for their child/young person.

Rotherham Women's Counselling Service (RWCS)/Pit Stop for Men- £20,000

RWCS & Pit Stop for Men is a voluntary organisation providing specialist counselling for adults who have been traumatised by rape, or sexual/domestic violence. This professional counselling service offers the opportunity to reach a greater understanding of how past abuse has affected them, and so able to make informed choices whilst minimising the cycle of abuse.

The RWCS will use the additional funding to increase capacity and continue to provide counselling for adults aged 18 years and over living in Rotherham who have experienced rape, sexual/domestic abuse and/or previous childhood sexual abuse.

The South Yorkshire Police and Crime Commissioner (SYPCC) currently funds RWCS via a grant to provide this service. It is proposed that through working in partnership with the SYPCC the grant funding will be increased by £20,000.

South Yorkshire Community Foundation (SYCF) - £20,000

The SYCF have an established South Yorkshire CSE post abuse fund that can be accessed by VCS organisations to provide increased capacity to meet the post abuse needs of CSE victims. The £20,000 will be ring-fenced for increased capacity across Rotherham.

Additional Voluntary Sector Organisations - £49,000

This funding will be used to build capacity across the VCS to respond to the needs of victims of CSE. A commissioning process will be progressed rapidly to achieve this increased capacity.

Contingency - £11,000

This funding will be held in reserve to respond to any as yet unmet capacity requirements in the VCS until March 2015

8. Finance

The total value of additional funding to increase capacity in post abuse support services is £120,000.

9. Risks and Uncertainties

That demand for post abuse CSE support by victims will be more than the capacity generated by these additional monies.

10. Policy and Performance Agenda Implications

These proposals contribute to achieving the priorities in:

- Health and Wellbeing Strategy 2012-2015
- Ofsted framework and evaluation schedule for the inspection of services for children in need of help and protection, children looked after and care leavers
- the recommendations in the Jay Report 2014

11. Background Papers and Consultation

The Jay Report 2014

Emotional Wellbeing and Mental Health Strategy 2014-19

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	15th October 2014
3.	Title:	Recruitment to Headships during school amalgamation policy
4.	Directorate:	Children and Young Peoples Services

5. Summary

This report seeks reaffirmation of previously agreed processes for the recruitment of Headteachers to newly amalgamated Schools.

6. Recommendations

It is recommended that Cabinet approves the policy in relation to the recruitment of Headteachers where schools are to be amalgamated.

7. Proposals and Details

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 Headteachers would automatically be appointed to the post of Primary School Headteacher 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.

8. Finance

Where schools are amalgamated there are savings in relation to a Headteachers post allowing the Governing Body to structure staffing and resources to best meet the needs of a through primary school.

9. Risks and Uncertainties

The principal ADVANTAGES of amalgamation arise from the continuous primary education entitlement:

- removal of the school transfer at the end of key stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- the reduction to only one head teacher post which could impact upon accessibility to staff, parents and pupils (this may have particular relevance where schools serve areas of social and economic disadvantage);
- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;
- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

(CYD0015/018 - Corporate risk register).

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'. It is likely that amalgamation would enable more parents to access their first preference school for their child and remove the need for transfer at the end of key stage 1, therefore, increase that performance indicator.

Rotherham School Improvement Mission

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

11. Background Papers and Consultation

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Contact Name :

Dean Fenton (Principal Officer – School Organisation)

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Children and Young People's Services

Headteacher recruitment policy in the case of amalgamation

Rationale

The purpose of this policy is to outline the arrangements with regard to re-organisation of Primary Schools in the Borough through amalgamation. The policy is 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.

The risks and uncertainties associated with an amalgamation are detailed below:

The principal ADVANTAGES of amalgamation arise from the continuous primary education entitlement:

- removal of the school transfer at the end of key stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- the reduction to only one head teacher post which could impact upon accessibility to staff, parents and pupils (this may have particular relevance where schools serve areas of social and economic disadvantage);
- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;

- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

Rotherham School Improvement Mission

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

Arrangements for the appointment of Headteachers in the case of amalgamation

Prior to November 2011 when the practice was first introduced there was a Local Authority presumptive policy that should an existing Headteacher of one of the schools be leaving the post then the other sitting Headteacher would automatically be appointed to the post of primary Headteacher. In some cases this has resulted in the new primary school suffering a decline in pupil outcomes and subsequently OFSTED rating of the school being affected adversely.

Clearly when an Infant and Junior School are amalgamated, the resulting Primary School Headteacher role is a much bigger one than either of the two previous posts.

The new role will involve managing multi key stages and the wider group of staff that this will involve. Budget management and the duties that accompany management of buildings and infrastructure will also clearly increase significantly.

Where separate Infant and Junior Schools are to be amalgamated, as existing Headteachers were appointed to a single phase of primary education eg Infant or Junior Headship there will need to be an open and transparent external recruitment process to enable Governors to ensure that the strongest possible candidate is appointed to the post of Primary School Headteacher.

Current sitting Infant and Junior school Headteachers at the affected schools are encouraged to apply for the new post of primary Headteacher.

This process will ensure that the Recruitment and Selection Panel can assure all stakeholders that, the strongest candidate available has been appointed to lead the new Primary School and, meet the challenges of the wider remit of the new post.

There are certain cases where this policy is not applicable and these cases are outlined below:

There will not need to be a recruitment and selection process for the position of Head Teacher at a proposed Primary School in the case of Federation Schools amalgamating, where the Governing Body have already appointed an Executive Headteacher across the Infant and Junior School federation with a view to longer term arrangements being established.

There will not need to be a recruitment and selection process for the position of Headteacher at a proposed Primary School in the case of one of the current Infant and Junior Schools being in 'special measures' and a local solution can be established, as the proposed Headteacher in these cases will have a proven track record of outstanding leadership endorsed by the Department for Education and OFSTED.

Recruitment procedure

Where a Headteacher recruitment and selection process is necessary to appoint to the new Primary School Headship, a consultant Headteacher will be appointed to advise and support the Governing Body to recruit the strongest candidate possible to the position. Human Resources Officer support will be available as required.

Policy Approved by:

Date:

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET
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1	Meeting:	CABINET
2	Date:	15th October 2014
3	Title:	Revenue Budget Monitoring for the period ending 31st August 2014
4	Directorate:	Resources on behalf of all Directorates

5 Summary

This report provides details of progress on the delivery of the Revenue Budget for 2014/15 based on performance for the first 5 months of this financial year. It is currently forecast that the Council will overspend against its Budget by £3.105m (+1.5%).

The main reasons for the forecast overspend are:

- 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; and
- 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 has been given for 44 employees to leave the Council and decisions regarding 34 applications are pending. Savings arising from these staff releases are reflected in the forecast outturn position.

Members are asked to note that on 2nd September the Chief Executive used his delegated authority (Cabinet Minute C24 6/8/14) to implement a moratorium on non-essential spend. This will assist with reducing the forecast overspend.

There are a small number of historic, recurrent budget pressures across the Council. Approval is requested within this report (section 7.4) for a permanent budget virement (realignment of budget) to address these.

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

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

Recommendations

Cabinet is asked to:

- **Note the current forecast outturn and the continuing financial challenge for the Council to deliver a balanced revenue budget for 2014/15;**
- **Approve the Budget Virements proposed at section 7.4 of this report; and**
- **Approve use of the revenue savings from the day of industrial action to contribute to reducing staff cost pressures within the overall forecast Council overspend.**

7.1 Proposals and Details

This report presents details of spending against budget by Directorate covering the first 5 months of the 2014/15 financial year – April 2014 to August 2014 – and forecast costs and income to 31st March 2015.

7.2 The Overall Position

Directorate/Service	Annual Budget 2014/15	Projected Outturn 2014/15	Forecast Variance after Actions (over(+)/under(-) spend)	
	£'000	£'000	£'000	%
Children & Young People Services	43,163	45,863	+2,700	+6.3
Academy Conversions (Deficit)	0	147	+147	+100.0
Neighbourhoods & Adult Services	73,472	75,001	+1,529	+2.1
Environment and Development Services	44,923	45,142	+219	+0.5
ICT	2,551	3,251	+700	+27.4
Resources	11,336	11,242	-94	-0.8
Central Services	33,440	31,344	-2,096	-6.3
TOTAL	208,885	211,990	+3,105	+1.5
Housing Revenue Account (HRA)	82,509	82,876	-633	-0.8

Appendix 1 to this report provides a detailed explanation of the key areas of forecast over / underspend by Directorate. The summarised position for each Directorate is described below.

Children & Young People's Directorate (+£2.847m forecast overspend)

The forecast overspend for Children's Services is largely due to pressures within the Children & Families Safeguarding Service. A further pressure (+£147k) relates to schools whose finances are in deficit when they convert to be a sponsored academy leaving the Council responsible for funding their accrued deficit. (Rawmarsh School: A Sports College and Swinton Brookfield Primary School).

The number of looked after children requiring placements at the end of August 2014 was 404, an increase of 9 since the start of the financial year.

Pressures on budgets for provision of Out of Authority Residential placements (+£2.528m) and the provision of independent Foster Care placements (+£221k) are the main service pressures. The cost of placements has increased as children are presenting with more complex needs. The service is looking at how they can find suitable, alternative, increased value for money placements to meet the needs of these young people.

Children's Social Care services remain under pressure despite the services' proactive approach to drive down costs including:

- Continued operation and challenge by the Multi-Agency Support Panel
- Successful work undertaken by the Commissioning Team which has resulted in the commissioning and re-commissioning of service provider contracts with significant cost reductions/cost avoidance (£454k) to date in 2014/15.

Children's services continue to look for ways to reduce spend.

Environment & Development Services including Internal Audit, Asset Management, Communications & Marketing and Policy & Planning (+£219k forecast overspend)

The Directorate is currently forecasting an overspend of +£219k due to pressures in Streetpride (+£276k), Planning, Regeneration and Customer Services (+£42k) and Communications (+£6k) with Asset Management showing an improved position (-£105k) The Business Unit is reporting a balanced budget at this stage in the financial year. All budgets are continually being reviewed to ensure spend is of an essential nature.

The forecast overspend assumes that the Winter Pressures budget is sufficient to contain costs incurred over the Winter months (2014/15). It should however be noted this budget overspent by +£139k in the mild Winter of 2013/14.

Neighbourhoods and Adult Services including Public Health, Commissioning, Procurement, Performance & Quality and Cohesion (+£1.529m forecast overspend)

Overall the Directorate (including ring-fenced Public Health funded services) is forecasting an overspend of +£1.529m. Within this, Adult Services are forecasting an overspend (+£1.270m) and Neighbourhood Services a forecast underspend of -£101k. Commissioning, Procurement, Performance & Quality and Cohesion services are forecasting a collective overspend of (+£360k). Key Directorate pressures include budget savings from previous years not being fully achieved in respect of additional continuing health care (CHC) funding plus recurrent pressures on demand for Direct Payments within Older People and Physical and Sensory Disability clients.

There is also a recurrent budget pressure within Commissioning in respect of a previous years' undelivered corporate savings target. It is proposed that this budget pressure is addressed through a permanent budget virement – see section 7.4 of this report.

Public Health Services (ring-fenced funding) are currently forecasting a balanced Outturn.

The forecast position for Neighbourhoods and Adult Services is made up of a number of forecast under and overspends, detailed in Appendix 1.

Resources Directorate including ICT (+£0.606m forecast overspend)

Overall the Directorate is forecasting an overspend of +£0.606m. This is predominantly in respect of income pressures within the ICT service (+£700k) partially offset by additional income generation with HR and Payroll services.

Central Services (-£2.096m forecast underspend)

There are currently two key pressures within Central Services. Rotherham's share of the pension deficit in respect of winding down Local Government Yorkshire & Humber (LGYH) (£80k) and Rotherham's share of the costs for the Economic Regeneration Team within the Sheffield City Region Combined Authority (£147k).

Forecast savings within Central Services offset the above pressures and significantly contribute to the wider directorate pressures:

- £1.4m forecast underspend against the budget set aside for VER/VS (See Section 7.4 below);
- £480k tax saving through efficient tax management; and
- £443k representing the reduced provision required to settle the South Yorkshire Trading Standards liability.

Costs associated with the investigation into Child Sexual Exploitation (CSE) and the cost of inspections following the publication of the Jay Report are being collated and will be included in a future revenue monitoring report. The Council will initially be looking to contain these costs and any other potential liabilities within the Council's overall Budget. If this proves not to be possible, then the use of the Council's Working Balance will be required.

7.3 Housing Revenue Account (HRA) (Forecast underspend -£633k)

The Housing Revenue Account is forecasting a £633k reduction in the transfer from reserves compared with the agreed budget. The HRA had budgeted to use £1.440m from reserves but current forecasts only require £0.807m, a reduction of £633k.

7.4 Proposed Virement (Budget realignment)

It is proposed that the £1.4m forecast underspend on the VER/VS budget be vired in accordance with Financial Regulation A Section 2A and Guidance Note 11 of the Council's Constitution to realign the following recurrent budget pressures:

- £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; and
- £166k to address a previous years' unrealisable income targets associated with proposed Housing related Customer services developments.

Additionally, Cabinet is 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.

7.5 Agency, Consultancy and Non-Contractual Overtime Costs

As requested by the Self-Regulation Select Commission (18th Sept 2014) details of spend on Agency, Consultancy and Non-Contractual overtime costs are now reinstated within the revenue budget monitoring report as below:

Agency

Directorate	Outturn 2013/14	Cumulative to August 2013	Cumulative to August 2014
	£'000	£'000	£'000
Children & Young People's Services (CYPS)	830	306	409
Neighbourhoods & Adult Services (NAS)	345	223	115
Environment & Development Services (EDS)	558	306	323
Resources	134	36	7
TOTAL	1,867	871	854

Main reasons for spend:

CYPS: Cover for post of Interim Director of Safeguarding post; cover for vacant and long term sick Social Work posts and employment of an interim Service Manager to oversee improvement in the LAC service.

NAS: Residential Care and Assessment & Care Management Social work Teams to maintain statutory levels of service, including cover for vacancies and sickness.

EDS: Cover for holidays and sickness absence mainly within Streetpride services.

Resources: Staff cover in Legal Services

Consultancy

Directorate	Outturn 2013/14	Cumulative to August 2013	Cumulative to August 2014
	£'000	£'000	£'000
Children & Young People's Services	274	91	87
Neighbourhoods & Adult Services	71	0	0
Environment & Development Services	173	67	35
Resources	23	4	4
TOTAL	541	162	126

Main reasons for spend:

CYPS: School Effectiveness Service which is predominantly grant funded and Special Education Needs & Disabilities (SEND) reform which is specific grant funded.

EDS: Local Development Plan, Waste PFI, Transportation and Countryside Operations.

Resources: Specialist ICT Support.

Non-Contractual Overtime

Directorate	Outturn 2013/14	Cumulative to August 2013	Cumulative to August 2014
	£'000	£'000	£'000
Children & Young People's Services	121	43	32
Neighbourhoods & Adult Services	377	166	86
Environment & Development Services	501	220	176
Resources	149	41	74
TOTAL	1,148	470	368

Main reasons for spend:

CYPS: Provision of staff cover, mainly within residential units.

NAS: Maintaining statutory staffing levels in residential, home care, day care services and social work posts and represents cover for sickness and delays in recruiting to vacant posts.

EDS: Maintaining Streetpride services, facilities services, caretaking and cleaning.

Resources: ICT – Business Continuity (£13k), Revenues and Benefits – Income collection (£52k), Town Hall – Member services/support (£7k) and Legal Services (£2k).

7.6 Collection Fund

At this stage of the financial year it is forecast that the budgeted level of Council Tax and Business Rates will both be achieved.

8. Finance

The financial issues are discussed in section 7 above.

Management actions need to be identified and implemented across all Directorates to bring projected spend in line with Budget limits by the end of March 2015.

9 Risks and Uncertainties

At a time of economic difficulty and tight financial constraints, managing spend in line with the Council's Budget is paramount. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain a top priority if the Council is to deliver both its annual and medium term financial plans while sustaining its overall financial resilience.

Although both Council Tax and Business Rates collection levels are currently on target there remains a risk that this could change during the remaining months of the year.

The current forecast assumes that costs associated with the Winter Pressures will be contained within budget. In 2013/14 these costs exceeded budget by £139k.

10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget and Medium Term Financial Plan within the parameters agreed at the start of the current financial year is essential if the objectives of the Council's Policy agenda are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.

11. Background Papers and Consultation

- Revenue Budget and Council Tax for 2014/15 Report to Council 5th March 2014.
- Strategic Directors and Service Directors of the Council

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Appendix 1

Key reasons for forecast over / underspends**Children & Young People's Services (+£2.847m forecast overspend)**

The key factors contributing to the forecast overspend are:

Academy Conversions - Deficits (+£147k)

The forecast over spend is due to provisions for the forecast deficit positions on the following schools when they convert to become a sponsored academy in 2014/15:

Rawmarsh School: a Sports College - £100k (This is in addition to the £300k provided for in the 2013/14 accounts); and

Swinton Brookfield - £47k (This is in addition to the £39k provided for in the 2013/14 accounts).

Directorate Wide Services (-£37k)

This forecast underspend consists of an over spend on the Central Budget due to the legal costs of academy conversions (+£16k) & supplies (+£3k) offset by a forecast underspend on the pensions budget (-£56k) due to reductions in payments.

School Effectiveness (-£22k)

This forecast underspend is mainly due 4 advisors leaving the School Effectiveness Service and there being a slight delay in recruiting replacements (-£20k). The remainder of the projection (-£2k) is due to Rockingham PDC forecasting income generation in excess of their £35k income target.

Special Education Provision (-£149k)

The forecast under recovery of income in the Education Welfare Team is due to a change in legislation which no longer allows them to charge Academies for such services (+£31k) is offset by forecast underspends on SEN Complex Needs placements (-£121k), Children in Public Care Team (-£8k), additional income generation in the SEN Assessment/Admissions Team (-£28k) & on staffing due to vacancies in the Education Psychology Team (-£15k) and Learning Support & Autism Team (-£8k).

Safeguarding, Children and Families Service Wide (+£33k)

This forecast overspend is mainly on legal fees (+£57k) due to an increase in the number of cases going to court and agency costs for the Interim Director of Safeguarding post (+£28k). These forecast overspends are partially offset by a forecast underspend in Business Support teams due to additional income from NHS, a member of staff taking voluntary redundancy & some staff opting out of the pension scheme (-£52k).

Children in Need Social Work Teams (+£63k)

This forecast overspend is due to Agency staff costs & additional staff appointments over establishment within the Children in Need teams to better maintain business continuity rather than having to take on agency staff to cover periods between staff leaving and new staff commencing employment.

Looked After Children - LAC (+£2,869k)

The service is forecasting an overspend mainly due to out of authority residential placements (+£2,528k) and independent fostering placements (+£221k). This is partially offset by a forecast underspend on the Remand placements budget (-£34k).

The Adoption Reform Grant that was first received in 2013/14 was reduced by £746k in

2014/15. This grant significantly mitigated SAC budget pressures in 2013/14 on a temporary basis.

