

ORANGE BOOK FOR INFORMATION

Venue: Town Hall,
Moorgate Street,
Rotherham.

Date: Wednesday, 10th September,
2014

Time: 2.00 p.m.

A G E N D A

1. Health Select Commission (Pages 1 - 8)
2. Self Regulation Select Commission (Pages 9 - 20)
3. Improving Lives Select Commission (Pages 21 - 29)
4. Overview and Scrutiny Management Board (Pages 30 - 63)
5. Improving Places Select Commission (Pages 64 - 76)
6. Reports for Information (Pages 77 - 82)
7. Police and Crime Panel (Pages 83 - 95)
8. Barnsley, Doncaster and Rotherham Waste Board (Pages 96 - 100)

**HEALTH SELECT COMMISSION
25th June, 2014**

Present:- Councillor Steele (in the Chair); Councillors Kaye, Dalton, Wootton, Hoddinott, Hunter and Vines, Vicky Farnsworth (Speakup) and Robert Parkin (Speakup).

Apologies for absence were received from Councillors Havenhand, Jepson, Pitchley, Swift and Whysall and Peter Scholey.

13. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

14. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no members of the public and press present at the meeting.

15. COMMUNICATIONS

There were no communications to report.

16. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 4 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)/information relating to any consultations or negotiations).

17. ROTHERHAM FOUNDATION TRUST - 5 YEAR STRATEGIC PLAN

The Chairman welcomed Louise Barnett, Chief Executive, Rotherham Foundation Trust, and Tracey McErlain-Burns, Chief Nurse, to the meeting.

Louise stated that the report was to be considered by the Trust Board on Friday and was the reason why it was in the confidential section of the meeting. All feedback from the Select Commission would be shared with the Board.

The strategic plan was to be submitted by 30th June and would be reviewed by Monitor during July-September with feedback in October, 2014.

The plan covered:-

- Declaration of sustainability – financial, operational and clinical
- Market analysis and context
- Risk to sustainability and strategic options
- Strategic plans – strategic challenge, clinical speciality reviews and service line reporting
- Critical supporting strategies – quality strategy, workforce strategy
- Summary

The following additional information, incorporating questions by Select Commission Members, was given:-

Financial Viability

- There was a Transformation Fund of £2M for this year and this was being looked at for the length of the plan. Work was underway on training requirements to ensure there was investment to make the necessary changes.
- A Workforce Plan was under development which would be shared with NHS England as there was funding available to support certain schemes

Capacity Analysis - Estate

- Recognition that there were some ageing buildings within the Trust's stock
- Stocktake taking place to be clear exactly what was used for what reason and how often

Capacity Analysis - Workforce

- There had been an intensive recruitment campaign for nurses - offers of employment had been made to 83 nurses
- Not all of the new recruits would be placed in the Hospital
- Looking to build a District Nurse Team Leader role in the same manner as Ward Sister. They would then have the authority to manage their team in the community
- The financial costings had assumed fully staffed to the desirable level
- The recent national Institute for Care and Excellence had launched consultation on proposed staffing ratio of 1 Registered Nurse to a maximum of 8 patients; Rotherham's current staffing establishment already met that ratio. If the recruitment was successful, the ratio would be better
- Over recruitment would give the ability to flex the workforce where acute patient situations arose
- Staff were actively involved in focus group sessions
- The Workforce Plan for next year would look at the allied health care workforce when patient pathways had been redesigned
- Predominantly female workforce
- The age profile depended upon their occupation but the Trust was finding more staff were continuing to work for longer
- Intention was to ensure that there was strong support arrangements for junior nurses/newly qualified

- Hope to reduce the turnover rate of staff
- Staff survey results demonstrated poor levels of staff satisfaction. The Trust had just signed up to “Listening into Action” which was about empowering colleagues and enable/support them to ensure they could deliver high quality care in their areas. A short survey would shortly go to all staff, with feedback provided to staff within 2 weeks and would be repeated in 9 months
- Over 4.5% sickness level which was higher than average
- Community Transformation Group met on a regular basis with colleagues from the Hospital, Community and the CCG to redesign the pathway
- There was no plan to make compulsory redundancies

Capacity Analysis - Beds

- The number of people who attended A&E who, with support, would not necessarily need to be seen by a consultant
- Need to work closer with primary care partners in an attempt to reduce avoidable emergency admissions and provide services in the community
- Discussions required with NHS England who commission GP services as to how their resources may be utilised with a view to what could be provided in community
- Work ongoing regarding the possible “mothballing” of a Ward which could open if the need arose

Better Care Fund

- Good relationships between the Trust and other organisations
- Ageing population was an increasing issue and needed focus in order to develop a plan

Financial Viability and Sustainability

- There were internal and external auditors as well as Monitor undertaking thorough review
- Had to provide monthly reports

Clinical Sustainability

- Whilst volumes for A&E attendances and maternity services were within guidelines they were significantly lower than national average
- Work would commence very shortly on the speciality reviews
- There had been a lot of work with Consultants and Clinicians on the methodology to ensure it was led by clinical staff to draw on best practice and Royal College Guidelines
- There would be public consultation with regard to any Service redesign and quality impact assessments for any proposed changes
- There would be public consultation with regard to any Service redesign
- Working Together Programme – a programme agreed and put together by 7 Health Trusts within South Yorkshire and Bassetlaw (mid-Yorkshire, Barnsley, Doncaster, Sheffield, Chesterfield,

Rotherham, Sheffield Children's), and included a Chief Executives Group, Chairmen's Group and some working groups. All recognised they wanted to deliver financially sustainable health care in the future and there were things they could work together and benefit from particularly smaller specialities where there was lower demand but required highly skilled professionals

Service Quality

- The general public would know the service had improved through clinical outcomes
- Would expect to see improved scores for patient experience
- Need for improved stakeholder and communication approach

The Chairman thanked Louise and Tracey for their attendance.

Resolved:- (1) That the Chief Executive, Rotherham Foundation Trust, be invited to the Select Commission in 6 months in order that it may monitor the plan.

(2) That the Chairman and Vice-Chairman meet with the Chief Executive on a monthly basis the notes of which will be submitted to the Select Commission for information.

18. DATE AND TIME OF NEXT MEETING

Resolved:- That, due to the planned industrial action, the next meeting of the Health Select Commission be held on Friday, 11th July, 2014, commencing at 1.30 p.m.

HEALTH SELECT COMMISSION
25th June, 2014

Present:- Councillor Steele (in the Chair); Councillors Kaye, Dalton, Wootton, Hoddinott, Hunter and Vines, Vicky Farnsworth (Speakup) and Robert Parkin (Speakup).

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(2) That the Chairman and Vice-Chairman meet with the Chief Executive on a monthly basis the notes of which will be submitted to the Select Commission for information.

18. DATE AND TIME OF NEXT MEETING

Resolved:- That, due to the planned industrial action, the next meeting of the Health Select Commission be held on Friday, 11th July, 2014, commencing at 1.30 p.m.

**SELF REGULATION SELECT COMMISSION
27th June, 2014**

Present:- Councillor Currie (in the Chair); Councillors Cutts, Ellis, J. Hamilton, Johnston, Reeder, Sansome, Sharman and Watson.

Apologies for absence:- Apologies were received from Councillors Beaumont, Godfrey and Tweed.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

3. COMMUNICATIONS

No communications had been received.

4. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting held on 8th May, 2014 be approved as a correct signature by the Chairman.

5. REPRESENTATIONS ON PANELS AND SUB-GROUPS

Resolved:- That the following Members of the Self Regulation Select Commission be appointed to the Panel and Group shown for the 2014/2015 Municipal Year:-

(1) Health, Welfare and Safety Panel: - Councillor T. R. Sharman
(Substitute - Councillor J. Hamilton).

(2) Recycling Group: - Councillor S. Ellis.

6. CORPORATE PLAN - PERFORMANCE MANAGEMENT ARRANGEMENTS

Consideration was given to a report presented by Anne Hawke, Performance and Improvement Officer, which outlined the proposed arrangements for monitoring, reporting and performance management of the new Corporate Plan priorities to the Self-Regulation Select Commission.

Due to reduced resources across the authority monitoring of the plan should not duplicate effort and should be as efficient and effective as possible. Performance and Quality Officers have been working with

managers and directors to identify relevant performance and outcome measures to monitor and report progress against the priorities.

A streamlined process would, therefore, allow officers to focus on progress and improvement and also to address any performance issues. Directors would be held to account for the delivery of the plan and its measures and should ensure that there was a clear golden thread through service and team planning.

In the revised corporate plan the number of priorities and outcomes had been significantly reduced. This reflected the financial challenges that the Council was currently facing and reduced the level of bureaucracy required to manage, monitor and report progress against the new plan. Officers have also sought to reduce any duplication and were building efficiencies into the way information was collated and report across the various commissions and partnership boards.

There were now four priorities, each with a maximum of three outcomes. A set of key measures underpinned the outcomes and these measure the success of the outcome and overarching priority. Where possible the number of measures were kept to a maximum of three, although for a couple of outcomes there were up to five measures.

All suggested measures have been developed and approved by the appropriate officers and Directors. The list was included with the report for information and approval along with all other templates to be used to report progress against the plan.

It was proposed that an annual review of all indicators should take place in order to confirm continued relevance. At this point indicators could be replaced if deemed appropriate.

A schedule for reporting was proposed by the Select Commission. This would consist of a full Corporate Performance report being presented up to three times per fiscal year. Two of these would include exception reporting against the whole plan with a further option during March for a further report or for the authority to take the opportunity to take pertinent information to the Commission.

A request had also been received for the use of an intranet area to be able to view current progress against corporate plan priorities and outcomes along with any information around performance management of the associated indicators.

The Performance and Quality Team were developing an area that both officers and Members could utilise to collate and monitor performance on a monthly basis. This would need careful planning, but could be an open and transparent way of sharing performance data with Members and provided the ability to challenge.

In the previous framework, it was difficult to make a clear and accurate judgement on the success of the priorities. Therefore, a more simple and easy to apply model was proposed to move forwards. This would help to reduce the amount of subjectivity that officers have when rating the success of the measures and was a simple way of applying the rating to any indicator, outcome and/or priority.

It was intended for performance management of the approved measures to commence in April with the first report going to the Self-Regulation Select Commission in September. In the meantime, work would continue on the intranet area and performance data collated and shared (following an approved protocol) when it became available.

A special thank you was given to all those involved in the work especially Councillors Atkin, Currie, Ellis and Watson.

It was also suggested that a presentation or training session be arranged for all Members of the Select Commission on how to access the intranet site.

A discussion and answer session ensued and the following issues were raised and subsequently clarified:-

- Identification of a priority in “Red”, which was not always something the Council could control if it was a national issue.
- Attendance of a responsible Director and/or Elected Member to explain when priorities were not being achieved and identified as “Red” on the RAG rating.
- Development of specific performance indicator measures to monitor data and intervention to support the outcomes and priorities.
- The sharing of best practice and opportunities for external assessment.

Resolved:- (1) That the proposals included in the report be noted.

(2) That the Performance and Quality Team will begin monitoring and reporting against the new Corporate Plan priorities from 1st April, 2014, with the first report due to go to this Committee during September, 2014.

(3) That the responsible Director and/or Cabinet Member be present at meetings when the reports are submitted to give explanations for any priorities in “Red”.

(4) That consideration be given to a future training session for the Self Regulation Select Commission in September, 2014, to which all Elected Members would also be invited.

7. REVENUE ACCOUNT OUTTURN 2013/14

Consideration was given to a report presented by Pete Hudson, Chief Finance Manager, which detailed how in 2013/14 the Council budgeted to spend £221.474m on its General Fund Revenue Account. Actual spending for the year was £220.440m, a saving against budget of -£1.034m (or -0.47%). Of this, £0.747m was accounted for by surpluses on trading accounts, leaving a net underspend of £0.287m. (-0.13%)

Requests to carry-forward £251k of unspent 2013/14 budgets for specific projects/purposes were also included in this report. This was approved by Cabinet leaving the remaining balance available to support the future years' budget at £36k.

In addition, the Delegated Schools' Budget was £154.271m. Actual spend against this was £155.155m, an overspend of £0.884m for the year. This had been drawn down from Schools' Reserves which at 31st March, 2014 stood at £6.456m.

The Housing Revenue Account (HRA) in 2013/14 was budgeted to draw down funding from the HRA General Reserve of £2.599m. However, use of the reserve was not required and there had been a contribution to this Reserve of £1.570m.

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

Reflecting the above unaudited outturn position, the Council's Revenue Reserves as at 31st March, 2014 were General Fund Reserves available and uncommitted to support the Budget £10.222m and Earmarked Reserves £57.031m of which £43.540m was ringfenced for HRA, Schools and to meet future PFI contractual obligations.

Discussion ensued and the following issues were raised and subsequently clarified:-

- The risks posed by academy conversions and the monitoring of these given that the deficit was borne by the Local Authority.
- The potential for the debts for academy conversions to increase and the impact this would have.
- Requests for carry forward of the underspends on Traded Services and whether this was planned to mitigate changes in the following year.
- Surplus on School Catering and whether the Free School Meals for pupils under seven years of age had been factored in.

- Mitigation of risks for those services that could be squeezed even further for savings.
- Definitions and explanations for services relating to non-essential spend and the analytical assessment tool to be explored by way of a small working group.
- Housing Revenue Account and the inclusion of this in the Select Commission's work programme to further explore the thirty year business plan.

Resolved:- (1) That the Council's unaudited General Fund, Schools' and the Housing Revenue Account (HRA) Revenue Outturn Position Statements for 2013/2014 be noted.

(2) That the level of the Council's Revenue Reserves as at 31st March, 2014 be noted.

(3) That Cabinet's approval of the carry forward of underspends on Trading Services (£747,055) and requests for carrying forward of specific items (£251,467) in accordance with the Council's approved policy be noted.

(4) That the request to Cabinet to waive the Council's policy of carrying forward 20% of Directorate underspends from 2013/14 be noted.

(5) That consideration be given to sharing information on academy conversions at a future meeting of this Select Commission.

(6) That a small working group comprised of Councillors Ellis, Sansome and Watson explore further the criteria and analytical assessment process for non-essential spend.

(7) That the Housing Revenue Account be included for consideration as part of the Work Programme.

8. CAPITAL PROGRAMME OUTTURN 2013/14 AND UPDATED ESTIMATES 2014/15 TO 2016/17

Consideration was given to a report presented by Pete Hudson, Chief Finance Manager, which detailed the unaudited capital outturn position for the 2013/14 financial year and recommend for approval changes to the programme for the financial years 2014/15 to 2016/17. These changes have resulted from the 2013/14 outturn and scheme changes since the overall programme was agreed in March 2014, as part of the budget setting process.

For 2013/14 the Council's capital investment into the regeneration and enhanced infrastructure of the Borough was £71.769m. The profile of this investment and the updated future expenditure plans were reflected in the Directorate summary table within the report. A detailed copy of the

programme for each Directorate was also attached as appendices to the report.

The updated programme had been prepared in light of the capital resources known to be available to the Council over these financial years, and estimated on a prudent basis.

The Council was continuing to undertake a comprehensive review of its assets and buildings portfolio, with the aim to rationalise both its operational and non-operational asset holdings, which may contribute both a future capital receipt and a revenue saving.

The Select Commission welcomed this comprehensive report.

Resolved:- (1) That the unaudited 2013/14 capital outturn position be noted.

(2) That the recommendation to Council to approve the updated 2014/15 to 2016/17 capital programme be noted.

9. 2014/15 WORK PROGRAMME

Caroline Webb, Scrutiny Adviser (Scrutiny and Member Development), presented an update on the progress on the delivery of its work programme, summarising the areas that had been closely monitored, achievements and changes that had taken place. It also proposed future agenda items and potential themes going forward into 2014/15.

The Constitution set out the remit of the Self-Regulation Select Commission which was to carry out overview and scrutiny of issues as directed by the Overview and Scrutiny Management Board.

The Select Commission agreed to focus its work around the theme of budget and performance. This was reflected in the issues identified by the Commission to be scheduled as part of the 2014/15 work programme. These included:-

- Revenue and capital budget monitoring.
- Corporate risk register.
- Complaints and compliments.
- Corporate Plan outcomes.

Additional areas identified included:-

- Workforce planning.
- Equality implications of budget decisions.
- 2015/16 budget setting process.
- Business rates administration, reliefs and support for micro-businesses (request from Cllr Beck) [possible joint work with Improving Places].

- Members should note that arrangements for the timetable to accommodate scrutiny of the budget setting process are yet to be finalised. This will be factored into the scheduled meetings (with additional meetings scheduled as appropriate) on confirmation.

Members' views were sought on whether the areas identified in Appendix A remained a priority for consideration in the work programme for 2014/15 and to determine if there were other areas the Select Commission wished to scrutinise.

The Select Commission wished to give further consideration to school reserves and non-essential spend and suggested that this also be included in the work programme going forward.

Discussion ensued on the budget setting process and whether the work programme could accommodate some flexibility, especially when budget pressures were identified.

Resolved:- (1) That the Select Commission's terms of reference and the role of overview and scrutiny as set out in the report be noted.

(2) That the work programme be approved, subject to the additional areas of school reserves and non-essential spend for inclusion in the 2014/15 work programme in line with the Commission's terms of reference.

10. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Self Regulation Select Commission be held at the Town Hall, Rotherham on the revised date of Thursday, 31st July, 2014 at 3.30 p.m.

**SELF REGULATION SELECT COMMISSION
31st July, 2014**

Present:- Councillor Watson (in the Chair); Councillors Beaumont, Cutts, Ellis, Godfrey, J. Hamilton, Sharman and Tweed.

Apologies for absence were received from Councillors Currie and Sansome.

11. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

12. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

13. COMMUNICATIONS

No communications had been received.

14. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting held on 27th June, 2014, be approved as a correct record for signature by the Chairman.

Further to Minute No. 82(6) (Revenue Account Outturn 2013/14) it was noted that the working group would be meeting shortly.

15. REPRESENTATION ON PANELS AND SUB-GROUPS

Resolved:- That Councillor J. Hamilton represent this Select Commission on the Environment and Climate Change Steering Group.

16. WORKFORCE STRATEGY AND PLANNING 2013-14

Phil Howe, Director of Human Resources, presented an overview of workforce planning statistics and demographics, information on workforce planning data available to managers and key workforce activity carried out during 2013.

The Council Workforce Strategy had a focus on 5 key themes of which Appendix 1 detailed the current position and trends:-

- Ensuring we have a modern thriving Council
- Developing leadership capacity through change
- Developing our employee skills for the future
- Managing talent and attracting new talent as appropriate
- Ensuring we have a fairly rewarded workforce

Attention was also drawn to:-

- Budget Challenges
- Workforce demographics
- Workforce planning in Directorates
- Workforce Strategy during 2013/14
- Theme: Ensuring we have a modern and thriving Council
- Theme: Developing leadership capacity through change
- Theme: Developing our employee skills for the future
- Theme: Managing talent and attracting new talent as appropriate
- Theme: Ensuring we have a fairly rewarded workforce

Discussion ensued with the following issues raised/clarified:-

- The budget challenges facing the Council had required organisational redesign, changes to working practices and changes to Human Resources policies - a £3.8M reduction in 2013/14 had taken recurrent savings to over £27M a year
- 1,200 employees had left the Authority since 2010
- 79 apprenticeships had been supported together with over 40 work placements arranged for disabled/long term unemployed through the access all areas scheme and 9 work placements offered for Looked after Children
- Pay Protection Policy had been revised as part of the negotiated changes to terms and conditions
- An annual summary was provided to all Services with a breakdown of age profile etc. which would highlight any areas of underperformance
- Historical target for the number of employees from an ethnic minority derived from the National Office of Official Statistics outturn for 2001
- Ongoing work for successful succession planning given the downsizing that had occurred over recent years as we all giving opportunities to remaining employees
- Staff surveys and Investors in People took place every 4 years with 1 of them happening every 2 years. Both had cost implications
- Real push across the Local Government Strategic Partnership to work with the private sector

Resolved:- That the report be noted.

17. SCHOOL DEFICITS/ACADEMY CONVERSIONS

Further to Minute No. 82(6), Joyce Thacker, Strategic Director of Children and Young People's Services, and Joanne Robertson, Finance Manager, presented a report on the financial deficits attached to the conversion of Rawmarsh School and Swinton Brookfield Primary Schools to Academies.

It was important to note that only 'Sponsored' Academy conversions (where a school was in deficit) resulted in the deficit falling onto the Local Authority. Where the school was a 'Converter' (not sponsored) any deficit was funded by the Department for Education.

The current main Policy for school's deficits was contained in Rotherham's Scheme for Financing Schools:-

Planning for Deficit Budgets

Expectation that schools which identified a financial deficit could clear its deficit balances and that the budget plan would demonstrate how it could be achieved. If this could not be achieved, a school must seek approval for a licensed deficit.

Licensed Deficits – applicable to Secondary Schools only

The scheduling of repayments of deficits at Council-maintained schools were the subject of a 3 year spending plan which incorporated a maximum repayment term of 3 years. The deficit would represent no more than 5% of the school's delegated budget. This could be extended to 5 years in exceptional circumstances.

Any such arrangement could only be entered into with the authorisation of the Strategic Director and Director of Finance representative.

The school must submit a recovery plan which provided robust evidence of the size of the financial problem and how it would be addressed. Once authorised, the recovery plan would be monitored and reviewed on a 6 monthly basis.

Interest would not be charged during the terms of the repayment. However, charges would be incurred on the initial or maximum balance (whichever was the greater) if the submission was not addressed within the timespan.

The report also referred to the proposed changes to Rotherham's Fair Funding Scheme for proposed Academy conversions where schools were in deficit. The proposed changes to the Fair Funding Scheme had not been as a result of Rawmarsh but recognition of the potential risk to the Council's budget. It ensured that schools had a better understanding of what the expectation of them was but the power to remove the budget had always been there. Consultation on the proposed changes would close on 10th September, 2014, with feedback to the Schools Forum on 3rd October.