The service overspent in 2013/14 (£1.617m) and due to the increased number and forecast length and complexity of placements, the forecast overspend is currently expected to increase to the extent above (£2.528m and £0.221m respectively).

To help mitigate these pressures the service, alongside the Commissioning team are conducting a review of placements.

Further details of placements are below:

Placement Type	2011/12		2012/13		2013/14		2014/15 as at 31st August		Actual Number of placements as at 31st August
	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	
Out of Authority Residential	18	3,022	21.1	3,206	25	3,245	31.6	3,160	32
<i>R1 Accommodation only</i>	U/A	U/A	U/A	U/A	U/A	U/A	11.4	2,808	12
<i>R2 Accommodation & therapy</i>	U/A	U/A	U/A	U/A	U/A	U/A	9.3	2,845	9
<i>R3 Accommodation, therapy & education</i>	U/A	U/A	U/A	U/A	U/A	U/A	8.7	3,938	10
<i>R4 Parent & Baby</i>	U/A	U/A	U/A	U/A	U/A	U/A	0	0	0
<i>Secure</i>	U/A	U/A	U/A	U/A	U/A	U/A	2.3	3,282	1
Remand	U/A	U/A	U/A	U/A	1.6	3,154	0.8	450	0
Independent Fostering Agencies	125	887	121	874	107	879	103	885	102
<i>Standard</i>	U/A	U/A	74.8	745	66.1	759	60	746	60
<i>Complex</i>	U/A	U/A	27.2	938	24	1,105	30.8	1,035	31
<i>Specialist</i>	U/A	U/A	19	1,287	16.9	998	12.3	1,178	11
In-house Fostering	158.8	230	162	246	165.2	261	185.2	266	181

Note: U/A - This detailed breakdown was unavailable in past years

Out of Authority Residential

- The number of children in residential out of authority placements as at end of August 2014 is 32 (an increase of 1 since 31 March 2014 & an increase of 7 since 31 March 2013).
- The average number of placements has increased from 25 in 2013/14 to 31.6 in 2014/15, so far, which is an increase of 6.6 (26.4%). At an average cost of £3,160 per week this 6.6 increase equates to a cost of £1.085m per annum.
- Due to the increasing complexity of children's needs that are going into residential out of authority placements & despite successful negotiations by the Commissioning team to minimise the cost of these placements, the average cost per week of these placements has increased from £3,022 in 2011/12 to £3,160 currently – an increase of 4.6%. However, as shown in the table above, the current average cost per placement is less than the 2013/14 average of £3,245 – a reduction of -2.6%.
- The average number of placements in the same period has risen by 13.6 (75.6%) from 18 to 31.6.
- From 1 April 2013 children's remand placements were fully funded by the Local Authority & RMBC received a national grant of £78k in 2013/14 to cover these additional costs. The allocation for 2014/15 has been reduced to £53k. The cost of these placements in 2014/15 so far is £19k. At the end of August 2014 there were no remand placements (a reduction of 2 since 31 March 2014).

Independent Fostering Agencies

- The number of children in Independent foster Care as at end August 2014 is 102 (no change since the end of March 2014 & a reduction of 16 since 31st March 2013).
- The average cost of a placement has reduced by £2 or 0.2% since 2011/12.
- The average number of placements during the same period has decreased by

In-house Fostering

- The number of children in in-house fostering placements as at end of August 2014 is 181 (an increase of 14 since the end of March 2014).
- The cost of a placement has risen by an average of £36 or 15.7% since 2011/12.
- The average number of placements during the same period has increased by 26.4 (16.6%)

The number of looked after children was 404 at end of August, a reduction of 4 since the end of March 2014.

Fostering Services are forecasting an overspend on Fostering allowances (£164k) & Residence Orders (£58k) due to having more children placed than planned (see table below) & also due to some placements costing more than the budgeted average. This is partially offset by forecast staffing savings in the Fostering team (-£43k) & forecast underspends on Fostering equipment (-£10k) & Family Together packages (-£15k).

Adoption Services are forecasting an overspend on Special Guardianship Orders (£25k) & a small overspend on allowances (£7k) due to some placements costing more than the budgeted average. These are offset with under spends on the Inter Agency costs (-£135k) due to more adoptions being done in house & small underspends on the LAAC Team (-£1k) & the Adoption Team (-£6k).

The table below shows the current placements numbers compared to the plan used when budget setting for 2014/15:

Placement Type	Actual No. of placements as at 31st August 14	Planned No. by this stage of the year	No. of placements above plan	Average Cost per week used for budget setting £	Total Approximate Additional Cost for the next 7 months £'000	Cost Avoided for the next months - assuming an IFA placement would have been used (£854 Per week) £'000
In-House Fostering	181	171	10	264	79	177
Adoption - with means tested allowance	85	90	-5	167	0	0
Residence Orders	135	130	5	129	19	109
Special Guardianship	85	87	-2	118	0	0
					99	286

Although these additional placements are contributing to the service overspend, the table shows that if these placements had instead resulted in Independent Fostering placements, this would have cost RMBC an additional £286k for a 7 month period.

Other forecast overspends within this service are (£100k) in the LAC Service due to Agency costs posts over establishment of £80k & a complex Care package £20k & (£10k) within in-house Residential homes due to Regulation 33 requiring us to use an independent reviewer for our in house provision.

Disability Services (-£57k)

This service is forecasting an underspend due to delays in recruitment for 2 posts within the outreach team (-£23k) & reduced use of the cover budgets at Cherry Tree & Liberty residential homes (-£34k).

Environment & Development Services (+£219k forecast overspend)

The above forecast overspend assumes that the Winter Pressures budget is sufficient to contain costs incurred over the Winter period – in the mild Winter last year the costs exceeded budget by +£139k.

Asset Management (-£105k)

The service is now forecasting an underspend on the various budgets. There are some small pressures across the service: Health and Safety (+£8k) for unfunded costs relating to the recent town centre protest marches; Internal Audit (+£6k) staffing costs; a forecast under-recovery of income (+£10k) for All Saints toilets, staffing costs and income under-recovery at Riverside café and hospitality (+£5k); and closure costs in excess of budget for CENT (+£2k).

There are a number of underspends which have contributed to the improved Asset Management forecast outturn, Community Buildings (-£35k) due to additional rental income and (-£59k) reduced expenditure from Facilities Management of all council buildings. The Corporate Environment Team and Capital Team are forecasting an underspend of (-£42k) relating to capacity within the carbon reduction commitment budget.

Business Unit (£0k)

The Business Unit is currently forecasting a balanced outturn.

Communications (+£6k)

The forecast overspend represents staff cost pressures within the Communications Team.

Regeneration, Planning, Customer and Cultural Services (+£42k forecast overspend)

Whilst there are still some pressures within this service area, the current overspend is an improved position, and staff are working to reduce current pressures. Markets are forecasting an overspend of (+£30k) due to expected repairs costs on deteriorating buildings, and Customer Services (+£121k) mainly due to a delay in delivery of savings and unbudgeted staffing costs as the Service has needed to use temporary staff to meet service demands. The Arts budget has a pressure of (+£12k), due to part year unfunded staffing costs. RIDO is funding a replacement ICT package, and has some staffing cost pressures (+£22k).

These overspends are being partially offset the following forecast underspends:- Business Centres due to increased occupancy levels (-£31k); Cultural Services from Theatres (-£14k); Boston Castle and Museums (-£13k); and Libraries (-£64k) mainly due to the non-filling of vacant posts prior to the now implemented staffing restructure. Building Control (-£8k), due to an increase on applications. Planning Services have identified a small underspend due to the delaying of consultancy spend in this year (-£13k).

Streetpride (+£276k forecast overspend)

Network Management are forecasting a pressure **+£292k**, of which (+£387k) is related to Parking due to reduced forecast income from parking permits and furthermore, the impact of Tesco opening later this year. (See proposed virement – section 7.4). This is being partially mitigated by some savings in other areas (-£95k), mainly from Street Lighting energy savings.

Waste Services are reporting a forecast underspend **-£20k**. Waste collection is forecasting

an underspend of (-£156k), mainly due to WEEE rebate income, and increased income from bulky items and commercial waste, whereas waste disposal is reporting a forecast pressure (+£160k) due to the availability of the waste disposal treatment centre at Runcorn not coming on line when expected, the waste PFI is expected to be slightly underspent (-£24k).

Leisure and Green Spaces are reporting a forecast pressure of **+£8k**, mainly due to an under-recovery of income from allotments and green spaces (+£32k), other smaller pressures total (+£10k), which are being mitigated by some savings from Urban Parks, Landscape Design and general management (-£34k).

Community Services are reporting a pressure of **+£69k**, due to a forecast overspend on cleansing highways (+£53k), staffing costs (+£15k) and a pressure due to the need to renegotiate a new kennel contract for stray dogs as our previous provider terminated the existing contract (+£11k). These pressures are partially offset by a forecast underspend on Pest Control Services due to increased income (-£10k).

Corporate Transport Unit is showing a forecast underspend due to the spend moratorium (-£52k) and further moratorium savings across the wider Streetpride service (-£21k).

Neighbourhoods & Adult Services (+£1.529m forecast overspend)

Adult Services are currently forecasting an overspend of **+£1.270m**. The key underlying budget pressures include:

Adults General (-£31k)

Higher than anticipated staff turnover with Contract and Reviewing Officers is resulting in a forecast underspend of -£31k.

Older People (+£484k)

Forecast increase in Direct Payments (+13 clients) over budget (+£418k) and forecast overspend on independent sector residential and nursing care (+£764k) due to recurrent pressure on meeting savings target from previous years in respect of additional continuing health care income, this is after additional income from property charges being received. These forecast pressures are being partially reduced by a number of forecast underspends including: savings on maintenance contracts and energy costs in the Rothercare service (-£111k); higher than anticipated staff turnover within Assessment & Care Management and community support; additional non-recurrent income from Health (-£245k); an overall underspend on Enabling and home care (-£122k); and additional Winter Pressures funding from health (-£220k) agreed in July.

Learning Disabilities (+£813k)

There is a forecast overspend on Day Care (+£193k) due to specialist provision required for 7 unfunded transitional placements from Children's Services (demographic pressure) plus a recurrent budget pressure on the provision of transport (+£172k). There is also now a forecast pressure due to the delay in the reconfiguration of residential care to supported living by RDASH (+£365k). Further forecast overspends due to a delay in meeting an agreed budget saving for employment and leisure services (+£222k) and additional costs due to staff cover within In House Residential care (+£63k). These forecast overspends are partially mitigated by clients leaving care in excess of budget from residential care (-£101k) and an overall forecast underspend on Supported Living schemes due to receipt of additional funding from health (-£101k).

Mental Health (-£211k)

There is a projected underspend on the residential care budget due to 4 clients leaving care greater than budget since April (-£110k) plus additional forecast underspends within mental health day care, community support and direct payments (-£31k) including additional public health funding (-£100k) for substance misuse. These savings are reduced by a +£30k overspend due to lower than expected staff turnover and extra costs for night cover.

Physical & Sensory Disabilities (+£267k)

Recurrent cost pressure on Direct Payments (+£439k / 55 clients) partially reduced by forecast underspends within residential and domiciliary care (-£154k) and forecast savings within the advocacy contracts (-£18k).

Supporting People (-£52k)

Efficiency savings (reduced placement activity) on subsidy contracts have already been identified against budget (-£52k).

Neighbourhoods General Fund (-£101k)

The projected year end outturn position for Neighbourhoods shows a forecast under spend of (-£101k).

The main reasons for the forecast underspend is higher than expected staff turnover within Trading Standards (-£41k) and Furnished Homes (-£37k) and dispersed units due to lower than anticipated occupancy levels (-£23k).

Commissioning, Policy & Performance and Procurement Services (+£360k)

Services are forecasting an overall overspend due to a undelivered recurrent budget saving target for commissioning. (See section 7.4 of this report).

Public Health (Forecast Balanced outturn)

This service is funded by a ring fenced specific grant from the Department of Health. For Rotherham this is £14.176m for 2014/15. The service is currently forecasting a balanced outturn.

Housing Revenue Account (HRA)

The overall forecast as at end August 2014 is that the HRA will outturn with a use of its working balance (reserves) of £0.807m; a reduction of -£633k from the original budget.

Currently forecasts show a slight underspend on Supervision and Management due to staff vacancies plus additional income from dwelling rents due to fewer than anticipated Right to Buy sales.

Resources Directorate (+606k forecast overspend)

ICT – The service is currently forecasting a pressure of +£700k. This relates to a forecast under-recovery of income due to reduced spend across the Council. This report includes a proposed virement to address this recurrent pressure (See section 7.4).

Legal Services – A forecast overspend of +£113k due to staff cost pressures and delays in achieving budget savings.

Human Resources & Payroll are forecasting an underspend of -£190k largely in respect of additional income generation and reduced staff costs.

Financial Services (including Revenues & Benefits) is currently forecasting a small -£5k underspend on its staffing budget.

Management savings are also forecast across the service amounting to -£12k.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1. Meeting:	Cabinet
2. Date:	24th September 2014
3. Title:	Response to Scrutiny Review - Homelessness
4. Programme Area:	Neighbourhoods and Adult Services

5. Summary

The Scrutiny Review - Homelessness was undertaken by Improving Places Select Commission. The review took place between August 2013 and January 2014 and recommendations were considered by the Overview and Scrutiny Management Board, at its meeting on 25th April 2014, and were then reported to Cabinet on 21st May 2014.

The report was welcomed and provided an opportunity to raise awareness and also explain 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.

6. Recommendations:

- **Cabinet notes and accepts the recommendations and actions outlined in the attached plan. (Appendix 1)**

7. Background and Proposals:

The focus of the Improving Places Select Commission Scrutiny Review on Homelessness was focussed on improving information for customers who are faced with homelessness and the availability of temporary accommodation. The following three points were also introduced into the scope of the review.

1. To identify plans to re-populate the town centre(s) via empty properties, flats over the shops etc.
2. The partnership with private sector landlords to improve housing choices and the potential impact on the prevention of homelessness.
3. An update on efforts to enforce and improve standards within the private rented sector.

The recommendations are welcomed especially with the new Homelessness Strategy and Welfare Reform Policy.

The recommendations from the Improving Places Select Commission Scrutiny Review are outlined below:-

1. That the Homelessness Section should undertake work to raise public awareness of the '28 day rule'. Specific awareness raising/training should be undertaken with elected members to increase understanding of the implications of these changes.
2. Information and trends regarding rent arrears in relation to Welfare Reform "bedroom tax" should be monitored and reported to members at the Improving Places Select Commission meeting on a half yearly basis by the Homelessness Manager.
3. The Private Sector Housing Officer to explore the option of issuing a newsletter to private sector landlords to promote the benefits of the private rented sector and how they can contribute to reducing homelessness.
4. Improve communications between the Homelessness Team and private sector landlords via the Private Sector Housing Officer, holding regular meetings and being proactive in reducing the number of empty properties.
5. The Homelessness Section continue to explore potential partnership options to address the lack of bed space provision, particularly for women and young people who need additional support.
6. Explore the above and other potential opportunities for joint service provision sub regionally via the South Yorkshire Leader's meeting.
7. Develop a coherent, cross service approach to tackling empty properties within the Rotherham Borough utilising existing resources.
8. Consider ways to provide tenancy support to private sector tenants within Rotherham.
9. The Homelessness Manager to arrange implementing the suggested improvements to the crash pad provision.
10. The Strategic Housing Investment Team to look at building provision to both prevent and tackle homelessness in future regeneration schemes at the planning stages and

consider ways that this could incorporate an extension to the HOPE project or other similar projects.

11. For the Council to explore how it invests in property and assets with the aim of reducing homelessness and out of authority placements.

8. Finance

The Scrutiny review acknowledged the need for recommendations to be contained within existing resources and in the main there are no financial implications arising from this report.

Services provided in relation to supporting the private rented sector are extremely restricted, and consequently all developments if they are to be sustainable will need to be cost and time effective and wherever possible utilise resources inherent within the sector.

The emergency temporary accommodation “crash pads” service is self-financing as such there is no budget allocation from the General fund and relies wholly on the crash pad nightly charge for income. The income generated from the charge covers all staffing, furniture and operational costs. The scheme has been a financial success with no losses ever been made, this is mainly due to how the scheme was originally created and the tight financial monitoring that has taken place within the service.

9. Risks & uncertainties

Failure to respond adequately through the provision of information, advice support and services to homeless households could result in increased levels of street homeless

Strong partnership working is required to implement fully some of the recommendations in this report.

10. Policy and Performance Agenda Implications

The Homelessness Strategy has considered the impending changes to the Council’s Housing Allocations Policy.

The Homelessness Strategy also links to the priorities in the Council’s Corporate Plan, CP 4 – ‘Helping people to improve their health and wellbeing and reducing inequalities within the Borough,’ the NAS Service Plan, Priority 5 – ‘We will respond quickly to people’s needs, mitigating the effects of poverty and helping them thrive,’ and the Poverty Workstream in the Health and Wellbeing Strategy.