Rawmarsh Academy had seen a number of significant changes and had been transformed into a vibrant learning community. There had been a number of discussions with the Executive Head Teacher, Director of Schools and Lifelong Learning and the Head of the School Effectiveness Service regarding the School's attainment. Marked improvement had

already been seen and it was felt that the funding had been required to achieve such.

Discussion ensued with the following issues raised/clarified:-

- 75% of Rotherham's schools were "good" or better and 78% of children attended schools that were "good" or better
- The deficit to the Local Authority was expenditure within the financial year against revenue within the CYPS budget - there were no further costs once the school had converted. The school did not have to repay the deficit
- The Local Authority had no control over a school once they became an Academy
- 27% of Rotherham's schools had converted to Academies with the number increasing
- Work was ongoing with all Head Teachers to try and avoid 1 School's decision to academise not affecting another's feasibility
- The DfE had no contingency plan in the case of an unsuccessful Academy and its pupils; it would fall upon the Local Authority to take the pupils on board. However, there was robust financial monitoring in place
- The issue was included on the Risk Register

Resolved:- That the work undertaken to mitigate the revenue impact upon the Local Authority of deficit budgets in schools that were likely to become a sponsored Academy be noted.

18. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following 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, as amended (information relating to the financial/business affairs of any person, including the local authority).

19. DISTRICT HEATING UPDATE

Tom Bell, Strategic Housing and Investment Service, gave a 6 monthly progress update on the Scrutiny recommendations and presented the report that had been considered by the Cabinet Member for Safe and Attractive Neighbourhoods at her meeting held on 16th June, 2014 (Minute No. 16 refers).

The submitted report contained the investment requirements and funding needed to implement an improvement plan over the next eight years. This robust approach to assessing the condition of each of the 37 district heating schemes had resulted in the following recommendations:-

- 10 schemes should be retained and benefit from further investment;
- 6 schemes should be retained, but reduced in size to achieve efficiencies;
- 20 schemes (all within the Fitzwilliam estate at Swinton) should be replaced with an alternative solution;
- the scheme at Beeversleigh should be replaced with an alternative district heating;
- the investment in new fuel stores for three Bio Mass systems, subject to Renewable Heat Incentive grant funding being obtained.

Discussion ensued on the report with a number of issues clarified regarding:-

- Number of owner/occupiers on the Fitzwilliam estate
- Facility for tenants to use mobile technology to make payments
- Security measures built into the equipment to help alleviate incidents of tampering
- Fuel charges

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

(2) That a further report be submitted in 12 months.

20. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Self Regulation Select commission be held at the Town Hall, Rotherham on Thursday, 18th September, 2014 commencing at 3.30 p.m.

**IMPROVING LIVES SELECT COMMISSION
9th July, 2014**

Present:- Councillor G. A. Russell (in the Chair); Councillors Ahmed, Astbury and Reynolds.

Apologies for absence were received from Councillors Ali, Buckley, Burton and Clark.

9. DECLARATIONS OF INTEREST.

No Declarations of Interest were made.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS.

There were no members of the public or the press in attendance.

11. COMMUNICATIONS.

The Senior Scrutiny Adviser: Member Development (Scrutiny Services, Legal and Democratic Services, Resources Directorate) informed the Improving Lives Select Commission that an email invitation had been circulated to all members about a speaking and contributing to meetings training event that was taking place on 17th July, 2014.

12. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH JUNE, 2014.

The minutes from the previous meeting of the Improving Lives Select commission held on 11th June, 2014, were considered.

Resolved: - That the minutes be agreed as an accurate record.

13. APPOINTMENT OF REPRESENTATIVE ON WORKING PANELS AND GROUPS, 2014/2015.

The Democratic Services Officer (Committee Services, Legal and Democratic Services, Resources Directorate) informed the Improving Lives Select Commission that a representative from the Select Commission was required for the Council's Recycling Group for the 2014/2015 Municipal Year.

Resolved: - That the dates of the 2014/2015 Recycling Group meetings be circulated to the full membership of the Improving Lives Select Commission and expressions of interest be requested for the role of the Improving Lives Select Commission's representative to the Recycling Group.

14. PEER REVIEW - THE IMPACT OF CHILDHOOD NEGLECT.

Councillor Russell, Chairperson of the Improving Lives Select Commission, welcomed the Director for Safeguarding Children and Families (Children and Young People's Services Directorate), and the Performance and Quality Manager (Performance and Quality, Neighbourhood and Adult Services Directorate) to the meeting. They had prepared a presentation on the impact of childhood neglect and Rotherham's Peer Review on neglect that would take place in September, 2014.

The Officers gave a presentation, which included the following: -

- The Department for Education's definition of Neglect (2013): –
 - ... the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.
 - Neglect may occur during pregnancy as a result of maternal substance abuse.
 - Neglect may involve a parent or carer failing to: -
 - Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
 - Protect a child from physical and emotional harm or danger;
 - Ensure access to appropriate medical care or treatment;
 - It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
- Peer Review in Rotherham: –
 - There was an expectation that local authorities would provide a level of challenge and support to one another to enable sector-led improvement;
 - Rotherham's peer review into childhood neglect would take place during the week commencing 8th September, 2014, for three days;
 - It would be led by Doncaster's Director for Children's Services, with colleagues from North Lincolnshire and York local authorities;
 - There were no direct costs relating to the peer review; costs relating to expenses and IT set-up would be incurred. It was noted that the cost of peer reviews was significantly less than the costs of an LGA review;
 - The July 2012 inspection of child protection services in Rotherham made a number of findings in relation to neglect

in the Borough. The actions of the Rotherham Local Safeguarding Children Board to address them included the use of SMART planning, the roll-out of a challenge procedure and tool-kits, improved legal gatekeeping and early intensive intervention.

- Ofsted had published a national report entitled *In the Child's Time – Professional Responses to Neglect*: -
 - One third of neglect cases where social care had been involved for a long time had evidence of delay and /or drift;
 - Assessments did not always take account of family history or the impact that neglect had on a child;
 - Engaging parents in child protection work was often difficult as they were likely to have complex issues of their own;
 - Non-compliance and the disguised compliance of parents.
- This document was being used to inform Rotherham's 'Neglect Strategy'.
- Rotherham statistics: -
 - 2013/2014 – 43% of Child Protection Plans had a referral reason of neglect;
 - Child in Need – 34% had a reason of neglect;
 - LAC – 61% had a reason of abuse or neglect.
- Impact of neglect and what it looked like: -
 - There were implications across all age-ranges but neglect was more damaging to younger children and babies who were completely unable to meet their own needs;
 - Health and physical development – 'failure to thrive', physical health conditions not addressed, not having/missing medical appointments, communication, access to education, life beyond education. Parents not fulfilling their role;
 - Case studies were available - no food, no sheets or covers, debris in cot/around house, dirty nappies, hungry. Professional description of the signs was 'frozen watchfulness';
 - Current context of increasing poverty;
 - The 2012 frontline inspection asked the question 'when is enough enough?' in relation to children who were being neglected and when care proceedings would begin;
 - TripleA – workforce training had been developed;
 - Early Help Support Panel – practitioners were able to raise concerns earlier;
 - Troubled Families – Families for Change;
 - Rotherham needed its partner agencies to recognise the signs of neglect and refer;

- The Multi-Agency Support Panel had significantly changed the practice of agencies/partners;
- Working with other Council Departments, including with Housing and Adult Services.

Rotherham's multi-agency threshold descriptions were circulated and considered.

Discussion ensued and the following questions and answers were made: -

- **How do you identify where neglect is an issue? –**

Safeguarding training had been provided to all schools on awareness raising and what neglect meant to children, the use of the Common Assessment Framework and how professionals worked with families. Similar sessions had been provided to the Council's M2 managers in an information session. Neglect had been built into the Rotherham Local Safeguarding Children Business Plan. The opening of the Multi-Agency Support Hub in Riverside House on 4th August, 2014, would also enable agencies to work together to stop neglect.

- **How were hard to reach families engaged with? –**

Some families hid neglect, and others were in denial about neglect. Some did not understand what neglect was and some families replicated their own childhood experiences of neglect. The Family Recovery Programme provided intensive family support in these cases and was clearly helping with some families. Some families exhibited signs where the denial was so significant that they could not comprehend and had no capacity to change. In these cases the children were removed to care. The 'Say Something if you See Something' campaign was a useful way of prompting people to report their concerns.

- **Great to hear what we are doing in Rotherham. With regards to Universal Services and Thresholds – are we measuring impact after training has taken place to see whether it has been useful?**

Yes, the Service has seen more referrals and contacts, and this should lead to better referrals. It was the Service's role to challenge poor referrals and signpost to alternative agencies if it was not a social care issue. However, the message was: 'if in doubt, refer'.

- **Will the peer review highlight the areas we need to be more focussed on and direct resources to?**

The outcomes of the peer review would be used to prioritise resources. There was increasing poverty in the Borough at the current time due to low incomes and changes to Welfare provision. Neglect is an increasing issue both regionally and nationally. The addition of resource poverty to

already neglectful families could increase the number of referrals to social care and, potentially, the number of looked after children.

The overall strategy used by all services was important. An example of this was when Housing Services changed their view of a family through the influence of Children's Social Care and gave the family another chance, preventing them slipping into the crisis situation of being homeless. A more co-ordinated approach working with families where neglect happened was needed so that all Partners were tackling it in the same way.

- **Every Child Matters addressed these issues of services working long hours but in silos and not communicating information with one another. Strategies were written and then seemingly shelved. Why was Every Child Matters not used to eradicate the barriers to multi-agency working so it would be well-embedded by now? –**

In response to Every Child Matters, Rotherham created the Children and Young People's Plan. This was a multi-agency plan with six priorities and was robustly monitored in Rotherham. Nationally, multi-agency information sharing platforms had faltered and this had constituted a real barrier to realising the Every Child Matters outcomes. Rotherham was continuing to bid for funding to improve information sharing platforms.

- **Engagement of key professionals, including teachers – was workload a barrier because professionals were so busy and reluctant to take on extra form filling? Could concerns about whistle blowing/ rocking the boat be a disincentive for them to refer? –**

There was no current evidence to suggest that workload was preventing professionals from making referrals, but the Service would take seriously any allegations that this was happening. At the end of the day the lives and health of children were at stake and it is the moral obligation of professionals working with children to report any concerns they have.

- **Can the Local Authority impose penalties on Officers not reporting concerns? -**

At the moment this would be a matter for the individual's line management. Agencies did take these matters seriously and worked with the Council. There was nothing to suggest that these concerns were founded, but any allegations would be investigated.

- **Does the Council have sufficient resources? -**

It was always the intention to protect frontline services for Children's Social Care. The Local Authority had sustained cuts to budgets and these were continuing. Where cuts had been made they were being

implemented as slowly as possible to mitigate impact and Services were asked to work more closely, again to mitigate cuts as far as possible on the front line.