It also contributes to three of the ten commitments within our new Housing Strategy:

Commitment 1 – we will deliver Council Housing that meets people’s needs

Commitment 6 – We will help people to access the support they need

Commitment 9 – We will help to improve Rotherham’s private rented sector

11. Background papers

- The Corporate Plan
- Homelessness Act 2002
- RMBC’s Housing Strategy
- RMBC’s Housing Allocations Policy 2008, revised December 2013
- Localism Act 2011

Consultation

- Sandra Tolley - Housing Options Manager
- Jill Jones – Homelessness Manager
- Paul Benson – Private Sector Housing Officer
- Tom Bell - Strategic Housing & Investment Manager
- Paul Elliott - Business and Commercial Programme Manager

12. Contact details

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Cabinet's Response to Scrutiny Review - Homelessness

Recommendation	Cabinet Decision (Accepted/ Rejected/ Deferred)	Cabinet Response (detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)	Officer Responsible	Action by (Date)
1. That the Homelessness Section should undertake work to raise public awareness of the '28 day rule'. Specific awareness raising/training should be undertaken with elected members to increase understanding of the implications of these changes.	Accepted	<p>Cabinet accepts this recommendation.</p> <p>Awareness raising/training has been included in the Homelessness Strategy Action Plan under the Priority 3 – Providing Quality Information on all Housing Options, action points are:</p> <ul style="list-style-type: none"> • Deliver training to Elected Member's and colleagues on all aspects of homelessness • Develop a Homelessness Prevention Pack for customers offering advice where to get help • Increase opportunities to self-serve and access information on the website or locally 	Jill Jones	March 2015
2. Information and trends regarding rent arrears in relation to Welfare Reform "bedroom tax" should be monitored and reported to members at the Improving Places Select Commission meeting on a half yearly basis by the Homelessness Manager.	Accepted	<p>Cabinet accepts this recommendations</p> <p>The information and trends regarding rent arrears are monitored by the Income team. The reports requested will be presented by the Business and Commercial Programme Manager, during the forthcoming year, and then be subject to review.</p> <p>The Rent Policy will be subject to a Scrutiny Review.</p> <p>In the Homelessness Strategy Action Plan Priority 5 – Reducing the risk of people becoming homeless due to financial difficulties, action points are:</p>	Paul Elliott	March 2015

		<ul style="list-style-type: none"> • Implement changes to the Allocation policy (Sandra Tolley) • Implement a new Rent Policy (Paul Elliott) • Ensure early intervention and prevention is offered through advice to tenants and joint working 		
3.The Private Sector Housing Officer to explore the option of issuing a newsletter to private sector landlords to promote the benefits of the private rented sector and how they can contribute to reducing homelessness.	Rejected	<p>Cabinet amends this recommendation to offer an alternative method of communication with private sector landlords</p> <p>Previously a landlord newsletter was produced with private sector support funding but this is no longer available.</p> <p>It is anticipated that other methods of communication, i.e. Council website, landlord forums and the landlord accreditation will offer ample opportunities to promote the benefits of the private rented sector and how they can contribute towards reducing homelessness. See also 4 below</p>	Paul Benson	December 2014
4. Improve communications between the Homelessness Team and private sector landlords via the Private Sector Housing Officer, holding regular meetings and being proactive in reducing the number of empty properties.	Accepted	<p>Cabinet accepts this recommendation.</p> <p>In the Homelessness Strategy Action Plan – Priority 6, Helping more people to access and sustain private rented accommodation, the action points are:</p> <ul style="list-style-type: none"> • Meet with Landlords to encourage them to provide information on available empty properties to the Housing Options team • Promote intensive tenancy support to sustain tenancies and prevent homelessness • Facilitating Housing Health and Safety Rating System (HHSRS) inspections to improve standards 	Paul Benson Lianne Hancock	March 2015

		<ul style="list-style-type: none"> The homelessness team encourage the customer to consider private sector accommodation to alleviate their homelessness. 		
5. The Homelessness Section continue to explore potential partnership options to address the lack of bed space provision, particularly for women and young people who need additional support.	Accepted	<p>Cabinet accepts this recommendation.</p> <p>In the Homelessness Strategy Action Plan – Priority 2, Ending Rough Sleeping in Rotherham and Priority 4, Reviewing the provision of temporary accommodation the actions are:</p> <ul style="list-style-type: none"> Work with partners to ensure we provide advice and support for rough sleepers Work with partners to access accommodation Support bids from the voluntary sector for Fair Chance Funding Submit a sub-regional bid for funding to assist single homeless households access accommodation. Apply the ‘No Second Night Out’ protocol Assess the availability of temporary accommodation/direct hostels in Rotherham and the sub-region Work sub-regionally to access bed spaces Review the suitability and success of supported and move on accommodation 	Jill Jones	March 2015

<p>6. Explore the above and other potential opportunities for joint service provision sub regionally via the South Yorkshire Leader's meeting.</p>	<p>Accepted</p>	<p>Cabinet accepts this recommendation.</p> <p>To take forward this suggestion of working sub-regionally it is proposed that the issue of lack of bed spaces is raised at the South Yorkshire Leader's meeting to consider how this aim can be achieved.</p> <p>In the Homelessness Strategy Action Plan - Priority 4, Reviewing the provision of temporary accommodation, one of the actions is to:</p> <ul style="list-style-type: none"> • Identify how a customer may access a bed space sub-regionally <p>This action will allow us to explore this possibility.</p> <p>A paper needs to be prepared by the Homelessness Manager and this will be presented initially to the South Yorkshire Leader's meeting by the Leader to brief the group on Rotherham's suggestion to allow access to hostel spaces sub-regionally, and gain their view – if accepted then further work will be carried out at the sub-regional homelessness group.</p>	<p>Jill Jones</p>	<p>March 2015</p>
<p>7. Develop a coherent, cross service approach to tackling empty properties within the Rotherham Borough utilising existing resources</p>	<p>Accepted</p>	<p>Cabinet accepts this recommendation</p> <p>The Homelessness Strategy Action Plan – Priority 6, <i>Helping more people to access and sustain private rented accommodation</i> encourages landlords to offer up available empty properties to the Housing Options team.</p> <p>Council Tax empty property lists will be used to identify those private rented sector properties that have been utilised to support the Council's homelessness programme.</p>	<p>Tom bell</p>	<p>March 2015</p>

		<p>Private empty property owners will be informed of opportunities to offer their properties for letting, either as landlords or to letting agents who will manage them on their behalf, to assist in meeting the homelessness demand.</p> <p>We have approval to utilise Empty Dwelling Management Orders (EDMO's) and Enforced Sale proceedings to assist with bringing empty properties back into use, these methods will be included into a new Empty Property Policy which will support their use as an intervention to prevent potential homelessness.</p> <p>We will provide support to Revenues and Benefits to enable empty property owners to access assistance/schemes offered by the Council and third parties i.e. HOPE, which may help bring empty properties back into use.</p>		
<p>8. Consider ways to provide tenancy support to private sector tenants within the Rotherham Borough.</p>	<p>Accepted</p>	<p>Cabinet accepts this recommendation</p> <p>There is already provision for tenancy support within all housing sectors which is provided by Supporting People floating support services.</p> <p>In addition, to prevent failed tenancies in the private rented sector, the Tenancy Intervention Officers who are part of the Homelessness team will provide intensive support at the start of the tenancy as required, and will intervene if tenants or landlords have issues which may put the accommodation at risk at any time.</p>	<p>Jill Jones</p>	<p>March 2015</p>

		<p>In the Homelessness Strategy Action Plan - Priority 6, Helping more people to access and sustain private rented accommodation, two of the actions are:</p> <ul style="list-style-type: none"> • Ensure that private sector tenants are supported to sustain their tenancy • Develop and implement services to sustain tenancies and prevent homelessness • Review the paper bond scheme and consider other appropriate alternatives such as a guaranteed rent scheme for the first month of the tenancy 		
9. The Homelessness Manager to arrange implementing the suggested improvements to the crash pad provision	Accepted	<p>Cabinet accepts this recommendation.</p> <p>In the Homelessness Strategy Action Plan – Priority 4, Reviewing the provision of temporary accommodation, the action points are:</p> <ul style="list-style-type: none"> • Undertake reality checks of temporary accommodation • Carry out a 6 monthly review of crash pads, location, standards, and information available to the customer when they arrive <p>The above actions are now implemented</p> <p>In addition we will consider feedback from customers of their experience whilst in temporary accommodation, and respond to suggestions to improve our services</p> <p>Regular inspections of the properties and the provision of support for occupants are embedded in the service. This includes:</p> <ul style="list-style-type: none"> • Development of information for occupants about the local area • Visit twice per week to check occupancy and 	Jill Jones	March 2015

		<p>offer advice about resettlement</p> <ul style="list-style-type: none"> • Check vacant crash pads every 2 weeks to ensure that they are safe and secure • Individual gardens maintained during summer • £30k investment during last 2 years to redecorate and re- carpet 		
10. The Neighbourhood Investment Team to look at building provision to both prevent and tackle homelessness in future regeneration schemes at the planning stages and consider ways that this could incorporate an extension to the HOPE project or other similar projects.	Accepted	<p>Cabinet accepts this recommendation</p> <ul style="list-style-type: none"> • The Strategic Housing and Investment Service will consider the implications of property acquisitions and the re-housing need when undertaking future regeneration schemes. • If Empty Dwelling Management Orders (EDMO's) are utilised in a new Empty Property Policy, the Strategic Housing and Investment Service will consider the opportunity to provide accommodation for homelessness clients. 	Tom Bell	March 2015
11. For the Council to explore how it invests in property and assets with the aim of reducing homelessness and out of authority placements.	Accepted	<p>Cabinet accepts this recommendation</p> <p>The Strategic Housing and Investment Service don't have a budget but will explore opportunities to assist Key Choices to apply for external funding to invest in property and assets with the aim of reducing homelessness and out of authority placements</p>	Tom Bell	March 2016

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meetings:	Cabinet
2.	Dates:	15 October 2014
3.	Title:	Scrutiny review: Urinary Incontinence
4.	Directorate:	Resources All wards

5. Summary

This report sets out the main findings and recommendations of the scrutiny review of urinary incontinence. The review report is attached as Appendix 1 for consideration by Cabinet Members. It was considered and approved by the Overview and Scrutiny Management Board on 19th September 2014.

6. Recommendations

That Cabinet:

6.1 Receive the Scrutiny Review: Urinary Incontinence.

6.2 Agree to consider the recommendations and report back to Overview and Scrutiny Management Board within 2 months.

7. Proposals and details

This review was approved by OSMB 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 are promoted in Rotherham to reduce urinary incontinence, given the impact it has 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

A spotlight scrutiny review was carried out, chaired by Cllr Judy Dalton and evidence gathering began in May 2014, concluding in July 2014. This comprised desktop research and a round table discussion with health partners and the Council's Sport and Leisure Team.

Urinary incontinence affects all age groups and should not be viewed as inevitable as people get older. Many forms may be treated or cured and it is vital to expand preventative work and continence promotion to try and reduce the numbers of people becoming incontinent. It is also important to ensure more people are having an assessment of the cause of the problem rather than coping as best they can 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 Rotherham Clinical Commissioning Group has been unique in reducing expenditure on continence products in the last five years yet delivering improved outcomes for service users. The CCS does engage in preventative work and plans for future service development include greater focus on this area. One workstream will 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 is needed to emphasise the importance of good bladder and bowel health and how healthy lifestyle choices can help to prevent incontinence. Pelvic floor muscle training has 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 is scope to consider if they could be incorporated more widely within sports and fitness activities.

Recommendations

- 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.

8. Finance

Any recommendations from the Select Commission would require further exploration by the Strategic Leadership Team and partner agencies on the cost, risks and benefits of their implementation.

9. Risks and Uncertainties

It is important that people have access to health services and the right advice and information to help them maintain a good quality of life at all life stages. Incontinence can have a significant negative impact on a person's life and stigma about incontinence may deter people from seeking professional help. More continence promotion and educative work about healthy lifestyles could help to reduce the number of people having preventable incontinence, resulting over time in lower demand for services.

10. Policy and Performance Agenda Implications

Corporate Plan priority - Helping people from all communities to have opportunities to improve their health and wellbeing.
Health and Wellbeing Strategy

11. Background Papers

See section 7 of the review report.

12. Author

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Appendix 1



Scrutiny review: Urinary Incontinence

Review of the Health Select Commission

May – July 2014

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Executive Summary

The aim of the review:

The review group consisted of the following members:

Cllr Judy Dalton (Chair) Cllr Maureen Vines

There were three main 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.
- To establish an overview of current continence services and costs, and plans for future service development.
- To identify any areas for improvement in promoting preventive measures and encouraging people to have healthy lifestyles.

It would also aim to support the following Council priority from the Corporate Plan:- Helping people from all communities to have opportunities to improve their health and wellbeing.

Summary of findings and recommendations

The review focused primarily on prevention rather than the costs of current service provision, but recognised that preventative work contributes towards achieving savings for services, for example by reducing admissions to hospital or residential care. Centralisation of continence prescribing has improved outcomes for service users and future service development with greater emphasis on prevention should also produce both further savings and better outcomes. Awareness raising of the importance of good bladder and bowel health and being physically active, plus doing pelvic floor exercises as a preventive measure, could lead to fewer people having their quality of life diminished through urinary incontinence and result in lower future demand for services.

The review conducted was a spotlight review and formulated six recommendations as follows:

- 1 RMBC Streetpride and partner agencies such as SYPTTE 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 RMBC Sport and Leisure team should establish greater links with the Community Continence Service in order to support people to participate in appropriate sport and physical activity.
- 3 RMBC Sport and Leisure team should liaise with other sport and leisure activity providers to consider building more pelvic floor exercises into the Active Always programme and wider leisure classes
- 4 There should be greater publicity by partner agencies, coordinated through the Health and Wellbeing Board, to reduce stigma associated with incontinence and 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 RMBC Neighbourhoods and Adult Services should work with care homes to encourage more 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 from Rotherham Clinical Commissioning Group in 2015 on the outcomes of the project considering future service development of the Community Continence Service.

1. Why members wanted to undertake this review?

This review was requested by the Health Select Commission and as such an initial report was received at its meeting in June 2014. The key focus of Members' attention was to establish the extent to which preventive measures are promoted in Rotherham to reduce urinary incontinence, given the impact it has 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

2. Method

A spotlight scrutiny review was carried out by a sub-group of the Health Select Commission consisting of Cllrs Dalton (Chair) and M. Vines. Following background research an initial report to the Commission provided an introduction and set the context. Evidence for the review was then gathered through a focused round table discussion with health partners and the Council's Sport and Leisure Team.

Members would like to thank the following officers who provided the review with evidence:

Stuart Lakin – Head of Medicines Management, Rotherham Clinical Commissioning Group
Joanne Mangnall – Continence Advisor, Community Continence Services
Chris Siddall – Sport & Leisure Manager, Leisure and Green Spaces, RMBC

3. Background

An article in the Nursing Times in 2013 highlighted that around 14 million people in the UK have a bladder control problem. Causes of urinary incontinence can be physical or neurological; resulting from injury, illness or disability, but many forms can be cured, improved or managed. Good continence care and assessment helps to reduce hospital and residential care admissions and may reduce the need for continence products through interventions such as physiotherapy or medication. When continence products are required a good service ensures people have the most appropriate products, with their needs periodically reviewed.

Lower Urinary Tract Symptoms include problems storing or passing urine, which may lead to urinary incontinence. There are several types of urinary incontinence with varying symptoms, but stress incontinence and urge incontinence are the most common, thought to be responsible for over 90% of cases, and people may have symptoms of both. Stress incontinence is when urine leaks if the bladder is under pressure, for example when coughing, sneezing or laughing, usually as a result of weakness or damage to the muscles that are used to prevent urination, such as the pelvic floor muscles and urethral sphincter. Urge incontinence occurs when people feel an intense urge to pass urine and urine leaks before they reach a toilet. It is usually due to over activity of the detrusor muscles that control the bladder.

Continence is typically achieved during early childhood; however both men and women are at risk of developing urinary incontinence at any stage of their life. Women can develop problems following pregnancy and childbirth and research tells us urinary incontinence affects about twice as many women as men. Whilst urinary incontinence

does become more common with age it should not be viewed as an inevitable consequence of ageing.

4. Findings

4.1 Prevalence of urinary incontinence

The Joint Strategic Needs Assessment shows that incontinence affects 19% of people over 65, rising to a third of those aged over 85 years. Rotherham has an ageing population, ageing faster than the national average, with the number of over 65s projected to increase by 7,500 (16%) by 2021 and the number aged 85+ by 1,500 (27%). This suggests a significant potential increase in future demand for continence services, unless more preventative work takes place across all age groups.

Based on data from the Royal College of Physicians the number of people in Rotherham with a continence problem would be estimated to be 12,500, but statistics show the Community Continence Service (CCS) is aware of or working with approximately half this projected number.

- The present clinical caseload the service is actively working with numbers around 1600 people.
- The caseload for stress/urge incontinence and bladder problems is approximately 220, mainly women (which is the norm) plus 54 with mental health problems such as dementia.
- 528 people with indwelling catheterisation and 618 with intermittent catheterisation (following conditions such as MS, stroke, spina bifida, post childbirth or detrusor muscle failure).
- 4276 are prescribed pads, 2884 of whom are female and mainly aged over 50 (see table below for detailed breakdown).
- 1 in 100 adults wets the bed.
- Rotherham has no paediatric continence service, although there is a children's service in Sheffield. School nurses deal with bed wetting and the Child Development Centre with toilet training.
- More boys than girls aged under 18 use pads, for example due to disability or developmental delay.

Members were provided with a snapshot profile by age and gender of current Community Continence Service users who are prescribed pads (all data is as at 8 July 2014).

	0 - 18		19 - 34		35 - 50		51 - 66		67+	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Community	257	145	46	57	39	113	120	253	662	1432
Residential			3	6	3	8	9	13	126	557
Nursing Bed (Self-funded)			2	2	7	5	11	40	107	253
Total	257	145	51	65	49	126	140	306	895	2242

Total Males: 1392

Total Females: 2884

Overall total: 4276 people

4.2 Impact of urinary incontinence

Health, wellbeing and participation

Incontinence is likely to have significant health and emotional impacts and to affect people's ability to take part in paid employment, education, or social and leisure activities. It may also damage family and intimate relationships. Social isolation, depression, low self-esteem and self-confidence and/or reduced independence are commonplace in many cases. Members heard anecdotally how some people plan their lives around the location of public toilets so they feel confident enough to leave home and go out.

"I've recently been using the continence service after experiencing issues, and I have to say it has been marvelous, absolutely life-changing. I can use the toilet normally again, and feel like I'm alive again!"

Service user on patient opinion website

Stigma

Embarrassment is a significant barrier that deters people from seeking professional help. On average people wait two to three years before they do so and often elderly people will not admit to having a problem. It may also mean many people either cope with the problem as best they can or purchase off the shelf products, rather than having an assessment to find out the cause of the incontinence and how best to treat or manage it.

"The first time I went to continence specialists nursing, Rotherham Community Centre, I felt nervous and embarrassed to talk about my condition, but within minutes I felt really at ease. The staff were so caring, polite and happy..."

Service user on patient opinion website

Disturbed sleep and falls

Incontinence may lead to disturbed sleep and/or increased risk of falls and injury if people are making frequent urgent trips to the toilet, especially at night. People with balance problems, people who are less mobile and/or lack physical strength or dexterity are more likely to fall if they get up to rush to the toilet. Identifying and treating incontinence may help to reduce the risk of falls and fractures amongst older people, but continence as a factor can get overlooked in assessing them.

"I have prostate cancer, and before using this service was getting up in the night up to 6 times to relieve myself. The continence prescription service was recommended by my district nurse, and after seeing them and being fitted up, things have been great ever since."

Service user on patient opinion website

4.3 Community Continence Service

General Service and Prescribing Service

The award winning CCS provides clinical advice, support and treatment to people in Rotherham who experience problems with bladder and bowel dysfunction. The service is responsible for supplying disposable absorbent products and prescribing all continence related equipment such as urinary catheters and drainage bags, using a standardised triage template to facilitate safe product ordering.

For the Prescribing Service people are seen within 48 hours and for the General Service the longest wait is four weeks. Once people are on the caseload they can self-refer in. Service users have the opportunity to discuss any product related problems with staff who will make home visits or hold telephone consultations. Annual reviews of patient needs

take place to check the suitability of their products and to spot any changes in clinical need.

In addition to support and product prescribing the service is also involved in preventative work:

- preventing catheter related A&E attendances and hospital admissions
- preventing patients from requiring long term catheterisation
- working with infection control to prevent catheter associated urinary tract infections

The General Service is staffed by the Continence Advisor plus a 0.6fte band 6 nurse, support worker and administrative worker. The Prescribing Service has 2.4fte band 6 nurses and support staff who cross over with the stoma service.

Referrals derive from GPs and other health care professionals, through self-referral and also from people learning about the CCS from other service users. The CCS works closely with the physiotherapist running the women's health clinic with two-way referrals in place. Publicity about the service is included on the TRFT website and in directories of local services and the CCG website contains detailed information and advice.

Centralised prescribing

Rotherham transferred the prescribing responsibility for continence products from GPs to the existing nurse-led CCS in 2009, together with the financial responsibility for the prescribing budget. It is the only Clinical Commissioning Group (CCG)/Primary Care Trust to demonstrate a decrease in continence expenditure over the last five years. From 2009-2013 continence prescribing costs in England increased by 21.56% whereas in Rotherham costs decreased by 8.99%. The CCG estimates that if NHS Rotherham's continence expenditure had increased in line with national cost growth trends, costs in 2012/13 would have been 30% higher, thus resulting in a potential saving of £239,591. The current budget is approximately £670,000 p.a. and cost efficiencies have released resources to improve service provision through additional staff, funded entirely from the savings made from centralisation of prescribing. Members noted that incontinence pads are controversial and with tight savings targets in the NHS many CCGs are trying to ration them or to save money.

The continence service redesign revealed a number of people whose mobility and independence had been compromised due to unsuitable products. The project enabled the CCG to meet this unmet need and improve patients' independence. Feedback on the Patient Opinion website is very positive about the service and choice is probably enhanced through being able to access a wider range of products via the specialist knowledge of the continence nurses. Service users have said they like talking to the expert staff of the CCS rather than someone at their GP practice.

Future service development

Input from the service user group informs service development and funding has been agreed from cost savings for a research/project nurse to continue the continence service re-design, to improve patient outcomes and release further efficiencies. This will develop further the work on preventing catheter associated urinary tract infections and on reducing the number of non-elective hospital admissions.

Another facet of the work that was welcomed by Members will be exploring the opportunity to develop an integrated incontinence referral pathway with the service as the single point of access, signposting people to urology or gynaecology if needed. There are approximately 450 GP referrals to TRFT urology and gynaecology outpatients each month and a number of these patients could be seen and managed in a community based clinic

either by a nurse or physiotherapist. Similar pathways developed elsewhere in the country are improving patient outcomes and reducing consultant referrals.

4.4 Preventative measures

Preventive work may take place on three levels:

- Primary prevention - educational work and promoting wellbeing across the whole community
- Secondary prevention - identifying people more at risk through early intervention
- Tertiary prevention - working to minimise disability or deterioration from an existing health condition

Preventative work currently undertaken and being further developed by the CCS focuses mainly on secondary and tertiary level prevention. Potentially the project/research nurse could also consider more educative work as part of the plans for future service development on prevention. In addition scope exists for wider partner agencies to contribute more to reducing urinary incontinence through primary prevention to support the existing work.

The CCS held some patient facing events five years ago although these were not overly successful and the service has attended Older People's Day and Carer's Day events. Wider awareness raising and education about continence is likely to result in increased demand for services, which could have resource implications in the short term, until the results of greater focus on prevention impact on demand in the longer term.

Lifestyle choices

Healthy lifestyle choices have a positive impact and help to reduce the chance of urinary incontinence developing:

- maintaining a healthy weight;
- reducing alcohol and caffeine consumption (as these are irritants to the bladder) but ensuring an adequate fluid intake;
- having a good diet to avoid constipation as this sometimes exacerbates bladder problems; and
- keeping fit and active.

Healthy Lifestyles is one of the six priorities in the Health and Wellbeing Strategy so there is scope to link in to that workstream in terms of publicity and awareness raising about preventing incontinence, for example during World Continence Week.

Physical activity

Demanding exercise such as heavy lifting or marathon running may actually weaken the pelvic floor muscles and people with stress incontinence may be fearful of taking part in physical activity in case of mishap, with a knock on impact on their overall health and wellbeing. However core strength training targets all muscle groups that stabilize the spine, hips and pelvis, focusing on balance and stability during movement. This is of universal benefit but may particularly be helpful for anyone with reduced mobility or poor balance who experiences incontinence, as mentioned in 4.2.

Active Always is a comprehensive borough wide programme of physical activities for adults, coordinated through RMBC Active Rotherham (formerly Sports Development) in partnership with several NHS Rotherham services and community partners. The

programme offers a range of general activities plus specific ones to support people with a long term condition or after a rehabilitation programme (some by referral only from a GP or health professional). Falls Prevention – Active Otago Strength & Balance exercise sessions take place in seven venues, including Davies Court. Strength, coordination and balance form a key component of the Exercise after a Stroke class and Tai Chi.

The four leisure centres include Active Always activities within their programming as well as the wide range of activities for all age groups, such as workout classes in the studio or the pool, gym classes and sports.

Pelvic Floor Exercises

Supervised intensive pelvic floor muscle training (also known as Kegel exercises) has been proved to relieve symptoms and may reduce the risk of developing stress incontinence. However research shows that the number of women who do the exercises as a preventative measure is quite low according to the CCS. Although exercises may be incorporated into the individual's daily regime, initial support helps to ensure they are done correctly, as research also shows some women experience difficulty with identifying the muscles and doing the exercises. Where people are intensely supported in classes they are also more likely to sustain the exercises. Physiotherapists are able to carry out quick tests to check whether there is an improvement after exercising.

Pelvic floor exercises, which are beneficial for both women and men, could potentially be included more widely within sport and activity programmes as a no-cost preventive measure, subject to staff being trained to deliver them. They are currently included in leisure centre activities such as Pilates and Aqua Pilates and are part of core strength training. Information about classes and activities does not explicitly mention which ones include pelvic floor exercises.

Downloadable apps for mobile phones provide information about how to do pelvic floor exercises. They usually incorporate a timer function to time the muscle contractions and to set as a reminder to undertake them. Detailed information about exercises for both men and women is also available on the internet.

Bladder training

Another helpful method to reduce certain types of urinary incontinence is to retrain the bladder by gradually increasing the time between toilet visits to micturate. "Just in case" toilet trips might make people feel more secure but diminish bladder capacity.

Toilet facilities

Access to clean, well equipped toilets, in schools and workplaces as well as in public spaces, was emphasized by the CCS. Toilets should contain suitable bins for the disposal of equipment and pads for both men and women. The biggest issue for the CCS service user group is clean, accessible public toilets, with some negative views expressed regarding the town centre, including poor design of the accessible toilet.

Nursing and care homes

As stated above mobility, dexterity and core stability are all important as it can cause functional issues if people are not as mobile or are unable to walk or to balance on a toilet. These issues, coupled with fluid intake and diet, are all relevant in care homes. RMBC's Sport and Leisure team includes a disability officer and engages with care homes for sporting activities, such as New Age Kurling and Boccia in nursing homes and sheltered accommodation. Rotherham United also holds activities in care homes.

Research carried out in Rugby¹ showed the benefit of education for staff as urinary

incontinence was less prevalent in nursing homes where nurses and carers had received continence training. The CCS do offer training to care home staff and in-house product training but take up is low and last year sessions were cancelled due to a lack of participants. Engagement is more difficult with private sector care homes and high staff turnover impacts on training and continuity of care.

Health professionals

Although in general there is greater focus on incontinence management and containment, more attention is starting to be paid to needs assessment and continence promotion. Awareness raising is needed with health care providers to dispel the notion of incontinence being an inevitability due to age or certain conditions and to encourage promotion of continence and preventative measures. Nurses, occupational therapists, physiotherapists, midwives, health visitors and school nurses are all well placed to assist with this. Signposting people for early assessment or support should link in with the future service development plans for an integrated pathway.

5. Conclusions

Rotherham has a good, award-winning community continence service, which is evident from service user feedback. Therefore the question is what more could be done on the preventative side to try and reduce the numbers of people who do become incontinent, particularly in relation to preventable stress and urge incontinence, as well as providing services and support for those who will continue to need continence products.

One such measure is to continue promoting healthy lifestyle choices to all sections of the community, which is already one of the six priority workstreams within the Health and Wellbeing Strategy. Public awareness about the importance of good bladder and bowel health and information to try and counter some of the stigma around incontinence are important. Raising awareness about continence promotion more widely with health professionals and care home staff will help with prevention. However it may well result in more signposting for assessment, rather than management and containment of incontinence, potentially increasing demand for services in the shorter term.

Another measure is to support and encourage people to do pelvic floor exercises and to consider ways to incorporate these more widely or more specifically within Rotherham's sport and leisure activity offer. The general benefits of core strength training were noted as helping with balance and mobility and current provision includes many sessions that focus on this area, including within the Active Always activity programme.

Members welcomed the plans for future service development of the Community Continence Service with greater focus on prevention, especially the workstream to consider developing an integrated continence care pathway, which should link in with services such as physiotherapy and fitness activities. Early assessment of a urinary incontinence problem, to identify its root cause and appropriate treatment should be facilitated by a single point of access, potentially reducing the numbers who are using incontinence products unnecessarily or inappropriate products, improving the quality of life for many people.

6. Recommendations

- 1 RMBC Streetpride and partner agencies such as SYPTTE 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 RMBC Sport and Leisure team should establish greater links with the Community Continence Service in order to support people to participate in appropriate sport and physical activity.
- 3 RMBC Sport and Leisure team should liaise with other sport and leisure activity providers to consider building more pelvic floor exercises into the Active Always programme and wider leisure classes.
- 4 There should be greater publicity by partner agencies, coordinated through the Health and Wellbeing Board, to reduce stigma associated with incontinence and 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 RMBC Neighbourhoods and Adult Services should work with care homes to encourage more 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 from Rotherham Clinical Commissioning Group in 2015 on the outcomes of the project considering future service development of the Community Continence Service.

7. Background papers and references

Pharmaceutical and Medicines Waste - Report to Health Select Commission March 2014

Scrutiny review: Urinary Incontinence - Report to Health Select Commission June 2014

Joint Strategic Needs Assessment

Ensuring Effective Continence Care - October 2013 Health Scrutiny Panel,
North Lincolnshire Council

Warwickshire County Council January 2011 – Report of Adult Social Care Prevention Services Task and Finish Group

Nursing Times Discussion: Continence 10.07.13

Frontline magazine, Chartered Society of Physiotherapists 2.10.13

NHS Choices and Patient Opinion websites

Reference

1 - "Is policy translated into action?" National survey by RCN and Continence Foundation

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	15 th October 2014
3.	Title:	Scrutiny review on supporting the local economy
4.	Directorate:	Resources

5. Summary

This review was conducted by a review group from Improving Places Select Commission, Chaired by Cllr Emma Wallis. The review itself was conducted as part of the 2013/14 work programme. The attached version of the report is the final published version of the report, as agreed by Overview and Scrutiny Management Board at its meeting of the 19th September.

6. Recommendations

That Cabinet:

- Receive the Scrutiny Review – Supporting the Local Economy
- Agree to consider the recommendations within the report and respond to Overview and Scrutiny Management Board within two months.

7. Proposals and details

The review group was established as part of the work programme for 2013/14. It took place during November 2013 to May 2014. It was a key piece of work for the Improving Places Select Commission.

This review was identified and agreed as part of the work programme for the Improving Places Select Commission for 2013/14. 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 need 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 is 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.

8. Finance

There are no immediate financial implications arising from the report, however, full implementation of the recommendations may have some resource implications for the Council and partners.

9. Risks and Uncertainties

The main risks are associated with the Council not acting appropriately to stimulate the economy during a key period of growth.

10. Policy and Performance Agenda Implications

Supporting the economy is a key corporate priority for the Council and a key element of the Sheffield City Region agenda.

11. Background Papers and Consultation

12 Contact

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Scrutiny review: Supporting the Local Economy

Review of the Improving Places Select Commission

November 2013 – May 2014

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Executive Summary

The aim of the review:

The review group was made up of the following members:

- Cllr Emma Wallis (Chair)
- Cllr Alan Atkin
- Cllr Dominic Beck (Self Regulation Select Commission)
- Cllr Clive Jepson

Summary of findings and recommendations

The agreed objectives of the review were:

- To analyse the impact of changes to local government finance – particularly business rates
- To analyse how the Council can create the right conditions for growth in the private sector
- To influence the development of the growth plan for Rotherham, which in turn feeds into the City Region growth plan.
- To develop a whole council approach to increase business rates in Rotherham

The scope of the review was kept narrow as it was anticipated that the review could expand to cover a wide range of issues thus diluting the impact of its recommendations and extending the time it would take to complete. Members therefore agreed to focus on the following lines of enquiry during the review:

- What is the impact of an increase/decrease in business rates on the Council finances?
- What is the impact of this on the local economy?
- How can the Council support economic development and what should be in the growth plan? What different models can be adopted?
- How are supply chains supported?
- What incentives can be offered to local businesses?
- How do we evaluate success? How have others achieved it?
- Impact of funding
- What are Rotherham's growth areas?
- What specifically is the approach to Tourism?
- How can the following services be used to generate business investment?
 - Asset Management
 - Transport
 - Planning
 - Housing
- How do we impact on the most deprived areas of Rotherham?

The recommendations that emerged from these findings were further broken down into those that could be implemented quickly and those that were more strategic in nature. The latter focused very much on structural responses within the Council and also working in a more multi-disciplinary manner, including interaction with partners.

The recommendations are.

Early Implementation:

1. The Economic Development Team within the Council should ensure that the emerging Growth Plan is focused around two key objectives – income generation and employment creation, with very clear actions for achieving this
2. Targets and outcomes should be developed for this plan that are smart – suggestions include number of businesses accessing services, the number of young people accessing apprenticeships, the number of new entrants to post compulsory education and the number of over 16s gaining accredited qualifications.
3. The Economic Development Team should ensure that the growth plan is jointly owned by local partners and that it is strongly linked to the Local Plan.
4. They should also ensure that it is communicated effectively to partners and stakeholders, as part of an ongoing campaign to “talk up” Rotherham and its achievements. These stakeholders should include the Sheffield City Region structures and the private sector.
5. The Planning Board should identify, in the first instance, its top ten development sites and focus on these in its policies and plans. Within this the identification and delivery of a strategically important site should be the number 1 priority for Rotherham to remain competitive.
6. The Council should consider prioritising all town centres and giving a policy mandate for this to happen.
7. The Council should consider how Elected Members could input to the development of Council Policy, particularly with regard to economic growth, by utilising the wide range of talent and expertise that exists within this pool. Elected members can further assist with the promotion of Rotherham.
8. RIDO should work with partners to ensure that access to Regional Growth Fund is maximised

Longer term strategy.

The review group gathered very compelling evidence regarding the need to develop a one council and multi disciplinary approach to supporting effective economic growth and to achieving the two objectives outlined in recommendation 1 above. It is therefore recommending a programme of further development work to be undertaken to establish this strategic approach. They are therefore making the following recommendations:

9. The Council should aim to establish a multi-disciplinary “Task Force” with the key purpose of providing a co-ordinated holistic approach to generating investment and economic growth in Rotherham, for the benefit of its local businesses, communities and residents. The focus should be on working both internally, and in partnership with the private sector in Rotherham, to include a range of projects in terms of size and value. The external business support process should be led by RIDO as a recognised brand within Rotherham.

10. The Task Force should include Planning, Asset Management, Housing, Transport, Education and potentially Health partners. These functions will be included on the basis of a unique drivers approach for each project. In line with recommendation 7 above specific councillors (with specific expertise) and ward members should be included in this approach. This model could be adapted for individual projects, with bespoke task groups set up for larger projects including provision for specific expertise to be co-opted. (diagram to be developed)
11. This Task Force should be responsible for ensuring that the strategy should identify land supply, link into work on the Local Plan and also the following issues, with the aim of maximising long term value for the Council's assets:
 - a. Use of capital and borrowing to develop sites and premises
 - b. The approach to the development of this land – some sites for area based regeneration initiatives
 - c. The development of existing smaller sites and premises for developing local businesses
12. The Council should consider how to develop a business friendly culture amongst all its staff – skills development and training issues and also the possibility of setting growth targets for employees where appropriate. A key element of this would be to raise awareness within the Council of the changes to business rates and the importance of them in terms of generating income for the Council.
13. The Scrutiny function in the Council should consider looking further at the following issues;
 - d. The development of aspirational housing and associated services/communities in Rotherham
 - e. Work with schools and training providers/colleges around the 16+ skills agenda to establish stronger links with employers and to engender an enterprising and aspirational culture.
 - f. Potential for developing employment initiatives based on the experience of Manchester and elsewhere

1. Why members wanted to undertake this review?

This review was identified and agreed as part of the work programme for the Improving Places Select Commission for 2013/14. 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 need 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 is focused, amongst other things, on the potential for the public sector to stimulate the local economy via its procurement function. Councillor Dominic Beck was a member of both review groups to ensure complementarity between the two.

The review aims to support the achievement of the following Council priorities from the Corporate Plan:

- Supporting the Local Economy

2. Methodology

The work of the review group was conducted over 7 months and 6 separate meetings. Members heard from a range of witnesses from within the identified functions of the Council and also from the private sector and Chamber of Commerce.

The review has been provided with support by Paul Woodcock and Simeon Leach from Environment and Development Services. Other witnesses that contributed to the review were:

- Paul Smith, Asset Management
- Peter Hudson, Finance
- Anne Ellis, Finance
- Tim O'Connell, RIDO
- Bronwen Knight, Planning
- Tom Finnegan-Smith, Transportation
- Tom Bell, Housing
- Mark Broxholme, Tata Steel
- Mick Hood, Tata Steel
- Mark Davis, Strata Developments
- Andrew Denniff, Barnsley and Rotherham Chamber of Commerce
- John McCreadie, Ekosgen

The review group received verbal evidence (in many cases supplemented with written information and powerpoint presentations) at each of the six sessions and drew their conclusions predominantly from the evidence received. Some desk research was also completed.

3 Background

3.1 Rotherham's Local Economy.

Rotherham has a proven track record in economic development and regeneration; for example town centre development, business incubation and transforming former brownfield land, all of which has required a strong partnership approach to economic development. Rotherham is also cited in the Sheffield City Region (SCR) Strategic Economic Plan as being the 'best' during the last growth cycle for private sector job growth.

Despite this positive picture however, Rotherham currently under-performs against both regional and national averages in a number of economic measures (employment rate, economic activity rate, out of work benefits claimant rate, business numbers, working age population educated to NVQ4 or above and working age population with no qualifications). This is to the detriment of the local, regional and UK economy as well as the lives of Rotherham residents.

Between 1990 and 2008 was a period of economic growth, but the growth was predominantly in public sector jobs. Growth in the private sector was netted by the loss of jobs in manufacturing. Rotherham's record during this period was good due to the good land supply in the Dearne Valley and the Enterprise Zone, plus European and UK regeneration funding. The Rotherham workforce increased by 23%, with a significant proportion of these jobs being in the private sector, one of only 3 Sheffield City Region (SCR) authorities where private sector employment increased.

New economic growth is in business services and call centres; sectors which are vulnerable to outsourcing, lower wages and short term employment opportunities. The pressure for low cost in the market affects the quality of jobs created. Therefore a mix of jobs is to be expected.

Evidence suggests we are at the start of a new growth cycle. The SCR strategic economic plan will have less money attached to it than was expected and the biggest pot of funding within that is transport funding.