Councillor Russell thanked the Officers for their presentation and contribution to the discussion.

Resolved: - (1) That the report and presentation be received and their content noted.

(2) That an update be provided on the outcomes of the Peer Review into childhood neglect and Rotherham's action plans in response to the outcomes be considered by the Improving Lives Select Commission in six-months' time.

15. YOUNG PEOPLE MISSING FROM HOME AND CARE.

Councillor Russell welcomed the Service Manager - Family Placements and Residential, and the Provider Services Manager (Safeguarding Children and Families Services, Children and Young People's Services Directorate) who had been invited to the meeting to update the Improving Lives Select Commission on the procedures, legislation and working practices around young people who went missing from their home or from care.

This issue was regularly considered by the Corporate Parenting Panel in respect of looked after children and young people who went missing or who ran away.

The Department for Education had published statutory guidance in January, 2014, relating to children who ran away. The guidance made it clear that local authorities continued to be responsible for protecting children when they went missing, whether this be from their family home or from local authority care. It was recognised that when Looked After Children went missing they were at risk of exploitation, including sexual exploitation. Department for Education guidance had always been that local authorities should agree with the local police and other agencies and, potentially, other local authorities, a protocol for dealing with children who ran away or who went missing in their area. Local protocols should be agreed and reviewed by all agencies/partners and scrutinised by the Local Safeguarding Children Board.

The report outlined Rotherham's local protocol, as scrutinised by the Rotherham Local Safeguarding Children Board, and that of the South Yorkshire sub-region. The South Yorkshire protocol was due to be reviewed in the summer of 2014. A sub-regional meeting was held every two months, which covered structures for managing the local and regional protocols, forums and panels. Rotherham's Silver Group met monthly and missing people formed part of the Terms of Reference; early support and strategy meetings were arranged at the Silver Group.

The report showed the numbers of children who had gone missing between January – May, 2014, and a commentary on the patterns and trends and some of the reasons why a child may choose to go missing/run away.

A recent change in the Department for Education's guidance introduced new definitions. The guidelines had been implemented across South Yorkshire in 2014, and this had led to an increase in the number of cases being recorded.

The new definitions that were now in place: -

Missing: -

Anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or another.

Absent: -

A person not at a place where they are expected or required to be.

The Police considered and decided whether the incident was 'out of character' for the child/young person who had gone missing. If this happened routinely, they would be classed as absent, as it was in character. When the child or young person returned, the Police conducted a 'safe and well check'. This was followed up with an independent interview conducted by 'Safe@Last', who shared the messages from the interview with Rotherham's Contact and Referral Team.

Two case studies were shared that illustrated how/why and the frequency of a child/young person going missing. The case studies suggested the reasons why the child/young person was choosing to go missing and the actions and interventions that were put in place by agencies to support the young person. The case studies showed positive outcomes and reductions in the number of incidents of the child/young person choosing to run away.

Discussion ensued and the following questions and answers were made: -

- **What about when children were placed out of the Borough, how were multi-agency responses made? -**

Rotherham's Safeguarding Children and Families Service had sent a reminder of the obligations arising from the National Guidance to all providers where children were placed out of the Borough. Regulation 33 visits were undertaken each month.

- **How do we link in with partners for Early Intervention and Prevention Services?**

The Council's Children Missing from Education Officer established these links.

- **More females were going missing compared to the number of males. Was this a recent trend or a long-term pattern? And why?**

This was not a new trend. Monitoring had been done over the previous 8-10 years and every year the outcomes were similar. The majority of children/young people who went missing were females, and the 15 year-old age-group also experienced a peak. This could relate to gender expectations; boys being allowed more independence and girls being more protected by their parents/carers, and also normal teenage behaviour of increasing independence, boundary testing and changing identity.

- **Is there anything in the Legislation that could be used where we think a young person is at risk of going missing? Or would this require new Legislation?**

Yes, Care Orders – if the Service needed to put a young person into Secure Accommodation for their own protection, the Courts can grant this if there is evidence to support the need/reason. However, this is extreme and undesirable, and most young people who went missing would not meet the criteria. Instead, the Service tried to work with the young person to influence and engage them to more positive strategies for coping. There was no law that could be used to prevent children and young people from going missing, but there is a law to stop other people from taking them or persuading them to run away. It was a preferable option to address/punish perpetrators, and not stigmatise or alienate the young people involved.

- **There is a high level of emotional factors surrounding children going missing. -**

Training had been provided to the staff in Children's Homes to ensure that they were aware of risk signs and able to encourage young people to engage when they had issues, rather than running away.

- **Could the new definitions of missing and absent lead to new emerging trends in the data? -**

Service meetings taking place every six weeks were concentrating on trends and patterns. In general, most young people were tending to be running away *to* something rather than away *from* something; usually they were running to their friends and returned in the early hours of the morning. Many did not go very far. Some do cross local authority boundaries and could be at risk of exploitation.

There was a small proportion of young people who made up a very big incidence of those going missing. Many will say they are ok on return but then go missing again. Services concentrate on the young persons' wishes and feelings and relationship building, activities and hobbies to help the young person so they did not want to go missing again.

- **Could additional medical/social needs be underlying issues for going missing? –**

The Service kept figures on whether a child or young person going missing had a Statement of Special Education Need or if they had other, lower level forms of SEN.

- **Was there any indication that young people were going missing due to Female Genital Mutilation or forced marriage? -**

Yes there was, but this did not happen often/recently in Rotherham. There was a watching brief on these issues and they were being regularly monitored.

Councillor Russell thanked the Officers for their presentation and contribution to the discussion. The presentation had been useful and important.

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

(2) That the Corporate Parenting Panel continue to receive regular updates about the numbers of looked after children and young people who go missing in Rotherham and the multi-agency work that was taking place to support these young people.

16. CLAIR PYPER - INTERIM DIRECTOR OF SAFEGUARDING CHILDREN AND FAMILIES.

Councillor Russell informed the Improving Lives Select Commission that this meeting would be Clair Pyper's (interim Director of Safeguarding Children and Families, Children and Young People's Services Directorate) last meeting before she left her role to take up another post. Councillor Russell thanked Clair for the fantastic way that she had performed her role and for her efforts and contributions to Rotherham.

All wished Clair well for the future.

17. DATE AND TIME OF THE NEXT MEETING: -

Resolved: - That the next meeting of the Improving Lives Select Commission take place on Wednesday 17th September, 2014, to start at 2.00 p.m. in the Rotherham Town Hall.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
20th June, 2014

Present:- Councillor Whelbourn (in the Chair); Councillors Currie, Middleton, Parker, Read, G. A. Russell, Sims, Vines and Watson.

Apologies for absence were received from Councillors Hoddinott and Steele.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

3. SCRUTINY REVIEW - SUPPORT FOR CARERS

Further to Minute No. 252 of the meeting of the Cabinet held on 21st May, 2014, consideration was given to a report, presented by the Director of Health and Wellbeing, stating that the Scrutiny Review of Support for Carers was undertaken as a joint review, during 2013, by the Health Select Commission and the Improving Lives Select Commission.

The review report was well received and provided an opportunity to focus on unpaid carers who provide a valuable support and resource to people with disabilities and to older people across Rotherham. Their contribution is valued, and this Scrutiny Review provides an opportunity to improve the support to carers in Rotherham. The Cabinet's response to the recommendations of this scrutiny review was included as an appendix to the submitted report. It was noted that some of the recommendations will require a response from organisations other than the Borough Council.

The review produced eleven recommendations, which focus on:-

: increasing the number of people recognising themselves as carers;

: ensuring that support for carers adequately includes emotional support and counselling;

: providing an multi-agency "carers pathway" that recognises the journey carers are on; and

: increasing the number of people receiving a fit for purpose carers assessment which is reviewed annually.

Members' discussion of this item included the following salient issues:-

- the implementation of the Care Act 2014, which will strengthen the support provided for carers;
- the recommendations of the scrutiny review will dovetail into the Council's existing processes of support for carers; the Steering Group, managed within Adult Services, meets regularly each month and will focus upon the implementation of the provisions of the Care Act 2014; both the Rotherham Clinical Commissioning Group and this Council's Children and Young People's Services are represented on this Steering Group;
- the regular dialogue between the Council and carers and their representatives; this dialogue ensures that the voice of carers is heard and responded to;
- the recent appointment of Councillor Jenny Andrews as this Council's Carers' Champion;
- alterations completed at Habershon House, Filey, enabling this facility to be offered to carers as a venue for low cost holidays, with their families;
- the different requirements of people who are carers in either the short, or medium or long-term;
- the difficulties experienced by carers who have low levels of income and/or have to claim state benefits;
- the need to work in close co-operation with this Council's partner organisations, to ensure responses to those recommendations of the review which will have to be obtained from organisations other than the Borough Council; Members considered that the monitoring of this aspect of the review ought to be an important responsibility of the Health Select Commission;
- ensuring that children and young people who are carers are provided with adequate support; the importance of respite care for these young people and the need to try and reduce their burden of caring; it was noted that the Barnardo's organisation had contributed to this scrutiny review; however, the principal focus of this scrutiny review had been on adults who are carers;
- the carers who care for people who are assessed at the higher level of need are included as part of the Council's assessment process; however, there are other carers who are not currently part of this assessment process and have limited eligibility to support, although they are able to receive advice and guidance; the implementation of the Care Act 2014 will extend the Council's responsibility to provide support for all carers; formal assessments are undertaken when people receive care from the local authority;

- there will be a seminar for all Members of the Council about the implementation of the Care Act 2014; Members requested further information about the provisions of this new legislation.

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

(2) That the Cabinet's response to the Scrutiny Review on Support for Carers, as detailed in the report now submitted, be noted.

(3) That the report of the Scrutiny Review on Support for Carers be submitted to a meeting of the Rotherham Clinical Commissioning Group for further consideration.

(4) That the future monitoring of the implementation of the recommendations of this Scrutiny Review shall be the responsibility of the Health Select Commission, which shall receive a progress report about this review in six months' time.

4. SCRUTINY REVIEW - IMPROVING ACCESS FOR YOUNG PEOPLE SEEKING HELP AND SUPPORT AROUND SELF HARM

Further to Minute No. 234 of the meeting of the Cabinet held on 9th April, 2014 and Minute No. 8 of the meeting of the Cabinet held on 18th June, 2014,, consideration was given to a report presented by the Director of Schools and Lifelong Learning and by the Health and Wellbeing Co-ordinator (Integrated Youth Support Service), which provided a response to the ten recommendations made by the Youth Cabinet to improve young people's access to appropriate help and support around self harm. In response to the recommendations of this scrutiny review, the report described a proposed way forward to develop a holistic approach through both strategies, training and service delivery.

Members noted that this matter had previously been considered by the Overview and Scrutiny Management Board, alongside the Youth Cabinet, at its meeting held on 27th February, 2014.

The report stated that, by responding to the recommendations of this scrutiny review, Rotherham will be able to:-

- : ensure a consistent approach to young people;
- : provide a timely response according to the needs of an individual;
- : evidence that all agencies are proactively undertaking a co-ordinated approach to the issue of self harm in young people;
- : evidence that the voice of young people has impacted on the strategies and guidelines;
- : raise professionals' skills and knowledge to be able to respond more appropriately to young people.

Details were also provided of the many events taking place locally during 2014, enabling professionals and young people to gather, share and impart information about appropriate help and support around self harm, including the launch of a new web site.

Members' discussion of this issue included the following salient issues:-

- children's mental health services and others are producing a pathway and guidance on self-harm which will be available for consultation during the Summer, 2014;
- the support to be made available for young people to help them cope with stress in schools, especially anxieties prior to sitting examinations;
- the importance of including the voice and opinions of children and young people in this issue, to influence the response from the professional services;
- the importance of the use of case studies as part of the scrutiny review;
- the composition of the Rotherham Suicide Prevention and Self-Harm Group;
- the need for the early identification of children and young people who may be at risk of self harm;
- information sharing, between professional services and, for example, between schools and parents;
- the role of school governors, particularly in assisting in the prevention of bullying in schools;
- Members congratulated the Youth Cabinet for their work in undertaking this scrutiny review; it was noted that a sub-group of the Youth Cabinet is continuing to monitor the progress of this review.

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

(2) That the Cabinet's response to the Youth Cabinet's Scrutiny Review about improvements to young people's access to appropriate help and support around self harm, as detailed in the report now submitted, be noted.

(3) That the monitoring arrangements for the implementation of the recommendations of this scrutiny review shall include:-

(a) the Youth Cabinet's own monitoring arrangements, as noted above;

(b) consideration of a progress report about the implementation of the review's recommendations, at a meeting of the Youth Cabinet and the Overview and Scrutiny Management Board, as part of the Children's Commissioner's Takeover Day, during February 2015; the monitoring of this important issue, in the longer term, shall also be considered at this meeting; and

(c) monitoring reports to be submitted at regular intervals to the Deputy Leader, who has Executive responsibility within the Council for the safeguarding of children and young people.

(4) That a synopsis of this scrutiny review be submitted to the meeting of the Chairs and Vice-Chairs of School Governing Bodies, for consideration of the importance of sharing information about the risk of self harm between schools and parents and about whether this issue ought to be considered by every school governing body and members of the Youth Cabinet shall be invited to attend this meeting for discussion of this item.

5. SCRUTINY ANNUAL REPORT 2013-2014

Further to Minute No. 135 of the meeting of the Overview and Scrutiny Management Board held on 20th May, 2014, consideration was given to a report presented by the Scrutiny Manager concerning the Scrutiny Annual Report for the 2013/2014 Municipal Year. Accordingly, Members considered the contents of the final draft of the Annual Report 2013/14, prior to its submission to the Council meeting on 2nd July 2014.

Members agreed a number of contextual alterations to the Annual Report.

Details of the scrutiny forward plan for 2014/2015 were also detailed in the Annual Report.

Members thanked the scrutiny officers for the preparation and quality of this document.

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

(2) That the Scrutiny Annual Report for the 2013/2014 Municipal Year, as now amended, be approved insofar as this Management Board is concerned and forwarded to the Council meeting for further consideration.

6. REPRESENTATION ON PANELS, SUB-GROUPS ETC., 2014/2015

Resolved:- (1) That Councillors Currie and Whelbourn be appointed as the Overview and Scrutiny Management Board's representatives to the Members' Training and Development Panel for the 2014/15 Municipal Year.

(2) That Councillor Whelbourn be appointed as the Overview and Scrutiny Management Board's representative on the Health, Welfare and Safety Panel for the 2014/15 Municipal Year.

(3) That consideration of an appointment to the Recycling Group be deferred, pending receipt of further information as to its frequency of meetings.

7. ISSUES REFERRED FROM THE AREA ASSEMBLIES

Members noted the emphasis, within the Scrutiny Annual Report 2013/14, of the way in which public engagement in the scrutiny process may be enhanced (Minute No. 5 above refers). It was agreed that all Area Assemblies be requested to consider this matter.

8. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

Members again acknowledged the significant role of the Youth Cabinet in the review of improvements required to young people's access to appropriate help and support around self harm and also in the future monitoring of the recommendations of the review (Minute No. 4 above refers).

9. MINUTES OF THE PREVIOUS MEETING HELD ON 20TH MAY, 2014

Resolved:- That the minutes of the previous meeting of the Overview and Scrutiny Management Board, held on 20th May, 2014 be approved as a correct record for signature by the Chairman.

10. WORK IN PROGRESS

Self Regulation Select Commission:-

The Chair reported on the recent activities of the Self Regulation Select Commission:-

: consideration of the Commission's future scrutiny work programme 2014/15;

: consideration of Business Rates.

Improving Places Select Commission:-

The Chair reported on the recent activities of the Improving Places Select Commission:-

: study of the costs and methods of highways maintenance;

: study of the action being taken to prevent off-road motor vehicle nuisance;

: forthcoming consideration of grounds maintenance;

; report of scrutiny review of improving the local economy;

: scrutiny review group chosen for the review of dampness and condensation in Council housing properties.

Improving Lives Select Commission:-

The Chair reported on the recent activities of the Improving Lives Select Commission:-

: consideration of Rotherham's readiness for Ofsted's new inspection framework of 'children in need of help and protection, children looked after and care leavers'

: continuing the monitoring of issues concerning the safeguarding of children and young people.

Health Select Commission:-

(Written note provided)

: consideration of the Poverty workstream of the Health and Wellbeing strategy, including the study of deprived communities (including the 'ask me about the badge' scheme, whereby Council maintenance staff undertake boiler safety checks and provide energy-usage advice, free of charge, whilst attending properties to carry out repairs); development of the Building Resilience strategy;

: monitoring of the Better Care Fund and associated contracts awarded by the Rotherham Clinical Commissioning Group;

: scrutiny review of Urinary Incontinence services;

: scoping the scrutiny review of Mental Health;

: NHS Rotherham Foundation Trust – hospital recovery plan (special meeting of the Health Select Commission to be held on 25th June, 2014).

Overview and Scrutiny Management Board:-

The Chair reported on the recent activities of the Overview and Scrutiny Management Board:-

: the forthcoming meeting of the Overview and Scrutiny Management Board, to be held on Friday, 18th July, 2014, will include full consideration of the scrutiny work programme 2014/15.

11. CALL-IN ISSUES

There were no formal call-in requests.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
18th July, 2014

Present:- Councillor Whelbourn (in the Chair); Councillors Ahmed, Currie, Parker, Read, G. A. Russell, Sims, Steele and Vines.

Apologies for absence:- Apologies were received from Councillors Hoddinott, Middleton and Watson.

12. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

13. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

(The Vice-Chair, Councillor Steele, assumed the Chair during consideration of items 14 and 16 below, in the absence of the Chair)

14. REVIEW OF POLLING PLACES 2013/2014

Consideration was given to a report, presented by the Electoral Services Manager, containing the findings of the review of polling districts and polling places as required under the provisions of The Electoral Administration Act 2006. It was noted that the report is to be submitted to the meeting of the Cabinet, to be held on Wednesday, 3rd September, 2014.

The report stated that The Electoral Administration Act 2006 requires that a full review of polling arrangements be completed every four years. The most recent review had been completed in December, 2011. However, The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews, so that they would be better aligned with Parliamentary elections. The next compulsory review must be started and completed between 1st October, 2013 and 31st January, 2015 (inclusive).

Included with the report were the following documents:-

: Terms of Reference, setting out the process and criteria for the review.

: Summary of Changes to Polling Arrangements – (i) for the May 2014 elections; and (ii) changes resulting from the current review, which will be implemented with effect from December 2014.

: the Returning Officer's Proposed Polling Scheme, which is the outcome of the review and details the full scheme of polling arrangements to be effective from December 2014.

Members noted the following issues:-

: the difficulty of securing the use of accessible and available community buildings (even those premises which are Council-owned), because of budget limitations)

: the use of schools as polling stations – including advance notification, enabling schools to arrange INSET training days for teachers (the provisions of the Fixed Term Parliaments Act 2011 have enabled arrangements to be slightly more predictable);

: by-elections do allow some limited discretion in setting the date for polling and, if any schools are required for a by-election, the Returning Officer will liaise with the head teacher to minimise disruption as much as possible;

Discussion took place on the following salient issues, affecting polling stations in specific electoral Wards:-

: the effect upon specific premises (used as polling stations) which, (i) had been in place for the elections held on 22nd May, 2014, and (ii) which were to be implemented from December 2014, onwards;

: the location of the one polling station serving Hooton Roberts and whether it is feasible to move the polling station to the Ravenfield Primary School; the age profile of residents of Hooton Roberts, together with the provision of bus services in this area, were both noted;

: the relative difficulty of utilising mobile polling stations, in terms of the absence of suitable sites, facilities for polling staff and accessibility for voters;

: East Herringthorpe – whether there is any possibility of an additional polling station being made available in this area;

: the suitability of polling stations in terms of the health, welfare and safety of polling staff;

: the concentration of four polling stations within a relatively small area in the Rotherham West electoral Ward;

: polling stations are occasionally located in a neighbouring electoral Ward, only in cases where there are no suitable premises within the correct electoral Ward;

: the use of buildings currently used as Children's Centres;

: the prevalence of voting by post.

It was agreed that Electoral Services will review the proposed polling arrangements for Hooton Roberts, East Herringthorpe and Rotherham West, in response to the issues now raised by Members.

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

(2) That, subject to any alterations being made to the proposals as a consequence of the further examination of the issues and suggestions now discussed, the Returning Officer's proposals for future polling arrangements be approved insofar as the Overview and Scrutiny Management Board is concerned.

(3) That it be noted that the Returning Officer's proposals for future polling arrangements will be the subject of a further report to be submitted to the Cabinet meeting to be held on Wednesday, 3rd September, 2014.

15. BUDGET PRINCIPLES AND BUDGET SETTING TIMETABLE 2015/2016

Further to Minute No. 15 of the meeting of the Cabinet held on 9th July, 2014, the Chief Finance Manager presented a report which explained that the Council refreshed its Budget Principles last year for setting the 2014/15 Budget in light of announcements that further significant funding reductions for Local Government were likely to continue until at least 2018. Having heard the views of citizens, residents and other interested stakeholders, the Council is to prepare a Budget for 2015/16 and future years in order to offer 'Fair Choices in Hard Times'. The submitted report set out these Budget Principles and the key enablers which would ensure these principles were met, focusing on:-

- Fairness.
- Meeting need.
- Responding to local concern.
- Using funding wisely.

The Cabinet had approved the proposed Budget setting timetable for the 2015/16 Revenue Budget and Medium Term Financial Strategy and the proposed approach to reporting the Council's in-year financial performance to Cabinet for the financial year 2014/15.