Rotherham still has some way to go to catch up with the levels of investment taking place elsewhere in the sub region. Sheffield, Doncaster and Barnsley were able to start earlier than Rotherham with the previous Urban Renaissance investment programmes administered by Yorkshire Forward and whilst Rotherham's Urban Renaissance program started to catch up prior to the demise of both Yorkshire Forward and the investment funding, the other authorities are already moving forward with their next phases of investment, for example recent announcements by Sheffield and Barnsley of investments of £5m in Castle Markets and £40m in the town centre, respectively.

What are the main strengths and challenges for Rotherham?

Strengths:

- Schools are good up to age 16 (GCSE level).
- Rotherham Ready is a positive young enterprise project
- Good track record in regeneration and private sector growth
- Future potential regeneration with next economic growth cycle

Challenges:

- Reduction in funding available means getting the package right for businesses is crucial.
- Learning and skills post 16, including Adults is not performing as well as schools. This has implications for the lifelong learning agenda and links between adult skills development, employability and the skills needs of local employers
- Need to invest in the right skills for employers.
- Need for more robust monitoring and evaluation of regeneration initiatives. Critical Success Factors might be the number of local people going into apprenticeships and the number of Rotherham companies taking up the business support that is on offer. Perhaps also, given the problems with adult skills, number of new entrants to post compulsory education / number of over 16s gaining accredited qualifications.

3.2 Sheffield City Region

Rotherham is one of 9 local authorities within the Sheffield City Region (SCR). Within the SCR there is a Local Enterprise Partnership (LEP), a private sector led partnership focusing on the growth of the SCR economy. The Government's agenda is increasingly to devolve the power and funding to local level via the LEPs, therefore this is key to accessing the responsibility and funding to successfully grow Rotherham's economy. The LEP has a developing Growth Plan which sets out the main priorities and actions for the SCR to grow its economy, as well as being used as a bidding document in to the Government's "Single Local Growth Fund". The private sector themselves are able to bid into the Government's Regional Growth Fund. Evidence suggests that this fund is not being well accessed by private companies. It has been broadened from being on the basis of pure loans, but still a lot of bids have stalled due to government conditions being too tough. It is the role of LEPs to work with companies to get access to the Regional Growth Fund. Bureaucracy is an issue and it is increasing the costs of creating jobs. In economic development terms money is spent slowly and converting it into action and outputs takes time.

In terms of the SCR and Rotherham's relationship with it:

- Who will get what in terms of jobs and businesses? – target is 70,000 net new jobs, it is really for Rotherham to demonstrate what proportion of these they can deliver
- Very little pooling of budgets within combined authorities to date
- This will be increasingly challenging when the sums of money increase
- Partner authorities have to have faith in the pooling and that they will get their fair shares. Will the City Region be collectively better off as a result of setting up the authority? The government is likely to put more money into collaborative approaches.

3.3 Challenges.

Local Government Finance – business rates model

The **Local Government Finance Act 2012** brought about substantial changes in the way councils are funded from 1 April 2013. The Key Changes were:

- **Business Rates Retention,**

- Council Tax Reduction Scheme replacing benefits,
- Local discretion over Council Tax levels for second and empty properties
- It is critical on the back of this model to generate inward investment and new business development. The Business Rates top up grant received by Rotherham applies for 7 years and is fixed plus RPI. (£21.78m in 2013/14)
- Local councils can influence the income levels they receive from business rates (currently approximately £34m per annum)
- The funding baseline assessment will be reviewed but is not clear on the frequency of this.
- There is a potential impact on Rotherham of the Enterprise Zone as growth in business rates (over and above £0.4m current level) will go directly to SCR. It was agreed that we shouldn't be protectionist but also need to make the most of it for Rotherham.
- 22% of Rotherham's business rates income is generated by 21 business properties, which includes RMBC for Riverside House.
- Members felt that there is a need to focus on inward investment in the services sector, call centres and retail (supermarkets) and high value added manufacturing, as well as creative and digital industries, environmental , energy and low carbon industries which are priorities in the Local Plan and for the SCR.
- £641,000 rates relief is lost to the Council per year. Leisure Centres receive 100% as part of the Private Finance Initiative contract.
- Business rates from renewable energy can be kept by the Council but needs clarifying what will happen if these are located within the Enterprise Zone.

A key issue for the purposes of this review and the resilience of Rotherham's Local Economy is the reliance on a small number of big companies – 22% of business rates income is dependent on 21 key payers (including the Council)

Transition from industrial to post industrial.

There is a transition in the modern economy to high value added manufacturing via initiatives such as the Advanced Manufacturing Park. This is likely to create much less in terms of numbers of jobs, indeed there is a significant risk of jobless growth. This creates a significant challenge for the Council and its partners in terms of ensuring that the economic growth results in job opportunities for residents of Rotherham. The creation of higher quality, higher skilled jobs also creates challenges in terms of developing an aspirational offer for these jobs to be retained within the Rotherham economy, via housing and other key services.

The potential for economic growth to impact positively on people in deprived areas can be severely restricted with jobless growth or growth of high value, high skilled jobs. In theory, however, there are a significant number of jobs in Rotherham to enable the number of claimants to be reduced, but this doesn't reflect issues such as zero hour contracts and low rates of pay. Education and skills levels are significant issues in

addressing this, particularly post 16. The private sector witnesses in this review presented some compelling thoughts and suggestions around this agenda.

Members of the review group also wished to express concern that not all economic growth prospects are entirely positive. The current debate around “Fracking” for example illustrates this and full consultation and evaluation around the benefits and weaknesses of this as a future industry still need to take place.

Town Centre

With the building of more houses, more people will shop elsewhere unless the focus on town centres is maintained. This focus should also be on outlying town centres. The Council can be active investors in properties – instead of the council disposing of them, as per the current Cabinet directive, it should hold on to them, accepting the additional revenue pressures, for 3 or 4 years for the right time in the economic cycle. Many parts of the Town Centre have improved over the past five years and the public realm provides an attractive location for the day time and evening economy. Due to the economic downturn the Town Centre has not yet developed to its full potential and there is a need to focus on putting the right things there:

- Short term – The new Tesco will hopefully serve as an attraction for shoppers to Rotherham Town Centre, although the remaining challenge may be in getting them to utilise rest of town centre and to address the investment link with the markets
- Medium term – cinema and leisure offer. The Council’s option for purchase of Forge Island for leisure development such as a cinema/theatre should be considered as a priority as it would enliven the night time economy and help draw in other private sector investment
- Long term – University Campus - which would strengthen the Rotherham’s learning and teaching offer, and begin to embed a culture of lifelong learning.

Land supply.

This is a problem across South Yorkshire – brownfield sites are expensive therefore not much land is attractive to developers. There have been problems for example at Dinnington where land has been cleared for housing but nothing is coming forward and it is too expensive. Of the sites identified in the local plan for employment – 12% are undeliverable.

Loss of funding and products/services.

The reduction in the amount of regeneration funding and funding directed at the private sector has been drastic and had a major impact on the business and investment support landscape. Witnesses in this review have reported on the impact of this on partners’ ability to effectively work with businesses and support them in their development and growth. The current European Regional Development Fund programme, which is the main source of funding for this area of work, will cease in 2015, which is likely to result in a further significant reduction in available resources and services.

This review therefore looked at the role the Local Authority can play in accessing funding, for example use of capital budgets rather than external funding. Manchester City Council regularly buy sites, hold them and then develop them when the time is

right. Most funding now is in the form of borrowing and the Local Infrastructure Fund has to be re-paid. The pay back often doesn't work in economic terms which makes this approach very risky for Local Authorities. During the last 10 years many Government quangos and agencies involved in economic regeneration and skills development have come and gone, as have many different funding regimes. The review group noted that the only constant during this period of rapid change has been local government. They therefore, potentially have the best area of influence over social and economic problems.

Adults skills levels.

Although Rotherham's schools are performing well, there is still a considerable challenge to be addressed around skills levels for children aged 16+ and adults. This is especially significant given the transition from traditional labour intensive industries, to "knowledge based" occupations, which place greater emphasis on "soft" skills. There is therefore a need to create and embed a culture of lifelong learning within Rotherham. The Growth Plan will need to look at this seriously and challenging outcomes need to be set for partners involved in its delivery, for example around the number of young people moving into high quality apprenticeships.

4. Evidence

4.1 Rotherham Council:

Evidence was provided by witnesses from each of the services identified. The evidence presented below summarises descriptions of services provided and observations regarding their implementation and interactions with other service areas and partners.

Asset management.

This includes the following sections with the Council:

- Construction
- Facilities Management (except housing and green spaces)
- Estates function
- Environmental team

It also covers the strategy for Asset Management, Land and Property. A report on proposed changes to this is due to be considered by Cabinet.

They aim to minimise bureaucracy as much as possible to try to assist businesses. They hold a list of local businesses that will be contacted for smaller contracts e.g. school modification.

There are revenue benefits that come from operating to a wider strategy – e.g. maximising business rates. Some properties have been disposed of in the past without reference to a wider strategy in this way. The Council should consider being more strategic with respect to assets.

The Council, however, unfortunately has a lack of resources for maintaining property. Most assets are being sold for the land rather than the property. There is a need to focus on an area based regeneration approach rather than just selling properties.

There has been a deterioration of properties due to long term underfunding of condition maintenance activities, with preference given to more visible service activities. The current spend moratorium has worsened the position– as this is not deemed essential spend therefore the Council is limited in its ability to invest in the buildings it owns.

A central one estate approach which aims for cost efficiencies but enables properties to be released for economic growth, would help.

Asset Management have been working on the AMP project called Re-volution, with RIDO, and on the back of this they will be able to develop a standard cost benefit analysis.

To date there has been a division between departments within the Council who all have their own growth plans – housing, economic development etc. There is a need for a clear lead for growth; and construction and growth plans should be co-terminus. Consideration should be given to the establishment of a Rotherham Economic Task Force in order address fragmentation, and smooth partnership working.

RIDO

The review group considered evidence on the role of RIDO (Rotherham Investment and Development Office) in business growth generation. They provide three main functions; Inward Investment support, Business Incubation and Investor Development. The aim is for all of these functions to increase jobs growth in Rotherham which in turn increases income levels in the Borough and reduces the incidence of deprivation. A fourth area of work focuses on labour market initiatives.

The review group heard about how the Dearne Valley had been key to Rotherham's successful economy in the past and had created private sector jobs (unique to Rotherham in the sub region) during 1998-2013. Despite the recession, which started in 2007/8, Rotherham has not lost all of this growth which means that Rotherham's economy has had greater resilience as a result of this growth in the past.

RIDO is currently experiencing the highest number of enquiries for six years, most of which come via their separate website. RIDO's independent identity is key to this success, although they don't have a specific budget for advertising. Trade fairs and events prove very successful. RIDO is a well established and well known brand, not viewed by the private sector as part of the Council. Increasingly the press and PR for inward investment into the Sheffield City Region is being carried out by the LEP.

RIDO are able to provide a bespoke solution for inward investors around property, workforce and funding with other more unique drivers potentially coming into the frame depending upon the nature of the investment e.g. transport. Experience of RIDO shows that in general businesses prefer developed sites rather than to purchase land. For this reason a mix of sites need to be available – land, office space, industrial units etc..

The Advanced Manufacturing Park is a success because of the role of the public sector in developing it. They took a long term approach and held out for quality. It has a momentum of its own now so doesn't need continued involvement. Planning were key supporting the initiative through the planning process. But it is important to note that the AMP is unlikely to yield a high number of jobs for Rotherham residents.

Local businesses can be helped by having access to a toolkit of business support products. This offer is now much smaller and weaker than it used to be, due to the decline in funding available. 6 local companies have accessed the Regional Growth Fund. RIDO also instigated a LEP bid to the RGF for businesses to bid into for smaller amounts.

In terms of business incubation, this has been an award winning approach in the past, providing support for business start ups, and the development of an entrepreneurial culture. Business start up has always been provided by other partners but there is now a gap in the market. The exceptions are Rotherham Youth Enterprise and Rotherham Ready. The funding cuts and financial pressure being experienced by local government mean that in Rotherham, surpluses being generated by the incubation centres can no longer automatically be re-invested, although the centres continue to be successful with high occupancy rates. The review group therefore considered that it is important to further explore how the Council and private sector partners can assist in bringing forward suitable small units; providing business support over and above that currently being provided.

In 2015 there will be a huge, further drop in available funding, due to the end of the ERDF programme. A further reduction in services available can be expected.

The review group reviewed examples of red tape and bureaucracy slowing down business growth – e.g. Reresby House, where there was some delay whilst grant claw back issues were addressed. It was felt that the starting point for the council should be how can we make it happen. The Council should consider the establishment of a multi-functional pro-growth team, linked to the education function, as well as others.

A potential example of good practice is Re-revolution, although this initiative needs a robust evaluation. There is also potential for the Council to buy land from companies wishing to move and grow – e.g. KP nuts.

Planning

Members of the review group heard about the plan led system, which includes:

- Long term strategic planning
- Unitary Development Plan
 - Primarily regeneration of former coal field sites
 - Government money available
 - Creation of Enterprise zones
 - Dearne Valley, Thurcroft, Dinnington, Waverley
 - Joined up approach

The Local Plan is different in that it is predominantly developer-led. The current situation:

- Housing sites in greenbelt

- Existing employment sites
- Sheffield city region Growth Plan aim of 70,000 jobs
- Spatial issues - Additional sites needed
- Planning issues v's economic development aspirations

The aim is to provide adequate land in the right location to attract development. Rotherham's Growth plan and the Local Plan should be integrated. Supporting a dynamic economy is one of the seven broad aims of the Local Plan

There is currently no spatial element to the SCR Growth Plan. There is therefore potential conflict between planning and economic regeneration. Planning are currently looking at employment land and asking where is the next Dearne Valley?

The Town Centre first policy is still in existence.

Members of the Review Group heard about the example of working with Harworth Estates on a planning performance agreement which takes the planning application out of the process and enable the partners to set their own timescales. Harworth Estates initially funded a part time post to work with planning team, taking a pragmatic approach around affordable housing.

In terms of deprived communities there is some evidence that in the Dearne Valley the call centres have lifted Wath just above deprived status. Planning will look at access to work and the location of employment land close to residential areas.

There is currently no Planning involvement in the Growth Plan. Members expressed concern about Sheffield not being a strong enough driver for the City Region and the potential need for a number of centres of growth. The LEP is private sector driven and so the quest for profit has the potential to be manifest in jobless growth.

Transportation

The role of the team is to:

- Identify **Local Safety Schemes** – Focussed on Casualty reduction
- Undertake **Road Safety education and training** – pre-school to Colleges
- Introduce **Traffic Management** improvements – Congestion reduction, Urban Traffic Control
- **Assess proposed developments** to ensure they are appropriate – impact and mitigation
- Work with SYPTE to introduce measures to **improve conditions for Public Transport**
- Develop **Transportation and Highways strategies** and policies – LDF Core Strategy input
- Actively **promote sustainable travel** – training and promotion activities
- Introduce **accessibility and connectivity improvements**
- Detailed **design of schemes** and contractor engagement/liaison

- Manage and maintain our **Traffic Signals and CCTV** networks
- Manage and maintain our **Highway Structures** – Bridges, subways, etc
- **Bid for funding to maximise Government and European investment into Rotherham**

Major projects:

- **Major Highways Improvement Projects:** A57 and A631 West Bawtry Road
- **Pinch Point Funding:** A630 Pool Green Roundabout and A630 Parkway Old Flatts Bridge
- **LTP Integrated Transport Improvements:** A630 Mushroom Roundabout signalisation, Crossing improvements, Cycle lanes, Bus Lane and Stop improvements, Local Safety Schemes.....
- **Local Sustainable Transport Fund** (Capital and Revenue): Canal Towpath Improvements, A633 Journey time improvements, Cycle links, Footway and Public Realm improvements, Cycle training and Cycle loan scheme, promoting the benefits of sustainable and active travel to businesses and their employees, working with fleet operators to make their journeys greener.....
- **Major Public Transport Improvements:** Tram-train, Bus Rapid Transit (North), Rotherham Station redevelopment.
- **Rotherham Voluntary Bus Partnership** – working with SYPTTE and Bus Operators

Role of transport in connecting deprived communities:

- The average distance to work for people on low incomes is 3 miles compared with 8 for the general population.
- Physically, economically and socially disadvantaged people often rely on walking and cycling, so improving non-motorised transport can help achieve social equity and economic opportunity goals.
- Improving walking, cycling and public transport links are crucial to enabling individuals living in the deprived communities to take up employment opportunities.
- Active travel saves people money, this is redirected back into the local economy; on average people travelling actively spend **more** money on the high street than those in cars.

Example of Waverley:

- The position of Waverley near to the Motorway network has been crucial in attracting businesses to the AMP.
- Robust Transport Assessment and mitigation measures are essential in maintaining the attractiveness of the site by controlling congestion.
- Requiring travel plans and sustainable transport infrastructure does not make development unattractive, in the case of Waverley it has added considerably to the attractiveness of the site to high-tech companies.
- The site has acted as a catalyst for new transport projects (BRT South, Handsworth Cycle Link, etc.)
- Developing a large area of housing near to job creating industrial development is complementary, some people will live near their place of work, but there is a two

way flow of traffic at peak hour rather than only one way, making more efficient use of the network.

Rotherham's Transport Strategy will feed into the Growth Plan. There is a strong overlap between local priorities and SCR priorities. The SCR Growth Plan will be the mechanism for bidding to the Growth Fund. A large proportion of this is for transport projects and priorities therefore it is important that the SCR Plan represents Rotherham's priorities effectively.

Housing

The group had information presented to them about the Housing Investment function within the Council. It focuses on Council stock and regeneration activities. It has been recently re-structured to include 3 units – Strategy and Policy, Housing Investment and Housing Development. They include work around affordable housing with Housing Associations, work with speculative developers and section 106 agreements, fuel poverty/Green Deal, private sector housing work, housing regeneration schemes (legacy from Housing Market Renewal programme) and housing strategy (looking at public and private sector housing and the impact of Welfare Reform)

Housing is a key driver in the local economy and this is reflected in key policies. The SCR target for achieving 70,000 new jobs means that there is a need for aspirational housing stock for these workers. The alternative will be to potentially lose the best talent from the town or SCR. Doing nothing is therefore not an option. It was also noted that an increase in housing would generate additional Council Tax income (a sustainable income source) and allow the Council to access New Homes Bonus funding.

In Rotherham £30m per annum is invested in the Council Housing stock via repairs and maintenance and fuel poverty initiatives, but also via Yorbuild and procurement. More speedy procurement is required and there is a need to become better at capturing skills and training outcomes from this investment. The Planning target for new homes is very challenging and will require the pace to be increased considerably. New housing potentially presents competing challenges with regard to land supply. A new five year land supply and strategic Housing Market Assessment is required. A complementary approach is being developed with Sheffield. It will have a focus on geographical reference points for Rotherham e.g. A57 and Dinnington.

There is a need to do further work on assets. Joint ventures could be explored for disposal of assets and they need to be presented to the market strategically. There is therefore a need to evaluate the scope for quick returns against longer term potential e.g. share of sales in the future. Alternatively, the Council could create a growth fund from excess capital disposal receipts to fund growth projects in a mixed economy of development.

Currently funding for housing projects has to come from internal resources or the Homes and Communities Agency. Consideration needs to be given as to whether this could be linked into other pots of money to increase the pot available. Housing growth zones could incentivise developers by relaxing planning, ensuring faster delivery and providing tax incentives. Rotherham needs to attract the resources for the key areas of development.

Housing is also an enabler for deprived communities. There is a need to develop existing areas as well as new communities, thus creating sustainable neighbourhoods

offering a better quality of life and lower housing costs e.g. via fuel poverty initiatives. A good example is Canklow. Good housing solutions in deprived areas can have a very positive effect. The funding gap is key and needs to be plugged with investor confidence. There is a strong argument for mixed land use developments requiring a whole council approach.

The Waverley approach could be applied to smaller areas for example Eastwood Trading Estate. Resources would be key to service the work required for a number of smaller projects. Off-setting of officer time would be key. There is a need to construct commercial and business cases for the investment in the longer term. Do we need to value land supplies more? We need to make sure we have the right commercial skills within the Council to adopt this approach.

Finance

Members of the review group received a presentation from Corporate Finance on the following issues. The detail of these discussions is summarised in section 1.3 of this report.

- Localisation of Business Rates – mechanism
- Effect on Council Funding
- Scope for Discretion in the New System and the Implications of Using that Discretion
- Other issues

4.2 Private Sector:

Barnsley and Rotherham Chamber of Commerce.

Members received an explanation of Chambers of Commerce. Barnsley and Rotherham Chamber have merged and there are some differences between the two. They have a healthy and constructive relationship with RMBC.

A merger took place in the 1990s between Sheffield and Rotherham Chambers, but it only lasted 6 months. There is a more constructive relationship with Sheffield currently. They have more than 1200 member businesses of all shapes and sizes, including business start ups. Some of the biggest include AES Seal, Tata Steel, Firth Rixon, Newburgh Engineering etc.. They have a 15% penetration rate. There are approximately 5,500 vat/payee registered businesses. Nationally these statistics compare favourably.

There are 54 Chambers across the country and all are independent businesses who pay to be part of the British Chambers of Commerce. South Yorkshire chambers work well together.

They have a staff team of 12 compared to 54, 7 years ago. They had to restructure and cut costs due to the decline in publicly funded contracts. They currently only have one left – the enterprise scheme for Job Centre Plus. They receive 60 referrals per month with a rough split of 50/50 across Rotherham and Barnsley. They have taken on part of the old Business Link role and their success rate is that 40% of businesses will set up that take part on their programme. About 2 thirds will still be in business after 2 years.

The Chamber is working more cleverly with RIDO colleagues due to the reduction in number of programmes available and signposting between services is key. The growth

plan for Rotherham is key to ensuring that objectives and targets of partner organisations coincide. Individual staff in the Chamber have targets and there is a need for partners to focus more on hard outcomes.

They provide outreach sessions in Dinnington, Maltby, Dearne Valley and they hold these sessions in each others facilities. Need to bring sets of clients together so that there is collaboration not duplication.

The Economic Plan was aspirational but lacked hard targets – it wasn't challenged or held accountable. A more "business like" approach is required. Most businesses don't know what the partnership offer is but they have strong perceptions about working with the Council. We need to make it more business like, and deal with them in this fashion.

Enterprise development in schools is very important, engagement needs to be on their terms. The need to develop business skills within the Council was discussed.

The role of the partners in developing a culture of entrepreneurship was discussed. The referrals from the enterprise programme suggest that it is a more enterprising culture than we might expect. But we need to pool resources and work collaboratively to generate this further. The Chamber passes new businesses on to RIDO at 6 months. Funding in the past has created some of the barriers e.g. on Job Centre Plus referrals can go on their programme. They have developed links such as asking college students to do the accounts for new businesses. A flow chart for the route businesses would take and where help and support comes from would be beneficial.

The Chamber provide support with business plans, marketing, accounts and web site design. Businesses were confused with all the organisations chasing different pots of money and doing things for the sake of drawing down the funds. We need to get back to doing what businesses want. RIDO is the focus for business development and expansions.

The Council's role for supporting economic development can include its procurement function – spending public sector money in the local economy. Currently around 40% is spent locally and 20% within the sub region. There is a need to find ways to increase this to get the benefit of the multiplier effect. It is also important to remember Best Value isn't always the cheapest and reduce tendering bureaucracy. The council needs to support it and make it easy for local businesses. Member businesses have fed back to the Chamber that all the form filling makes it too hard to get on the list.

The Chamber can access small pieces of work for its member businesses e.g. Police Cells being painted when they got a local company to do it outside of procurement processes. The processes work in favour of large organisations.

The Planning Department needs to start being more flexible and start saying yes. It is felt that too often, the easy option is to say no – it is harder to find a way round the problem and say yes. He knows of businesses who have been put off by Planning. How prescriptive should we be in terms of the type of inward investment generated in the town? Are we stuck in out of date strategies that need to be more flexible? An event to start the dialogue with local businesses was suggested.

Tata Steel.

They are a key employer in Rotherham, crucial in terms of business rates contributions local employment. At least half of their 2,200 workers are from Rotherham. They have an ageing workforce and a package that encourages staff to leave at age 60.

They have had positive interactions with the Council:

- RIDO and building networks
- Sector specific work (STEM)
- Planning Department are helpful
- Tactical engagement around business crime

Areas for further development:

- Need to look at infrastructure at a city region level
- More work on supply chain development – example of Wakefield project
- Different departments need to work more closely together
- Better links into schools – raising aspirations of local children.
- Regular engineering vacancies could be accessed more by local people with better links between schools and colleges – industry can be the vehicle for switching children onto learning. Promotion of good quality apprenticeships
- Planning around the LEP is disappointing – relationship with this and Combined Authority needs greater clarity.
- Greater clarity about the strategy and promote it better – “wear a bigger hat”
- Does Rotherham have the right balance of housing and a “lifestyle” to offer aspirational communities.
- Make it easy for businesses to locate here
- Mixed use developments can be problematic

Strata Developments

Positive interactions with the Council:

- Good schools in the Borough
- Have a history of building in Rotherham

Areas for further development:

- Resources and restructuring in the Council making it difficult
- Planning struggling to respond quickly enough
- Better links between departments
- Aspirational and high value housing is lacking
- Better marketing of the good areas
- More work at pre-planning stages with Councillors and communities
- Be as business friendly as possible

Ekosgen

This is a private consultancy contracted to conduct a review into Rotherham's local economy and its potential within the Sheffield City Region. The work looked at the potential for future growth and how this can feed into both Rotherham's and the SCR Growth Plans.

Evidence was provided on Rotherham's current position and potential for future growth and focused around the following issues:

1. Development of the Town Centre – see section 2.3 Town Centre
2. Where is the next Dearne Valley? – see section 4.6

High Speed 2

Can the benefits of HS2 be captured as an economic driver? A HS2 Station at Meadowhall would make Rotherham much more accessible to London, Birmingham, Leeds and Manchester. What needs to be done to ensure Rotherham fully benefits from HS2 in terms of new investment and jobs.

Enabling Investment

Revolution 2 could be a good model (AMP) of the council stepping in instead of the private sector. The budget for regeneration is significantly limited though and Local Authorities need to work more as enablers. Developers are still unwilling or unable to fund development unless it has an immediate return. Local Authorities can borrow money very cheaply via prudential borrowing – what are the important investments which Rotherham needs to bring forward and is Rotherham brave enough to borrow to invest?

5. Key Findings

5.1 Role of RMBC – The Key Actor

Many witnesses talked about the rapid change that has taken place over recent years with regard to funding regimes nationally and internationally, and the range of business support products available. Also the agencies responsible for delivering these have changed rapidly and significantly. The one constant over these years has been the Local Authority and there is a need to recognise and capitalise upon the significance of this role.

Currently the conditions for growth are right – the Council needs to be ready for this and to consider ways in which more of their available resources can be targeted towards the growth agenda. If most of the resources are spent on welfare and supporting the vulnerable this will not be sustainable in the longer term and Rotherham will have missed an opportunity to invest in the future of the town's economy.

The Council already has a strong track record in developing Rotherham's local economy successfully. This record includes the regeneration to date in the Town Centre – the stadium, college campus, Tesco store, Riverside House etc. It has used its borrowing powers creatively to facilitate some of these developments. They are also continuing to work inventively with others partners around initiatives such as the Yorkshire International Business Convention and the Mary Portas initiative.

The findings of the review were that the Council now needs to build on this reputation and work even more creatively to further develop the local economy. It was also noted that its high credit rating and access to low cost finance is a key strength and driver for its enhanced role in generating economic growth. The Council should therefore consider its role in addressing the following issues:

- The strategic management of land supply is crucial, both in terms of council owned land and the role the council plays in helping to develop other sites and properties.
- Developing the role the council plays within networks and partnerships – with partners and private sector. The Private Sector witnesses clearly recognised this and are looking for high profile leadership from the Council. The Chamber and Council need to work smartly together to overcome resources issues.
- Encouraging cultural change within Rotherham – especially the development of more enterprising and aspirational attitudes. Such changes would need to start in schools, with private sector witnesses suggesting that they could play a key role in this area of work.
- Adopting a more business friendly approach within the Council by developing commercial skills within the workforce, and a culture that looks to say yes rather than no when working with businesses.

5.2 A new strategy

The Council and its partners' approach should have 2 key aims:

- Generating income via an increase in business rates and Council Tax
- Creating jobs for local people and regeneration of deprived communities

A key element of the strategy is land supply – availability of land and sites. The Council needs to decide its role in terms of developing end use or whether it is disposing of land for development. Businesses generally prefer developed land.

Availability of land is a continuing challenge – brownfield sites are expensive to develop and this can put developers off. Of the sites identified for employment land in the local plan only 12% are deliverable. The Council needs to know what its top 10 sites are. Stronger links are required between the Local Plan and the Growth Plan both at Rotherham and SCR levels.

Where is the next Dearne Valley?

The Local Authority could potentially use capital funding to create an offer that stands out. Rotherham's location is excellent. The location of such a site is crucial (requiring excellent transport connections and access to an appropriate workforce) and needs some safeguarding to prevent it being developed for distribution warehousing etc.. Chesterfield and Markham Vale will access both funding and land supply and will challenge Rotherham in terms of location. Greenfield sites will be much more attractive than for example re-developed Eastwood.

The strategy should be a partnership document but recognise the key role the Council has to play in driving forward the economy. It should be target and outcome driven and feed into individual targets for services and employees.

The development of the AMP/Waverley was recognised by many witnesses as a potential example of good practice. The Council could learn much from this, in terms of

a multi-agency approach, and the benefits (as well as disadvantages) of a mixed use developments.

There was also considerable evidence provided about the importance of building in aspiration to the Rotherham economy, in terms of raising aspirations in schools, but also in terms of housing options, communities and lifestyles that would attract executive and high skilled workers. The recommendations from this review should address this, potentially focusing on and building on existing aspirational communities in the south of the Borough.

The review also considered the potential for Council to work in partnership with the Department of Work and Pensions. Manchester have piloted approaches which adopt an employment agency approach incorporating incentives and assistance for local unemployed people to access jobs. It was felt that Rotherham could learn from these experiences.

Area Based regeneration approaches have been discussed in detail during the evidence sessions and the role of the Council is key to engender this approach. The development of a one estate approach and, where appropriate, mixed use developments. The witnesses from differing functions within the Council, all spoke similarly about the opportunity to take a more radical approach to how the council's land supply, asset base and capital funding could be used to regenerate key sites in the Borough and create the right growth conditions, as a sole developer or, in partnership with the private sector. These need to be explored in more detail with the aim of maximising long term value for assets.

Finally a very strong theme coming from the evidence sessions was the need for a combined approach across the Council with a focus on growth. This might be referred to as a Multi-functional task force or a one stop shop approach. It should look at inward investment (property, workforce and money) then have bespoke input depending on the needs of the investor – e.g. transport would be a unique driver. This should deal with perceived or real fragmentation around Council services. The need for bespoke support for investors/growing firms has already been highlighted in the Growth Plan.

The review group clearly recognised the good practice that already exists and felt that the Council is uniquely placed to take this forward and build on it. It was also noted that the Planning service and RIDO are already well respected for their approach with local businesses, and also that the Local Plan is as important as the Growth Plan. The Council, via RIDO, has already done some work on access to the Regional Growth Fund and it was felt that it needs to do more of this.

5.3 Wider context

The Council needs to increase its influence within the Sheffield City Region. Evidence suggests that a clear message is needed that reflects Rotherham's priorities; that communication of that message needs to improve and that the council needs to increase the number of local businesses taking up support.

The Council can create a business friendly offer – building on the successful brand of RIDO. A flow chart for where businesses go for what would be useful and there is a clear need for a communication plan of the strategy and what the Council and partners can do. Crucially the Council needs to take advantage of timing – the local plan is

being consulted on, the upturn in the economy and the private sector are keen to work with Council. Doing nothing is not an option.

Impact on Local People

Services such as transport, education and housing are key to getting the benefits of a growing economy to local people and communities. This is why the review group felt it was important that these functions are integrated into the “one council” approach to economic growth. There are also other, more peripheral but important functions that need to be part of the agenda for example Health partners.

It is crucial that the partners tackle the 16+ skills agenda and a further piece of work on this needs to address the culture change mentioned by the witnesses and the development of proactive quality programmes such as apprenticeships.

Outlying town centres are key for some of the deprived communities of Rotherham and the review group wish to endorse a “town centres” approach which recognises the importance of these in addition to the focus on the main Rotherham Town Centre.

Partnership

The Strategy needs to be owned by partners with clear objectives and targets. A One council approach to growth and collaboration will need to be developed with key partners, for example the Chamber of Commerce.

Joint communication of strategy is crucial and a combined approach to the promotion of Rotherham. The group also recognised the importance of entering into dialogue with the private sector about this.

6. Recommendations

The review group felt very strongly that there is some further, more detailed work to be done around the issue of how RMBC can support and develop the local economy, and that in many respects this review merely scratched the surface with regard to some of the key concerns. Having said that, the review group was keen to ensure that some early wins could be achieved with some recommendations that could be implemented fairly quickly. For this reason this section is divided into two areas of work; early implementation and longer term strategy.

6.1 Early Implementation:

14. The Economic Development Team within the Council should ensure that the emerging Growth Plan is focused around two key objectives – income generation and employment creation, with very clear actions for achieving this
15. Targets and outcomes should be developed for this plan that are smart – suggestions include number of businesses accessing services, the number of young people accessing apprenticeships, the number of new entrants to post compulsory education and the number of over 16s gaining accredited qualifications.
16. The Economic Development Team should ensure that the growth plan is jointly owned by local partners and that it is strongly linked to the Local Plan.
17. They should also ensure that it is communicated effectively to partners and stakeholders, as part of an ongoing campaign to “talk up” Rotherham and its achievements. These stakeholders should include the Sheffield City Region structures and the private sector.

18. The Planning Board should identify, in the first instance, its top ten development sites and focus on these in its policies and plans. Within this the identification and delivery of a strategically important site should be the number 1 priority for Rotherham to remain competitive.
19. The Council should consider prioritising all town centres and giving a policy mandate for this to happen.
20. The Council should consider how Elected Members could input to the development of Council Policy, particularly with regard to economic growth, by utilising the wide range of talent and expertise that exists within this pool. Elected members can further assist with the promotion of Rotherham.
21. RIDO should work with partners to ensure that access to Regional Growth Fund is maximised

6.2 Longer term strategy.

The review group gathered very compelling evidence regarding the need to develop a one council and multi disciplinary approach to supporting effective economic growth and to achieving the two objectives outlined in recommendation 1 above. It is therefore recommending a programme of further development work to be undertaken to establish this strategic approach, via the following recommendations:

22. The Council should aim to establish a multi-disciplinary “Task Force” with the key purpose of providing a co-ordinated holistic approach to generating investment and economic growth in Rotherham, for the benefit of its local businesses, communities and residents. The focus should be on working both internally, and in partnership with the private sector in Rotherham, to include a range of projects in terms of size and value. The external business support process should be led by RIDO as a recognised brand within Rotherham.
23. The Task Force should include Planning, Asset Management, Housing, Transport, Education and potentially Health partners. These functions will be included on the basis of a unique drivers approach for each project. In line with recommendation 7 above specific councillors (with specific expertise) and ward members should be included in this approach. This model could be adapted for individual projects, with bespoke task groups set up for larger projects including provision for specific expertise to be co-opted. (diagram to be developed)
24. This Task Force should be responsible for ensuring that the strategy should identify land supply, link into work on the Local Plan and also the following issues, with the aim of maximising long term value for the Council’s assets:
 - g. Use of capital and borrowing to develop sites and premises
 - h. The approach to the development of this land – some sites for area based regeneration initiatives
 - i. The development of existing smaller sites and premises for developing local businesses
25. The Council should consider how to develop a business friendly culture amongst all its staff – skills development and training issues and also the possibility of setting growth targets for employees where appropriate. A key element of this would be to raise awareness within the Council of the changes to business rates and the importance of them in terms of generating income for the Council.

26. The Scrutiny function in the Council should consider looking further at the following issues;

- j. The development of aspirational housing and associated services/communities in Rotherham
- k. Work with schools and training providers/colleges around the 16+ skills agenda to establish stronger links with employers and to engender an enterprising and aspirational culture.
- l. Potential for developing employment initiatives based on the experience of Manchester and elsewhere

7. Thanks

Thanks go to Paul Woodcock and Simeon Leach from Environment and Development Services, who provided support to the review. Thanks are also due to the witnesses who contributed their time to the review and provided valuable written and verbal evidence. They are:

- Paul Smith, Asset Management, RMBC
- Peter Hudson, Finance, RMBC
- Anne Ellis, Finance, RMBC
- Tim O'Connell, RIDO, RMBC
- Bronwen Knight, Planning, RMBC
- Tom Finnegan-Smith, Transportation, RMBC
- Tom Bell, Housing, RMBC
- Mark Broxholme, Tata Steel
- Mick Hood, Tata Steel
- Mark Davis, Strata Developments
- Andrew Denniff, Barnsley and Rotherham Chamber of Commerce
- John McCreadie, Ekosgen

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	The Cabinet
2.	Date:	15th October 2014
3.	Title:	Anti-social Behaviour, Crime and Policing Act 2014; Delegation of Powers
4.	Directorate:	NAS

5. Summary

This report provides an overview of the Anti-Social Behaviour (ASB), Crime and Policing Act 2014, the measures and remedies made available within the Act to tackle ASB and crime and the work taking place to implement these measures in Rotherham.

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

The paper was presented to and approved by the Strategic Leadership Team on Monday 6th October 2014.