Discussion took place on the following issues:-

: Budget monitoring and budget setting – a request that minority party Members of the Council should be provided with sufficient financial information to facilitate scrutiny of the Council's budget; this request would be referred to the Chief Executive;

: the possibility of services being outsourced and ensuring the removal of the Council's central establishment charges prior to cost comparisons of services being made; the Chief Finance Manager explained the way in

which the unit costs of services and the corporate overhead costs are identified, enabling accurate cost comparisons to be made; the costs of all Council services are to be reviewed in the light of the further expenditure reductions required;

: the role of the Self Regulation Select Commission in budget monitoring;

: the Council has to respond to the budget and grant settlement announcements of the coalition Government, often made during December and affecting the next and future financial years;

: the assumption of the coalition Government providing a 'Council Tax freeze grant' within the funding gap model;

: there will be a seminar about the budget, for all Members of the Council, on Tuesday 9th September, 2014.

Members requested the inclusion of a glossary, stating the meaning of abbreviations, in reports presented to this meeting. It was explained that usual practice was to spell out in full terminology in the first instance, followed by the acronym in brackets, and thereafter use the acronym only within the remainder of the report.

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

(2) That the following decisions of Cabinet be noted:-

(a) That the 'Fair Choices in Hard Times' Budget Principles on which the 2015/16 General Fund Revenue Budget and Medium Term Financial Strategy will be based be approved.

(b) That the proposed budget setting timetable for the Revenue Budget 2015/15 and Medium Term Financial Strategy be approved.

(c) That the proposed approach to reporting to Cabinet the Revenue and Capital forecast outturn position for 2014/15 financial year onwards be approved.

16. SCRUTINY WORK PROGRAMME 2014/2015

Further to Minute No. 10 of the meeting of the Overview and Scrutiny Management Board held on 20th June, 2014, consideration was given to a report presented by the Scrutiny Manager concerning the overall scrutiny work programme for the 2014/2015 Municipal Year.

Accordingly, consideration was given to the detail of the 2014/2015 scrutiny work programme. The following issues were raised during the debate:-

: review of issues affecting deprived communities (including the impact of the closure of children's centres, which will initially be considered by the Improving Lives Select Commission); Members also noted the arrangements within the Area Assemblies, which have sub-groups considering issues affecting deprived communities in their localities;

: the Council's Forward Plan of Key Decisions;

: Local Authority Petition Schemes (Localism Act 2011);

: Budget monitoring – continuing consideration by the Self Regulation Select Commission;

: Child and Adolescent Mental Health Services – proposed joint review by the Health Select Commission and the Improving Lives Select Commission;

: continuing consideration of improving health outcomes in the Rotherham Borough area;

: Improving Places Select Commission – study of the role of the Combined Authority for the Sheffield City Region and the Local Enterprise Partnership;

: Improving Places Select Commission – study of the issues previously raised by the Youth Cabinet, in terms of public safety issues in the Rotherham town centre;

: Supporting the Local Economy – scrutiny review;

: continuing examination of the Council's responsibility for the maintenance of highways;

: Improving Lives Select Commission – review of services for safeguarding children and adults;

: the integration of arrangements for the scrutiny of health services for adults and adult social care – proposed joint working between the by the Health Select Commission and the Improving Lives Select Commission.

It was noted that the Members of Cabinet and the Chairs and Vice-Chairs of the Select Commissions will meet and discuss any variations to the scrutiny work programme, in the light of emerging priorities.

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

(2) That the overall scrutiny work programme for the 2014/2015 Municipal Year, together with the additional issues now discussed, be approved.

(3) That the following reports be submitted to the next meeting of the Overview and Scrutiny Management Board:-

(a) an update of progress from the officers' working party on deprived communities;

(b) a report on the progress of the poverty theme and workstream of the Health and Wellbeing Strategy (referred to at Minute No. 9 of the meeting of the Health Select Commission held on 12th June, 2014).

17. REPRESENTATION ON PANELS, SUB-GROUPS ETC., 2014/2015

Resolved:- That, further to Minute No. 6(3) of the meeting of the Overview and Scrutiny Management Board held on 20th June, 2014, Councillor Sims be the representative of the Overview and Scrutiny Management Board on the Recycling Group for the 2014/2015 Municipal Year.

18. ISSUES REFERRED FROM AREA ASSEMBLIES

Members noted that the Area Assembly Chairs meeting is to consider "issues arising from scrutiny" as a standing agenda item.

19. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

It was noted that the Rotherham Youth Cabinet will launch its manifesto at a meeting to be held on Thursday, 16th October, 2014, at the Town Hall, Rotherham.

20. MINUTES OF THE PREVIOUS MEETING HELD ON 20TH JUNE, 2014

Resolved:- That the minutes of the previous meeting of the Overview and Scrutiny Management Board, held on 20th June, 2014 be approved as a correct record for signature by the Chairman.

21. WORK IN PROGRESS

Self Regulation Select Commission:-

The Chair reported on the recent activities of the Self Regulation Select Commission:-

: continuation of the theme of budget and performance monitoring, including the Bedfordshire model of challenge and support from scrutiny for the Executive in their budget setting; consideration of the way in which questions from the public may influence the budget setting and monitoring process;

: scrutiny review of Procurement.

Health Select Commission

The Chair reported on the recent activities of the Health Select Commission:-

NHS Rotherham Foundation Trust budget – a scrutiny review will be undertaken;

: report on the Emotional Wellbeing and Mental Health Strategy for Children and Young People 2014-19;

: study of the Health of Rotherham's population;

: consideration of the annual report of Healthwatch Rotherham;

: spotlight review of Urinary Incontinence services.

: progress of the scrutiny review of Mental Health;

: continuing the joint working with the Improving Lives Select Commission.

Improving Places Select Commission:-

The Chair reported on the recent activities of the Improving Places Select Commission:-

: scrutiny review of dampness and condensation in Council housing properties.

: private sector housing – selective licensing scheme;

: continuing consideration of housing repairs and maintenance;

: energy supply – collective switching scheme;

: report of the scrutiny review of Improving the Local Economy;

: consideration of the Select Commission's work programme.

Improving Lives Select Commission:-

The Chair reported on the recent activities of the Improving Lives Select Commission:-

: proposed scrutiny review of childhood neglect;

: study of the issue of children missing from care;

: continuing the monitoring of issues concerning the safeguarding of children and young people (including issues such as forced marriages);

: continuing the joint working with the Health Select Commission.

Overview and Scrutiny Management Board:-

The Chair reported on the recent activities of the Overview and Scrutiny Management Board:-

: Members welcomed the fact that this Authority's approach to scrutiny reviews, especially the scrutiny of health services, is being regarded as exemplar practice across the country.

22. CALL-IN ISSUES

The Chairman reported that notification had been received of the call-in of the following decisions of the Cabinet meeting of 9h July, 2014:-

Minute No. C17 – Rotherham Local Plan : Adoption of the Core Strategy

Minute No. C20 – South Yorkshire Broadband Project

It was agreed that a special meeting of the Overview and Scrutiny Management Board be arranged during August 2014, in order to consider these call-in issues.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
30th July, 2014

Present:- Councillors Ahmed, Hoddinott, Middleton, Parker, Read, Russell, C. Vines and Watson;

Call in sponsors : Councillors Cowles, Reeder, Reynolds, Turner and M. Vines;

Councillor Wyatt (Cabinet Member for Finance) and Councillor Rushforth (Cabinet Member for Education and Public Health).

Apologies for absence were received from Councillors Currie, Sims, Steele and Whelbourn and also from Councillor Hunter (one of the call in sponsors).

23. APPOINTMENT OF CHAIR OF THE MEETING

Resolved:- That Councillor Russell be appointed Chair of this Meeting.

(Councillor Russell in the Chair)

24. DECLARATIONS OF INTEREST

With regard to item 28 below (South Yorkshire Broadband Project), the meeting noted that:-

(1) the Vice-Chairman, Councillor Steele, was unable to attend this meeting, because he has a disclosable pecuniary interest in the matter under consideration, as an employee of Barnsley Metropolitan Borough Council, the host organisation of the proposed project management team; and

(2) Councillors Hoddinott and Russell declared their personal interests in the matter under consideration, as customers of British Telecom; having taken advice from the Council's Monitoring Officer, both Members remained in the meeting to speak and vote on the matter.

25. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

26. INFORMATION NOTE ABOUT THE CALL IN PROCEDURE

For the information and guidance of Members of the Overview and Scrutiny Management Board, a copy of the call-in procedure note was included with the agenda for this meeting.

27. EXCLUSION OF THE PRESS AND PUBLIC FOR PART OF THE MEETING

The meeting began in open session, with members of the press and public present. The agenda for the meeting contained an open report of the Director of Audit and Asset Management, concerning the South Yorkshire Broadband Project and included, as an appendix to the open report, a redacted version of the exempt report which had been submitted to the meeting of the Cabinet held on Wednesday, 9th July, 2014.

The Councillors who are the sponsors of the call in request sought an explanation of the reasons why the Council had not provided the complete version of the private, Cabinet report for consideration at this meeting. They suggested that, in their view, the meeting could have been held in private, enabling the full version of the report to be considered. Furthermore, they maintained that effective call in and scrutiny of the Executive (Cabinet) decision may be undermined unless the full details of the Project and the contents of the private report were made available both for Members of the Overview and Scrutiny Management Board and for the call in sponsors.

The Director of Legal and Democratic Services explained the reasoning for the publication of this meeting's agenda in its 'open' and redacted format. The principal reason is the preference for the scrutiny of the Council's decision-making to be conducted in open session, available for observation by the press and public and thus ensuring the transparency of that process. The exempt material contained in the private report (as considered by the Cabinet at its meeting held on 9th July, 2014) contained information which is commercially sensitive to the chosen contractor, British Telecom and also contained exempt financial information relating to the business of the four principal local authorities of South Yorkshire (ie: Barnsley, Doncaster, Rotherham and Sheffield), which would all be contributing funds to the Project.

Having heard the advice of the Director of Legal and Democratic Services, the Overview and Scrutiny Management Board resolved:-

That, under Section 100A(4) of the Local Government Act 1972, 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, as amended (information relating to the financial/business affairs of any person (including the Council) and is commercially confidential).

Continuing this meeting in private session, the eight Members present of the Overview and Scrutiny Management Board considered the contents of an exempt report of the Director of Legal and Democratic Services. The Director stated that this report included much of the exempt details which had been removed from the redacted report published before this

meeting. However, these details were only of the financial position of Rotherham MBC, in relation to the South Yorkshire Broadband Project, but did not disclose any sensitive, commercial and private information relating to British Telecom, nor to the other three South Yorkshire local authorities. The total costs of the Project and contract were not disclosed in the report. Those latter, undisclosed details would not be made available for the call in process taking place at this meeting.

Having discussed the contents of the private report of the Director of Legal and Democratic Services, the Overview and Scrutiny Management Board decided to return this meeting to open session.

Accordingly, the members of the public and the press were permitted to return to the meeting, which continued until its end in open session.

Copies of the private report of the Director of Legal and Democratic Services were provided for the Councillors sponsoring call in request and also for the Executive (Cabinet) Members present.