5. Recommendations

That the Cabinet:

- (1) Notes the new powers in the Anti-Social Behaviour (ASB), Crime and Policing Act 2014**
- (2) Recommends the proposed amendments to the Scheme of Delegation detailed in Section 7.3.of this report to Council.**

7. Proposals and Details

7.1 Background

In 2010, the Home Office carried out a review of the measures available to practitioners for responding to anti-social behaviour (ASB). The review concluded that:

- There were too many potential remedies available and practitioners tended to rely on the ones that they were most familiar with.
- Some of the formal options available, particularly the Anti-Social Behaviour Order (or ASBO), were bureaucratic to administer, slow and expensive, which was becoming a potential deterrent to their use;
- The growing number of people who breached their ASBO suggested they were not acting as a deterrent to a persistent minority from continuing their anti-social or criminal behaviour; and
- The methods that were designed to help perpetrators deal with underlying causes of their anti-social behaviour were rarely used.

The Home Office subsequently consulted on proposals to reform the policy framework for dealing with ASB in 2011. This led to the publication of a White Paper, "Putting Victims First – More Effective Responses to Anti-Social Behaviour", in 2012.

The Home Office indicated that the intention of its proposals was to "*move away from having a tool for every different problem*" to a new approach designed to ensure that local authorities, the police and partners have "*faster, more flexible tools*" to respond to problems with "*victims at the heart of the response*".

The Anti-Social Behaviour, Crime and Policing Bill subsequently progressed through Parliament and the resulting Act received Royal Assent on 13th March 2014. It comes into force on 20th October 2014.

The Act covers a range of matters, which can be summarised as follows:

- Parts 1 to 6 introduce new measures for responding to anti-social behaviour;
- Part 7 addresses dangerous dogs;
- Part 8 relates to firearms;
- Part 9 covers protection from sexual harm and violence;
- Part 10 relates to forced marriage;
- Part 11 deals with various policing matters;
- Part 12 amends the Extradition Act 2003;
- Part 13 introduces changes to criminal justice and court fees; and
- Part 14 is a general section covering amendments, commencement, etc.

This report gives an overview of the new measures for tackling anti-social behaviour and to consider the implications for the Council.

7.2 New Measures for Tackling Anti-Social Behaviour

7.2.1 New Tools and Powers

The Act replaces nineteen pre-existing measures with six new measures for tackling anti-social behaviour. The new measures are listed below.

A detailed summary of each measure is attached as Appendix 1.

- Injunction to deal with anti-social behaviour
- Criminal Behaviour Order (CBO).
These measures replace 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.

7.2.2 Absolute Ground For Possession

The Act also introduces a new absolute ground for possession of Secure and Assured tenancies, associated with anti-social behaviour or criminality.

The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court. Landlords will no longer have to prove that it is reasonable to be granted a possession order, but instead courts must grant possession if the landlord followed the correct procedure and can demonstrate at least one of the specified conditions below is met. These are:

- A conviction for a serious criminal offence
- A court order finding a person in contempt of court for breaching an injunction made under the Act
- Breach of a Criminal Behaviour Order
- Obtaining a premises closure order
- A conviction for breach of an abatement notice

In such cases, the tenancy would be reviewed in the same way that an existing Introductory Tenancy would be reviewed prior to a decision being made to seek to recover possession of the property.

7.2.3 Litter from Vehicles

The Act also introduces 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. Currently, a fixed penalty notice can only be issued when litter is thrown from a car if the person responsible for throwing the litter can be identified. This new provision would bring the legislation for littering offences in line with that for fly-tipping with the keeper of a vehicle being deemed responsible for any offences committed by those within the vehicle.

7.2.4 Community Remedies

The Act requires 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.

An action is considered appropriate to be carried out by a person only if it has one or more of the following objectives:

- assisting in the person's rehabilitation;
- ensuring that the person makes reparation for the behaviour or offence in question;
- punishing the person.

In preparing the document, the local police must consult with the local authority and carry out whatever other public consultation that it considers appropriate.

The Act also sets out rules for out-of-court disposals for anti-social behaviour and conditional cautions. This includes a duty to consult victims before deciding what conditions to attach to a conditional caution.

7.2.5 Response to Complaints about Anti-Social Behaviour – ‘Community Trigger’

The White Paper, *'Putting Victims First'*, stated that the aim of the ‘Community Trigger’ was to give victims and communities the right to demand that agencies who had ignored repeated complaints about anti-social behaviour take action.

The relevant bodies in an area (Police, Council, Clinical Commissioning Group and providers of social housing) must carry out an ASB case review if someone makes an application for a review and the local threshold for a review is met. If a review is triggered, the relevant bodies must carry out the review and then inform the applicant of the outcomes of that review and any recommendations emerging from the review.

There is a requirement for relevant bodies to produce “review procedures” for carrying out any ASB case reviews and ensure that the current review procedures are published. Relevant bodies must also report the number of applications received, the number of times the threshold was met, the number of reviews carried out and the number of reviews that resulted in recommendations being made.

A report detailing local arrangements for managing the 'Community Trigger' process was presented to the Cabinet Member for Safe and Attractive Neighbourhoods on 29th September.

7.3 RMBC Scheme of Delegation

The implementation of the Act will require amendments to operational processes and procedures, and supporting documentation etc. These matters are being addressed. However, the changes to the powers within the Act will also require amendments to the RMBC Scheme of Delegation. It is recommended that the following wording be added to the Scheme of Delegation:

"The Anti-social, Crime and Policing Act 2014 is added to the list of statutes delegated to the Director of Housing and Neighbourhoods.

The following powers are delegated to the Director of Housing and Neighbourhoods:

Authorise any appropriate legal action available to the Council in respect of breaches of the Council's tenancy agreements and other legal measures against any perpetrators of harassment, crime and anti-social behaviour committed in the Borough of Rotherham. Such legal action includes, but is not limited to:

- Applications for a possession order in relation to Council properties whether on discretionary or mandatory grounds (including the service of any notice as a pre-requisite to such application) and action required to enforce such an order
- Applications for injunctions (including but not limited to those under Part 1 of the Anti-social Behaviour, Crime & Policing Act 2014 ("the 2014 Act"))
- Applications for Criminal Behaviour Orders (Part 2 of the 2014 Act)
- The issuing of Community Protection Notices (including the statutorily required prior written warnings) , the taking of any related remedial action, and applications for seizure of items used in the breach of a notice (Part 4 of the 2014 Act)
- The making, extension, variation and discharge of a Public Spaces Protection Order (Chapter 4 of the 2014 Act)
- The issuing of a closure notice (including a related variation and cancellation notice) and application for a closure order (including a related extension and discharge) (Part 4 of the 2014 Act)

Applications to enforce the breach of any orders obtained or notices served to deal with anti-social behaviour and crime, including, but not limited to

- Committal proceedings for breach of injunctions
- Prosecution proceedings for breach of Criminal Behaviour Orders, Community Protection Notices, Public Spaces Protection Orders, Closure Notices/Orders (including the issue of available fixed penalty notices)

To act on behalf of the Council in deciding whether the threshold for an anti-social behaviour case review is met in any given case in accordance with section 104 of the Act and the relevant review procedures, and if so, carrying out a review.

To act on behalf of the Council to carry out any formal consultation required in relation to:

- Injunctions (Part 1 of the 2014 Act)
- Closure Orders (Part 4 of the 2014 Act)
- Community Remedy (Part 6 of the 2014 Act)

Authorise officers to:

- Issue any notice as a pre-requisite to an application for a possession order (whether on discretionary or mandatory grounds) in relation to Council properties.
- Issue Community Protection Notices, prior written warnings and any related fixed penalty notices for breach
- Enforce a Public Spaces Protection Order (including the giving of a direction or issuing a fixed penalty notice)
- Enforce a closure order (including the seeking of an order for reimbursement of costs)

Authorise appropriate publicity by the Council for the purposes of advising members of the public that court orders have been made to deal with anti-social behaviour or crime and to encourage the reporting of any breaches of those orders to promote their effectiveness.

The Following Powers be Delegated to the Anti-social Behaviour Review Panel:
To undertake the statutory reviews of the Council's decisions to seek a possession order of a Council tenancy on the absolute ground of ant-social behaviour, as required by section 85ZA of the Housing Act 1985.

The Dangerous Dogs Act 1991 (as amended) be added to the list of statutes delegated to the Director of Streetpride."

8. Finance

There are no immediate financial implications arising from the changes and operational implementation of the new powers will be accommodated within existing budgets and resources.

9. Risks and Uncertainties

Tackling ASB and responding to the vulnerable within our communities is a priority for both South Yorkshire Police and the council in keeping people safe and protecting the most vulnerable.

In terms of implementation, we are advised by the national Social Landlords Crime and Nuisance Group, that there will be a delay to the introduction of Part 1 of the Act;

the civil injunction. This will allow unavoidable and necessary changes to be made to the civil legal aid system, to ensure that applications for advocacy assistance can be assessed for those involved in civil injunction hearings. This will require amendments to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) which should be completed by the end of January 2015 at the latest. Once this is completed we will be in a position to commence the civil injunction and a commencement date will be advised to us.

Until the LASPO provisions are in force and the Part 1 Civil Injunction is commenced, the 'ASBO on application' remedy will remain in place and we will continue to use anti-social behaviour housing injunctions (ASBIs).

It is also worth noting that the new anti-social behaviour powers can be used more flexibly than the current powers, for example, it might be appropriate in some cases to use a Community Protection Notice where an ASBO on application might currently be considered. It is for local authorities to apply the most appropriate remedy, to the situation in hand.

Parts 2-6 of the Anti-social Behaviour, Crime and Policing Act 2014 will commence on 20 October as planned. This includes: the criminal behaviour order, dispersal power, community protection notices, public spaces protection order, closure power, new absolute ground for possession, community remedy and the community trigger.

The introduction of the new powers requires several risks to be addressed these include development of processes, training of staff, shared understanding with the Police both in terms of the introduction and implementation of the powers, and case specific information sharing protocols between enforcement services (including the Police) to avoid duplication and effectiveness of the use of powers. These risks are managed Implementation Plan which links to the South Yorkshire Police's plans.

10. Policy and Performance Agenda Implications

- CP2 - Protecting our most vulnerable people and families, enabling them to maximise their independence
- CP3 - Ensuring all areas of Rotherham are safe, clean and well maintained

11. Background Papers and Consultation

- Anti-Social Behaviour, Crime & Policing Act 2014
- Home Office document – 'Reform of anti-social behaviour powers – Statutory guidance for frontline professionals'
- 'Community Trigger' Report, Cabinet Member for Safe and Attractive Neighbourhoods, 29th September 2014
- Advice and guidance from the Head of Legal Services

The Commencement Order for the new Act can be found using the following link:
<http://www.legislation.gov.uk/id/uksi/2014/2590>.

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Appendix 1.

Anti-Social Behaviour, Crime & Policing Act 2014 New Measures for Tackling Anti-Social Behaviour

1. Injunction to Prevent Nuisance and Annoyance

The Injunction to deal with ASB is a civil power which can be applied for by a range of agencies to deal with anti-social individuals. Agencies that can apply for Injunction to deal with ASB include district councils, housing providers and the Police. Applications must be made to a youth court for those aged under 18 and to the county court or High Court in all other cases. The Injunction to deal with ASB can prohibit the offender from doing proscribed things (prohibitions) and require them to do certain things (requirements). The requirements should aim to tackle the underlying causes of the anti-social behaviour and could include such things as attending an anger management course, participating in substance misuse awareness sessions, or attending a job readiness course.

Breach of an Injunction to deal with ASB is not a criminal offence. For adults, a breach is dealt with by a civil contempt of court and breach proceedings for under 18s are dealt with in the youth court.

2. Criminal Behaviour Order (CBO).

The CBO is available on conviction for any criminal offence in any criminal court. It is similar to the Injunction to deal with ASB and can include prohibitions and requirements. However, unlike the Injunction to deal with ASB, it is a criminal offence to fail to comply with an order without reasonable excuse. Breaches of CBO by those aged under 18 will be dealt with in the youth court. In all other cases, the offence will be considered by the magistrates' court or Crown Court.

These measures replace the existing ASBO; ASBO on conviction; Drinking Banning Order; Drinking Banning Order on conviction; ASB Injunction; Individual Support Order and Intervention Order.

3. Directions Power.

The power can be used by the police to disperse anti-social individuals and provide immediate short-term respite to the local community. Police officers can also confiscate any item that they believe has been used, or is likely to be used, in anti-social behaviour. Failure to comply with the direction is an offence, which can result in imprisonment or a fine.

This measure replaces the existing Section 30 Dispersal Order and Section 27 Direction to Leave.

4. Community Protection Notice (CPN).

The CPN is intended to deal with particular, on-going problems, or nuisances that negatively affect the community's quality of life by targeting those responsible. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish

and noise. It can be issued against any person over the age of 16 or a body, including a business. The Home Office note that councils already take the lead in dealing with these kinds of issues. In addition to designated council officers, CPNs can also be issued by police officers and police community support officers. A person found guilty of failing to comply with a notice without reasonable excuse is liable to a fine of up to £2,500 (£20,000 in the case of a body).

5. Public Spaces Protection Order (PSPO).

The PSPO is intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of the area which apply to everyone. This could include, but is not restricted to, placing restrictions on the use of parks, alleyways, or communal areas to prevent problems with misuse of alcohol, dogs or noise. Local authorities will be responsible for making a PSPO but police officers and police community support officers can also play a role in enforcing the orders. It is an offence to fail to comply with an order without reasonable excuse and can result in a fine of up to £1,000.

The Act provides the ability for authorised local authority officers, police and police community support officers to issue a fixed penalty notice for failure to comply with both a CPN and a PSPO as an alternative to prosecution. The amount of the fixed penalty notice can be set by the local authority but cannot exceed £100.

6. Closure Power.

The closure power can be used by local authorities and the police to close premises that are causing nuisance or disorder. The power comes in two stages. The closure notice can be used out of court to provide short term relief up to a maximum of 48 hours. The notice can then be extended upon application for a closure order to the magistrates' court for a period of up to three months. At any time before the expiry of the closure order, an application may be made to the court for an extension (or further extension) of the order up to a total of six months.

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.

7. Dangerous Dogs

The Act amends the the Dangerous Dogs Act 1991 and strengthened shared powers with the Police relating to the keeping dogs under control. It makes it an offence for a dog to be dangerously out of control in all places, including inside the dog owner's home – protecting people such as postal workers, health and housing professionals and children. It also provides for the seizure of any dog which appears to be dangerously out of control whilst not in a public place.

The Act therefore, complements previous legislation:

- it is now an offence under section 3 for a person to be an owner or in charge of a dog, that is dangerously out of control in any place in England or Wales and now covers those situations where postal workers are entering gardens.

- puts a duty on dog owners to ensure that their dogs are under proper control at all times and do not cause menace to those that may have cause to enter the boundaries of their property
- includes consideration of the owner in relation to whether the dog is a danger
- increase in the maximum sentence for an offence
- extends the aggravated form of an offence to injury to assistance dogs as well as their owners
- any dog that appears to be dangerously out of control may be seized from anywhere, not just public places

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	15 October 2014
3.	Title:	Rationalisation of the Property Portfolio: Asset Transfer Lease At Spen's Field, Woodall Lane, Harthill Wales Ward 18
4.	Directorate:	Neighbourhoods & Adult Services/Environment And Development Services

5. Summary

The purpose of this report is to consider a request by Harthill-with-Woodall Parish Council for an Asset Transfer Lease on land known as Spen's Field, Woodall Lane, Harthill. As the proposals are outside of the adopted Asset Transfer Policy, then Cabinet approval is required.

6. Recommendations

Cabinet is asked to agree:

- 1. The granting of a lease agreement under the provisions of the Council's Asset Transfer policy for the management & maintenance of Land at Spen's Field under the terms reported.**
- 2. Legal and Democratic Services complete the necessary documentation**

7. Proposals and Details

Harthill with Woodall Parish Council occupy an area of land that extends to 10.42 acres (4.22 hectares) known as Spen's Field at Woodall Lane Harthill (the recreation ground and car park shaded red on Appendix 1) under a 20 year lease that expires on the 31st March 2020. The current annual rent is £1,750.

The rent is reviewed on a 5 yearly basis, with the next review due 1st April 2015. The use of the land is 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 does not contain any break provisions.

Under the terms of the existing lease RMBC are 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 is currently carried out at the expense of EDS - Greenspaces, who receive the annual rent.

In order to secure the long term future of the recreation ground, and to seek further grant funding, the Parish Council are seeking to transfer the asset under the Asset Transfer Policy for a term of 99 years at a nominal rent of £1 per annum without any break options.

Under the terms of this proposed lease the Parish Council will 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 will 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 1st April 2015.

As granting a lease without break options for such a long period falls outside of the adopted Asset Transfer Policy, then Cabinet authority to grant the lease is required.

8. Finance

The Parish Council will be responsible for the payment of the Council's surveyors and legal fees in the termination of the existing lease and granting of the proposed new Asset Transfer Lease.

All inspection/repairs of play equipment and all grounds maintenance costs currently borne by RMBC (EDS - Greenspaces) will transfer to Harthill-with-Woodall Parish Council on granting of a new lease under the Council's Asset Transfer policy.

It has been estimated that the annual costs to RMBC incurred by Greenspaces for ongoing grounds maintenance and play equipment inspections/maintenance is £4,485 per annum. The existing annual rent received by RMBC of £1,750 will cease. This therefore will result in an overall saving to RMBC as a whole of £2,735 per annum. The Parish Council have indicated that RMBC - Greenspaces will be able to tender for the ongoing grounds maintenance/inspections work to commence from the start of the proposed new lease.

9. Risks and Uncertainties

Any non-compliance with the proposed lease will bring this arrangement to an end via a termination notice.

The area of land is currently designated as Green Belt under the existing UDP, and therefore in the medium term is highly unlikely to support any form of development. However in the long term with changes in planning policy and or other legislative changes this position could change during the lifespan of the proposed lease.

10. Policy and Performance Agenda Implications

This proposal helps to contribute towards and achieve three of the five priorities set out in the Council's Corporate Plan. It will reinforce Rotherham neighbourhoods and communities and ensure community cohesion. The continued provision of the recreational facility and the development of new play equipment and facilities will improve physical and sporting opportunities to the general public

The sourcing of grant funding by the Parish Council will harness resources to enhance the environment and promote a joined approach to service delivery at local level.

11. Background Papers and Consultation

Asset Transfer Policy – Report on the adoption of the Transfer Policy and Framework – Cabinet 20 July 2011

26 June 2014 CSART Report - Rationalisation of the Property Portfolio: Asset Transfer Lease At Spen's Field, Woodall Lane, Harthill

Phill Gill, Leisure and Greenspaces, Environment & Development Service has been consulted on the proposals.

Tom Bell, Strategic Housing & Investment, Neighbourhoods & Adult Services has been consulted on the proposals

The Ward Member Councillors Beck, Whysall and Watson were consulted on the 16th September 2014. All three Ward Members were fully supportive of the proposals.

Services Manager, Legal & Democratic Services was consulted on the 18th September 2014

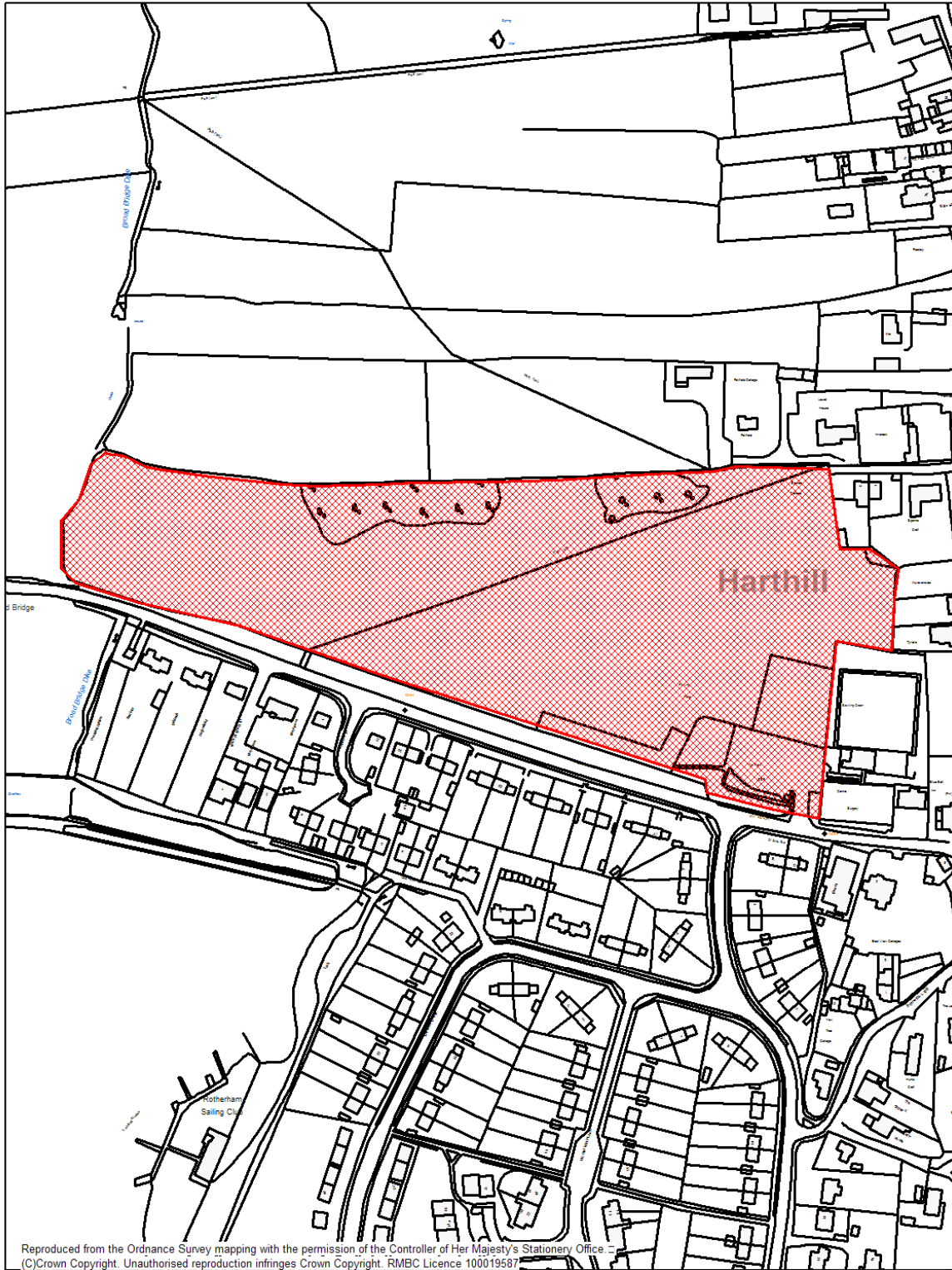
Finance Manager, Financial Services was consulted on the 18th September 2014

Contact Name:

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APPENDIX 1



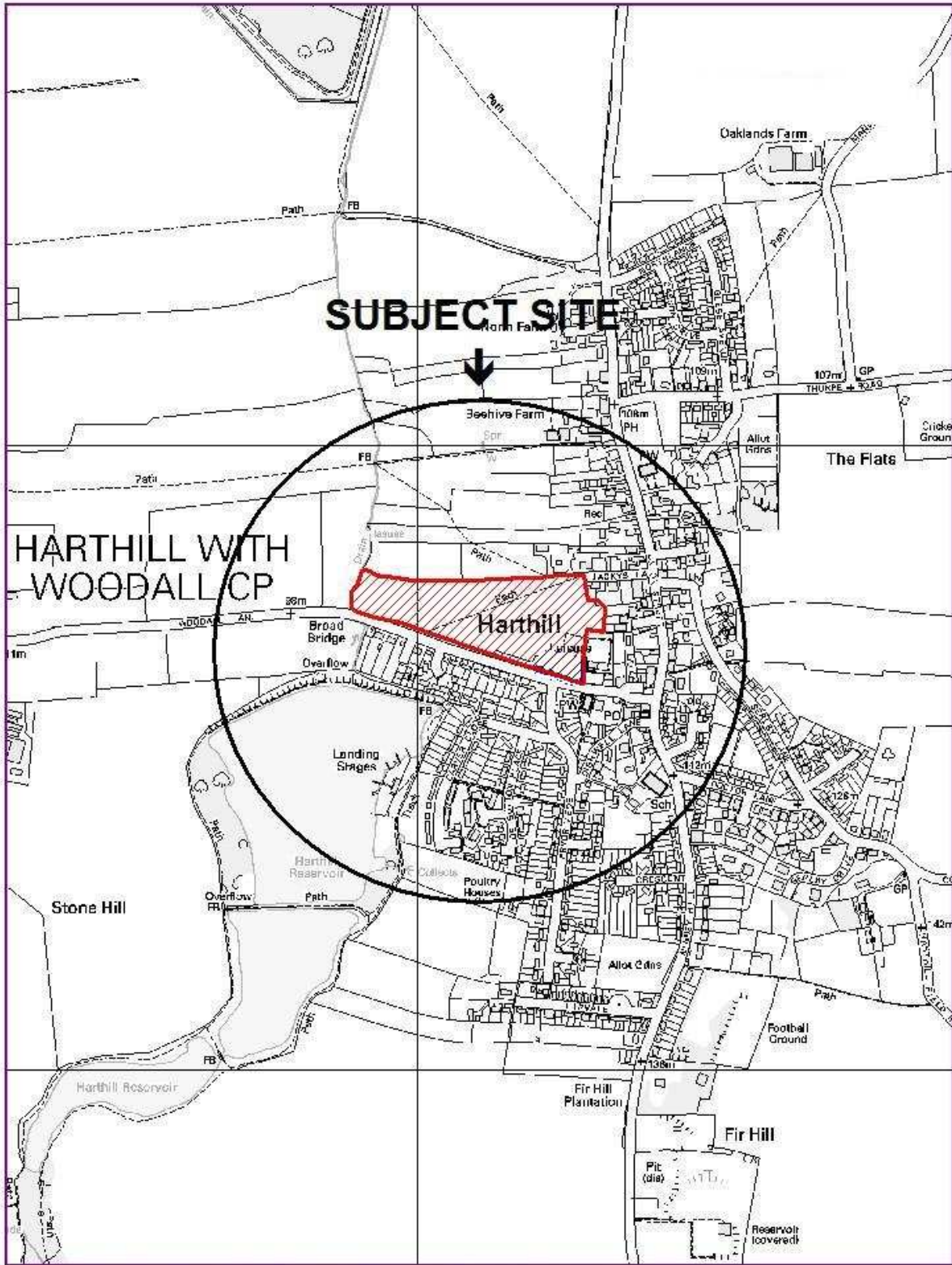
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Land At Spen's Field,
Woodall Lane
Harthill
Rotherham

Rotherham MBC
Env't & Dev't Services □
Bailey House □
Rawmarsh Road □
Rotherham S60 1TD □





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SPENS FIELD
WOODALL LANE
HARTHILL
ROTHERHAM



ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	15 October 2014
3.	Title:	Rationalisation of the Property Portfolio: Strip of HRA Land At Mill Lane, South Anston Ward : Anston & Woodsetts
4.	Directorate:	Neighbourhoods and Adult Services/Environment and Development Services

5. Summary

To seek 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.

6. Recommendations

Cabinet is asked to agree:

- 1. Approval is given to the Director of Audit and Asset Management to dispose of the asset on the basis recommended in item 7 in the report.**
- 2. The Director of Audit and Asset Management negotiates the terms of the disposal of the assets as described in the report.**
- 3. The Director of Legal & Democratic Services completes the necessary documentation.**

7. Proposals and Details

On the 13 March 2013 Cabinet resolved to dispose of a former Neighbourhoods held cleared Housing Revenue Account garage site (edged blue and red at Appendix 1) at Mill Lane, South Anston to Johnnie Johnson (JJ) Housing (a registered social landlord) for the development of 4 x 2 bed units for shared ownership. The price agreed for the site was £20,000, based upon the social housing £5,000 per plot basis. JJ Housing subsequently obtained planning consent for 2 x 2 bedroomed semi detached properties.

Following protracted negotiations on the sale with the RSL, they subsequently withdrew from the transaction due to the need for considerable drainage infrastructure works which rendered the scheme unviable.

Shortly after this, the Estates Team were contacted by Network Rail requesting consent to erect a temporary site compound within the Mill Lane Site (edged blue at Appendix 1) 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. The site inspection carried out was to identify how to provide long term stability to the embankment in order to reduce the risk of potential line closure on the well used passenger/freight line.

Following this inspection, works were identified that required an 85 square metre strip (edged red at Appendix 1) 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.

To this effect a capital sum of £30,000 has been agreed, plus all the Council's Legal and Professional fees in dealing with this transaction.

Colleagues in Neighbourhoods & Adult Services are currently conducting a review of potential housing sites, and it is anticipated that the remainder of this site (edged blue at Appendix 1), if the drainage issues can be resolved, could be utilised for new Council Housing.

8. Finance

As this is HRA land, the £30,000 capital receipt will support the HRA Capital Programme.

Revenue Costs :	Review: N/A
	Marketing: N/A – purchaser to pay disposal fee of £1,000
	Legal Services: N/A – purchaser to pay all legal fees

Maintenance costs until disposal based on a 12 month period: None
VAT applicable: VAT exempt sale

9. Risks and Uncertainties

None Reported

10. Policy and Performance Agenda Implications

A future sale of the asset will support the following corporate priorities and achievements:

- The strip of land formed part of a renewal/upgrade of rail network infrastructure to secure the long term viability of the line and avoiding potential disruption. This therefore promotes sustainability and would reduce CO2 emissions.

11. Background Papers and Consultation

13 March 2013 Cabinet Report - Land disposal to enable Affordable Housing Developments at Mill Lane (South Anston) & Leicester Rd, Dinnington

21 August 2014 Capital Strategy and Asset Review Team Report - Rationalisation of the Property Portfolio: Strip of HRA Land At Mill Lane, South Anston Ward : Anston & Woodsetts

Cabinet Member for Neighbourhoods and Adult Services has been consulted on disposal.

The Ward Member Councillors Burton, Dalton and Jepson were consulted on the 12th September 2014. Councillor Dalton has commented that she is in favour of additional Council or Social Housing.

Services Manager, Legal & Democratic Services was consulted on the 18th September 2014

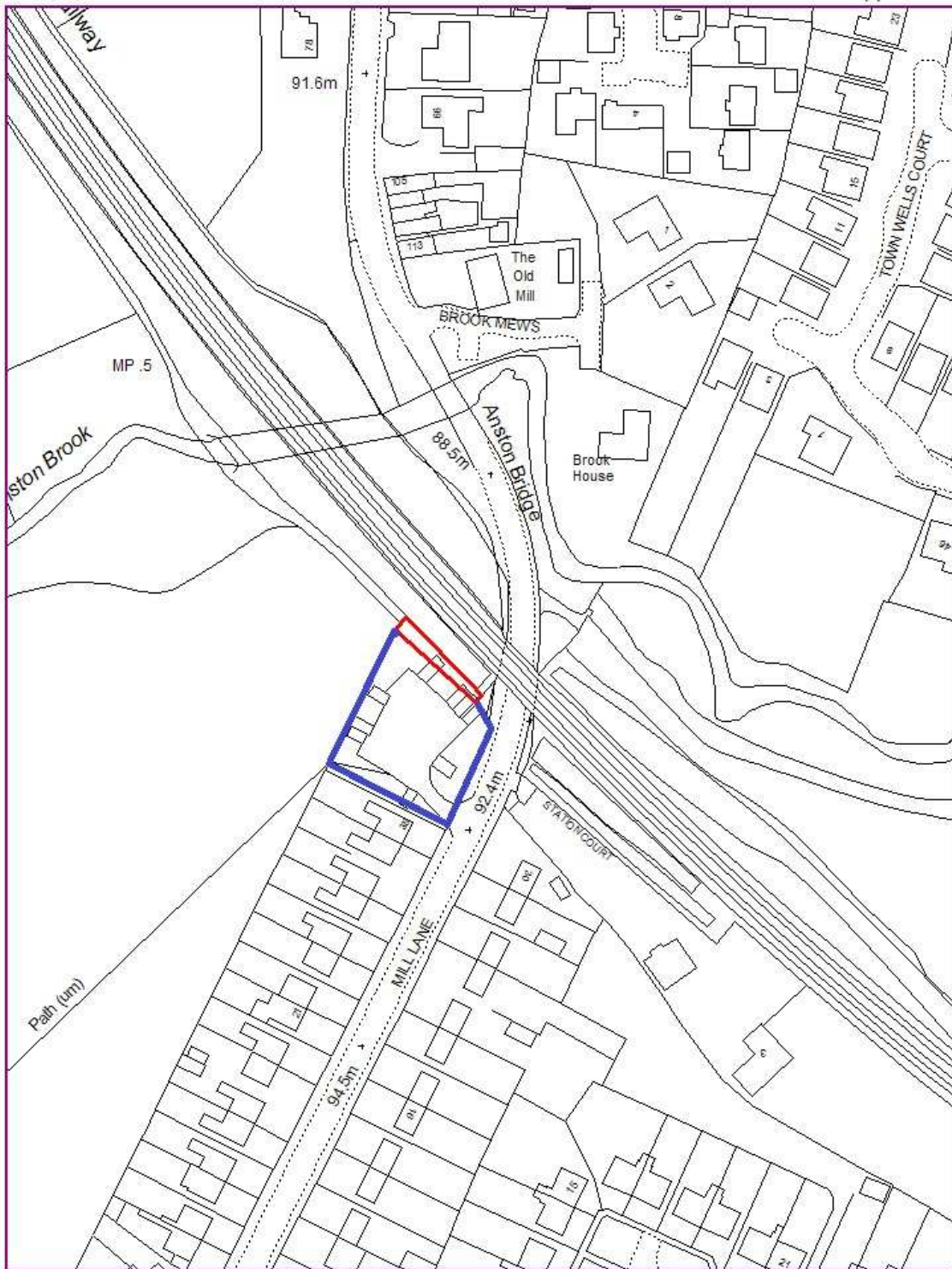
The report was approved by the Principal Finance Officer, Resources on 4 August 2014.

Appendix 1 – Site plan & Appendix 2 – Location plan

Contact Names:

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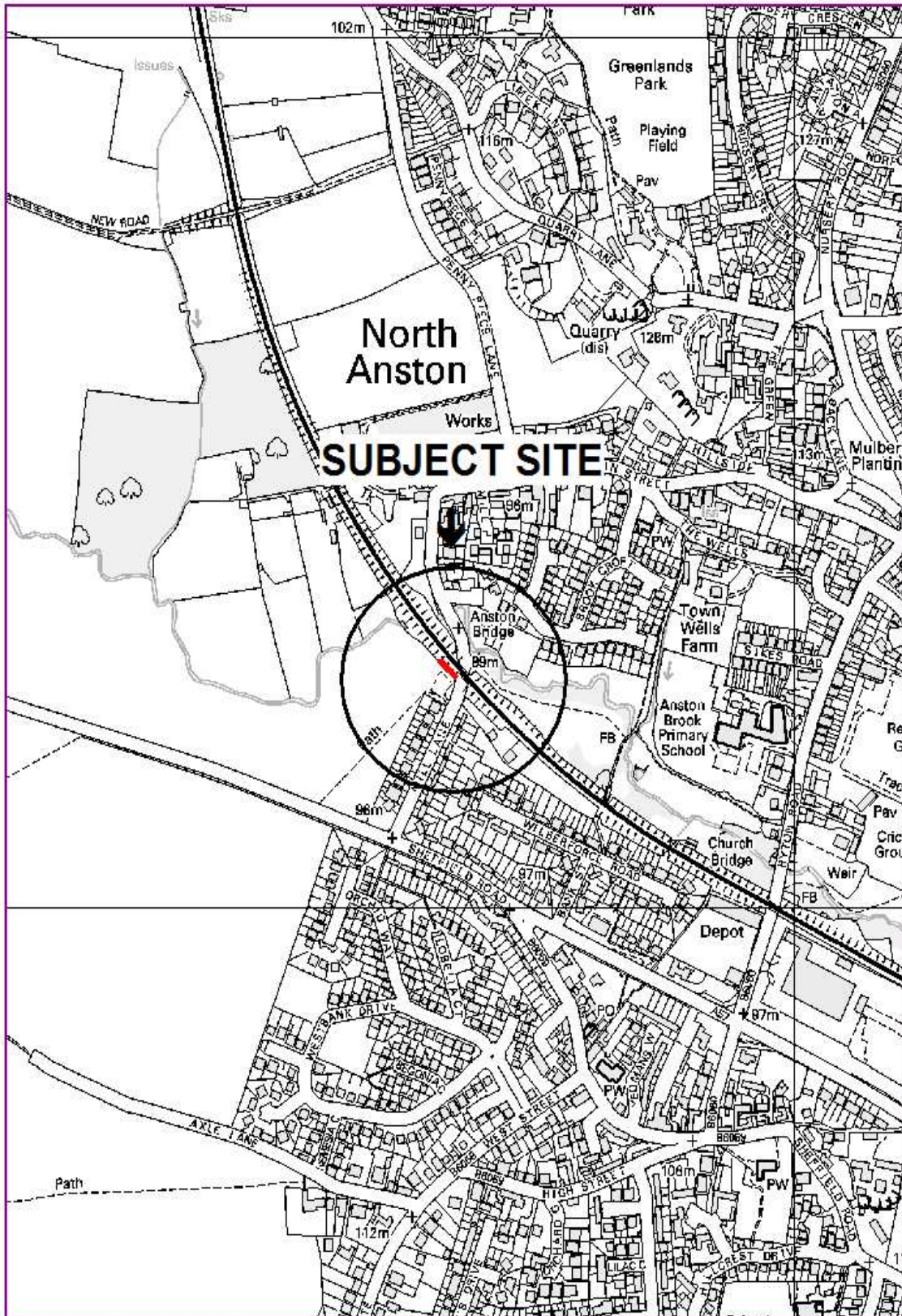


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STIP OF LAND AT
MILL LANE
ANSTON
SHEFFIELD

Rotherham 
Metropolitan
Borough Council
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