Prior to formal consideration of the call in request, the Councillors sponsoring that request expressed their concerns and disappointment that:-

- i) information which is germane to the call in and scrutiny of the Project is still being withheld from Scrutiny Members; and
- ii) the distribution of a report at the meeting itself was once more not conducive to the effective call in and scrutiny of the matter under consideration.

Members were of the view that they had insufficient time during which to read and assimilate the contents of the report. Far better, they asserted, to prepare and distribute all reports in advance of the meeting, as required by the Local Government (Access to Information) Act 1985, enabling Members to arrive at the meeting with the benefit of already having studied the reports' contents.

28. SOUTH YORKSHIRE BROADBAND PROJECT - CALL IN OF EXECUTIVE DECISION

The Chairman welcomed everyone to the meeting and the call-in procedure was explained.

The Overview and Scrutiny Management Board considered Minute No. 20 of the meeting of the Cabinet held on 9th July, 2014 concerning the decision to proceed with the Broadband Delivery UK (BDUK) project. The resolutions of the Cabinet were:-

“(1) That the tender response from BT (British Telecom) be accepted and that the project moves to contract and delivery;

(2) That the Council agrees to underwrite the required local funding contribution of £1.596 millions whilst a bid to the Sheffield City Region Investment Funding (SCRIF) was developed, in order to allow a contract to be signed with BT in August, 2014; and

(3) That an additional contingency budget of £124,000 capital funding be provided to cover the costs of unforeseen events. This cost to be added to the bid to SCRIF if permissible, and underwritten by the Council.”

The written and signed call in request, dated 17th July, 2014, read as follows:-

“In light of the previous DRS broadband fiasco and the resulting significant losses to RMBC, this project should not be pursued by RMBC for the following reasons:-

- The Council have demonstrated beyond reasonable doubt that they are incapable of delivering technically complex IT projects. DRS was typical of many such costly failures of IT projects within the public sector.

- It is neither the responsibility nor indeed the place of the Council to enter into such projects where they possess neither the commercial nor the technical expertise to maintain effective management controls. Such projects should be left to the private sector whose primary business it is to invest in and deploy profitably on behalf of their shareholders such complex projects together with the associated risks of such ventures.

- The Council should not agree to underwrite a further funding of over £1.5m in order to allow a contract to be signed with BT, until an alternative agreement can be developed with SCRIF (whoever they are)?

- The Council should not agree to underwrite a further £124K of contingency budget.

- The Council should not agree to contribute £112.5K to fund a management program run by Barnsley Council to control this project. Through their involvement with the earlier DRS project they have demonstrated that they have no more capability than RMBC of successful management of such complex projects.

Taking all of the above into account, it is inconceivable that RMBC should consider further significant funding on such a speculative venture.

Therefore in the absence of a full set of documentation detailing the extent of this project together with the associated risks to the tax payer we reject this proposal.

With such a strain on local authority finance at this time, we recommend that this proposal is subject to a full scrutiny review before any further funding is authorised by elected members. Therefore we wish to call in this Cabinet decision.”

Councillor Cowles, supported by Councillors Hunter (not present), Reeder, Reynolds, Turner and M. Vines explained the reasons for the call-in request and presented the objections to this proposal, with reference to the following issues and views:-

a) the Council's opposition Members (of the UK Independence Party) are not opposed to the use of modern and future technology which will be of benefit to the whole Rotherham Borough area; however, the submitted reports contain a litany of contradictions and the UKIP Councillors cannot support the implementation of the South Yorkshire Broadband Project in the format now being presented;

b) the BT Company is worth £17.2 billions and last year made £2.2 billions in profits; the average household bill is £200 and there are 50,000 BT customers in the Rotherham Borough area, which means that BT already earns £10 millions in the Rotherham Borough area alone; BT now asks the Council to pay £1.5 millions to support this Broadband Project, yet this Council will not receive any benefit in terms of profit-sharing;

c) with reference to the three resolutions of the Cabinet meeting of 9th July, 2014 (as listed above) and the proposed project costs and project management arrangements – it appears to be the intention that Barnsley MBC will carry out the project management; were these same people associated with the previous failed DRS (Digital Region) project ?; the view of the UKIP Councillors is that it will be disastrous if this same team of people were chosen to manage this new Project;

d) the redacted report implies that there is no, or at least minimal risk to Rotherham Borough Council (ie: the delivery risk lies with BT and the local authority financial contributions will be capped); however, UKIP Councillors are concerned about the proposed use of the SCRIF funding, as agreed by the Sheffield City Region Combined Authority, because the funding will not be confirmed until November 2014, which is after the signing of the Project contract in August 2014;

e) the South Yorkshire local authorities may have to fund the Project if the SCRIF monies are not approved; the total liability to this Council will be large, a factor acknowledged by the various financial and legal analysts and consultants;

f) there is no specific information about the level of expertise or national reputation of the proposed project management team to be hosted by Barnsley MBC;

- g) there is no information about the amount of legal costs to be incurred by the four South Yorkshire local authorities in respect of this Project and contract;
- h) Rotherham Borough Council is on the point of agreeing to something about which it has insufficient knowledge;
- i) BT will not commit to any specific detail about delivery of the Project before signing of the contract; BT should be made to provide such detail; without receipt of this details, the Council's approach represents a cavalier approach to the use of the public purse;
- j) although we are told that the early indications are that the Project is acceptable and represents good value for money, no detailed evaluation has been undertaken; this Council has already lost a significant amount of money on the last project (DRS) and may also waste money on this new Project; the private sector would not do this; again, there is insufficient information about the expertise of the Barnsley MBC project management team;
- k) this Council should delay the implementation of this Project until the evaluation has been completed and the SCRIF funding has been agreed; the reasons for the hurried nature of this decision are unclear decision, when the Project does not begin until December 2014;
- l) The aims of the Project are fine, but the information upon which the decision is being based is insufficient; the Council should first obtain the necessary information about the Broadband Project.

The Chairman invited the other Councillors supporting the call in request to make comments, as follows:-

- (i) Councillor Turner – the Project does not appear to have been the subject of a competitive tendering exercise; the Council now has £500 millions of debt as a result of its overspending; and the Council wants to add this financial burden to that debt; the redaction of information from the report is unacceptable, because Members are elected to represent the public and should have this information provided; it is offensive to present a redacted report in this way.
- (ii) Councillor Reynolds – wished to reinforce the words of Councillor Cowles; who would buy anything without first having a structured tendering process to ensure best value for money ?; this presentation of a report is akin to the scandal of the Members of Parliament expenses, when their documents were redacted; the Council must act in the best interests of the public.

Response - the Director of Legal and Democratic Services replied to Councillor Reynolds, stating that provisions in both Statute and Common Law govern issues relating to the provision of information for Elected Members; the Director had earlier considered the content of the information to be reported to Members; the only matters removed from the 'private' report to the Cabinet had related to business sensitivity; furthermore, as this Scrutiny meeting is being held in public to ensure transparency of process, it is therefore necessary to redact the business sensitive details.

(iii) Councillor Reynolds offered the observation that all this (ie: redacted information) is murky and shrouded in secrecy.

(iv) Member of the Overview and Scrutiny Management Board, Councillor C. Vines - questioned the urgency of signing the contract without first knowing the full details of it; the Council should go ahead only when it has possession of all relevant information and the SCRIF funding is correctly in place.

(v) Member of the Overview and Scrutiny Management Board, Councillor Parker - in business, when looking at a contract, you must show you have done your utmost to comply with legislation and that you have completed all reasonable checks on the various contract details; Rotherham Council is not exempt from that duty, it must show due diligence and that it has followed due process; (in his opinion) this Council has not done all of that in relation to this Project; if the SCRIF funding does not come through, the Councillors who have agreed to this Project and contract must be held liable for their actions.

On behalf of the Cabinet, Councillor Wyatt (Cabinet Member for Finance) attended the meeting to respond to the issues raised by this call-in request. In making his response, Councillor Wyatt received advice from the Council's Director of Audit and Asset Management.

Councillor Wyatt's response to the call-in request:-

a) It is understandable that people will expect an explanation of the Council's decision to implement the Broadband Project and the Executive should do that; the Cabinet does understand the concerns raised by this call-in request and also the risks associated with the contract and the Project; the Members of the Cabinet share all of those concerns;

b) all four of the principal local authorities in South Yorkshire have received the same legal advice and are all in the same position in relation to the Project;

c) the Project timescale has caused a certain amount of stress which is beyond the control of the four local authorities of South Yorkshire; BDUK operates under the timescale and framework dictated by the coalition

Government; it is essential that there is significant broadband coverage in South Yorkshire, to ensure that the region is able to compete nationally, in terms of economic growth and prosperity;

d) the finance being allocated both by BT and by the Government Department for Culture, Media and Sport (DCMS) will fund the provision of faster broadband coverage all over South Yorkshire, including the more remote rural areas; this up-to-date technology is required for a modern, competitive region;

e) a decision on the SCRIF monies will not be determined by the Sheffield City Region Combined Authority until November 2014; consequently, that decision-making element is not aligned with the overall Broadband Project timetable; the coalition Government itself provides funding for the various City Regions; therefore, it would be looked upon as being bizarre if the bid for SCRIF funding was ultimately to be rejected; but, yes, that aspect does remain a risk;

f) it is the policy of the coalition Government not to intervene (in private sector business), but this Government does recognise that the provision of broadband coverage cannot be left to market forces – therefore, the Government has decided to intervene in the case of this Project;

g) the four South Yorkshire local authorities will be able to lever in some £20 to £30 millions of funding for the Project, plus there will be funding provided by BT and by the Government DCMS;

h) the Council agrees that money is tight and therefore the capital and revenue funding of the Broadband Project will have to be managed very carefully;

i) if there was to be no broadband Project, the coalition Government will ask the four local authorities of South Yorkshire to explain exactly what they intend to do with regard to the provision of broadband services needed in this region;

j) the necessary Project analysis has been undertaken and the correct legal procedures have been followed; BDUK is already operating across the country – South Yorkshire is joining the Project at a late stage;

k) a report about the former Digital Region scheme is being prepared and will soon be presented for consideration by the Council; Digital Region was a policy at the forefront of the operations of the former Yorkshire Forward Regional Development Agency (abolished by the coalition Government);

l) The BDUK Broadband Project is a national priority and the local authorities must ensure that the scheme proceeds to delivery stage here in South Yorkshire; such action includes the need for the future management of the Project;

m) two-thirds of the Rotherham Borough area is classified as being rural and there is industrial development located in those rural areas; these rural areas and the industries within them will benefit from the broadband connectivity provided via this Project; BT must deliver on this contract;

n) The tendering exercise was undertaken by BDUK and BT came through as the successful tenderer (that process was not undertaken by South Yorkshire's four local authorities);

o) a principal risk in not supporting this Project this region is not having this modern technology in place to support the economy and business growth within South Yorkshire; it is an equally high risk for the region not to have the broadband infrastructure and thus not comply with the priorities of the coalition Government;

p) This Project is the scheme which the Council has chosen to follow and, after completion of a risk analysis, the Council is confident that the Project should be implemented.

The Director of Audit and Asset Management reported the following information:-

i) the Broadband Project is an integral aspect of the Local Economic Plan;

ii) the coalition Government has consented to the first level of approval for the Project and for the SCRIF funding – this first level of approval is now in place;

iii) a Unit within the coalition Government will be responsible for the management of BDUK; there are 45 BDUK schemes throughout the United Kingdom;

iv) the Project benefits from the work of external analysts, consultants and legal advisers; in addition, the local authorities' own teams of legal and finance officers are working on the Project, to ensure that the necessary checks are undertaken.

The Elected Members responsible for the call in were invited to ask questions of the Cabinet Member, as listed below:-

(1) Councillor Cowles –the UKIP Councillors support this Broadband Project and the technological advance it provides; the advent of communication technologies such as 'Skype' and 'Facetime' is equally welcome; such methods of communication often reduce the need to travel to conferences, seminars, etc. The UKIP Councillors also agree that Rotherham's rural areas should benefit from this Project; however, the Cabinet Member cannot state which areas will be connected to broadband, because BT will not disclose this information; BT may change

its mind; the reports submitted to today's meeting contain a litany of contradictions; the Project risks have not been properly identified, nor have they been analysed; BT will take its profits, so let BT also take the risk at its own cost; why is there the need to use public money for this Project ?

Response – Councillor Wyatt stated that the contract stipulates that there must be broadband coverage of 97.9% of the Rotherham Borough area – to facilitate this process, a list of business parks has been put forward for inclusion in the contract and these business parks are located across the entire Rotherham Borough area; the risk of not delivering on the contract does rest with BT;

The Director of Audit and Asset Management stated that there was not yet any absolute certainty about every individual building which may benefit from the Broadband Project; the contract specifies the overall delivery demand of coverage of 97.9% of the Rotherham Borough area;

(2) Councillor Cowles – why cannot all of the Project costs be capitalised, because this method would be used in the private sector ? There is no need for revenue financing.

Response – Councillor Wyatt stated that the Council's external auditor will have to agree the division of funding allocation between capital and revenue.

The Director of Audit and Asset Management stated that the private sector is not subject to the same technical accounting rules as local government; the costs of the project management team (including wages and salaries) are not allowed to be funded from capital financing and must therefore have an allocation from revenue funding;

Councillor Wyatt added that, in the past, some specific funding schemes for project developments have allowed for the capitalisation of salaries and wages costs; however, in this case, the Council must adhere to the technical accounting rules applicable to local authorities.

(3) Councillor Cowles reiterated the UKIP Councillors' support for the Broadband Project, but the Project must not be undertaken at this stage, nor on these terms as now being reported to Members; does the Cabinet agree that the Council should wait until the SCRIF money has been agreed and make a decision about the Project at that time ?

Response – Councillor Wyatt again confirmed that BDUK had undertaken the contract tendering process and BT had been successful; the South Yorkshire local authorities did not participate in that process.

(4) Councillor Turner – should the coalition Government instead be required to pay for the Project ? Rotherham Council cannot afford it, because the town is bankrupt to the tune of £500 millions.

Response – Councillor Wyatt stated that all four South Yorkshire local authorities recognised that final approval for the SCRIF funding has not yet been agreed.

(5) Councillor Turner offered the opinion that Rotherham's rural areas will simply accommodate Sheffield's overspill; he also considered that BT shareholders are likely to profit from this venture.

The next section of this Scrutiny meeting included further questions to the Cabinet Member and to the Councillors making the call in request and also a general debate and consideration of the call in of the South Yorkshire Broadband Project by Members of the Overview and Scrutiny Management Board. Issues raised and discussed and further comments made were:-

(A) Councillor Hoddinott to the call-in sponsors - regarding the concerns about the capacity of the project management team and also the risk to the taxpayer; what are those risks and what would be an acceptable risk, because the risk of the Project delivery seems to rest with BT ?

Councillor Cowles responded with reference to the contents of the report – it clearly says that this Council must provide £1.5 millions of public money.

Councillor Hoddinott – you see the risk as this Council spending £1.5 millions ?

Councillor Cowles replied that the report also refers to other, as yet unidentified risks. BT could change its mind during Project delivery.

Councillor Hoddinott – I wanted to be clear about what you see as the risks of this Project (reference to the fifth bullet point under paragraph 7 on the second page of the report of the Director of Audit and Asset Management); however, the Digital Region scheme was different; the project management team to be hosted by Barnsley MBC seems to have good track record – do the call in sponsors have any different information?

Councillor Cowles – Members are not being given any information about the skills of the Barnsley team - the Council doesn't know, therefore it should not make a decision until it has obtained and considered such information.

Councillor Turner commented that information about the project management team might be in the material redacted from the report.

(B) Councillor Vines emphasised the weaknesses of this Project and its contract; it is a Government-led project and yet the Councils have to wait for the Government funding; it is difficult to understand why there is a hurry to sign the contract now, prior to the SCRIF funding being approved.

(C) Councillor Vines question to Councillor Wyatt - is there any guarantee that BT will deliver anything; and does the 97.9% target refer to the whole county of South Yorkshire, or solely to the administrative area of Rotherham Borough Council? (Councillor Vines also commented that BT should contribute the £1.5 millions demanded of Rotherham Council).

Response – Councillor Wyatt stated that the private sector is not delivering broadband within the rural areas of South Yorkshire; instead, the private sector chooses to serve central London and large conurbations and cities. There is no guarantee that broadband would be installed in rural areas (ie; by the private sector), within the next three years, therefore the coalition Government has introduced the BDUK project (with the Department of Culture, Media and Sport as its sponsor). This Broadband Project is amongst the highest priorities for the Sheffield City Region and it would be perverse if the SCRIF monies were not ultimately approved to support the Project delivery.

(D) Councillor Vines question to Councillor Wyatt – it is understood that the private sector will not provide broadband coverage to all areas on its own; but, this funding demand is just like a bridging loan; so why not let BT take the risk of the £1.5 millions contribution, for the few months, until the SCRIF funding has been agreed ? Why does the Council have to sign the contract in August 2014? BT has the freedom to decide where the broadband installation should be placed. The risk is that this Council's area may not receive the promised level and amount of broadband coverage.

Response – the Director of Audit and Asset Management stated that the local authorities operate within the framework set by the coalition Government. BDUK has been in operation for three years and South Yorkshire is joining right at the tail end of the scheme. Because the scheme will end in August, 2014, the South Yorkshire local authorities must sign the contract before the end of August, to be able to take advantage of the scheme. There are two different timing issues, with one associated with the BDUK scheme itself (ending in August 2014) and the separate issue of the decision to allocate SCRIF funding, which will not be known until later in 2014.

(E) Councillor Vines question to Councillor Wyatt – requiring a response to the question of whether the 97.9% broadband installation target refers to the whole county of South Yorkshire, or solely to the administrative area of Rotherham Borough Council?

Response – the Director of Audit and Asset Management stated that there are various stages of Project delivery and the indications are that there will be an even spread around residential properties and industrial areas; the plans show that the Rotherham Borough area will do very well in respect of its enterprise zones and business parks, indeed better than the three other South Yorkshire local authority areas.

(F) Councillor Vines suggested that that would be alright unless BT changes its mind about Project delivery.

(G) Councillor Middleton asked whether Rotherham is the only local authority having this discussion or are local authorities throughout the country doing the same thing? Why do we seem to be assessing this Project at the last minute? Is Rotherham last in the queue? The Council seems to have to be running fast, just to keep up with others.

Councillor Wyatt replied that there are a number of local authority areas, identified by the BDUK project, which are having to catch up as the project comes to an end. South Yorkshire will be last local authority area to sign up to this Government offer. The previous involvement in the Digital Region scheme has placed the South Yorkshire local authorities in this position; Digital Region was applicable only to South Yorkshire, whereas the BDUK scheme is for the whole of the country.

The Director of Audit and Asset Management added that if the Digital Region scheme had delivered, then this Council would not be in this position now; as a consequence, this Council is at the back of the queue for the BDUK scheme.

(H) Councillor Middleton asked whether this Council had chosen the wrong option by joining with the Digital Region scheme?

Response – Councillor Wyatt said ‘no’. The outcomes from the Digital Region scheme were similar to the ones for this BDUK Project, in terms of broadband coverage for the Rotherham Borough area. It is impossible to say what may have happened if Yorkshire Forward had continued (all of the Regional Development Agencies were abolished by the coalition Government). It is acknowledged that the timescales are as they are and that the Council has to play catch-up. It is unfortunate that the business/finance arm of the Government is not in the same place as the Department of Culture, Media and Sport.

(I) Councillor Ahmed asking the sponsors of the call-in request – if you had the information about the areas which will receive broadband coverage, what would be your take on it?

Councillor Cowles replied that the Council does not fully know what it is buying and that the taxpayers’ money should not be wasted in this manner.

(J) Councillor Ahmed asked whether the call-in sponsors were making reference to specific areas of the Borough?

Councillor Cowles stated that there is no information available about the precise areas for broadband coverage. Because of the timescale for call-in of an Executive decision, this call-in request had been prepared before the opposition Councillors had been allowed sight of the report (because

the report had been considered by the Cabinet in private session). Councillor Cowles repeated his opinion that the Council must not waste taxpayers' money. BT will gain a return on its own investment, later on as profits. The UKIP Councillors will support this Broadband Project as soon as the SCRIF funding is confirmed and properly in place.

(K) Councillor Ahmed commented that it is a risk for the Council not to consider this Broadband Project at this time.

(L) Councillor Hoddinott questioning the Cabinet Member for Finance – what is the contract buying and what is the Council spending £1.5 million on – is it the 97.9% broadband coverage of the Rotherham Borough area ? What will happen if BT does not achieve that target?

The Director of Audit and Asset Management replied that this Council has the low risk of contributing £1.5millions to a scheme costing some £20 to £30 millions and which will ultimately achieve broadband coverage across 97.9% of the Borough area. There are penalties contained in the contract, in the event of non-delivery of the required coverage. If necessary and if the contractor defaulted, the local authorities in South Yorkshire would have to arrange for a different contractor to provide the necessary coverage.

(M) Councillor Hoddinott questioning the Cabinet Member for Finance – the Council makes a contribution of £1.5 millions – that is a small contribution compared to the contributions of others (eg: from the coalition Government). Will this Council eventually have to pay more?

The Director of Audit and Asset Management replied that, as soon as the contract value is agreed, that process will place a cap for a specific amount upon this Council's contribution.

Councillor Hoddinott also asked if that cap would stay in place, or whether the Council would be asked to make further financial contributions in the future.

The Director of Audit and Asset Management replied that this Council's contribution will have a definite cap and the contractor will be prohibited from asking for further contributions from the local authorities.

(N) Councillor Hoddinott questioning the Cabinet Member for Finance – is the invitation to tender a document available to viewing by the public and may we see the “heat maps” of the areas in which broadband coverage will be installed ? Will the business areas be included in that coverage?

The Director of Audit and Asset Management replied that the Council has a list of intended enterprise zones and business parks for inclusion in the broadband coverage. The intention is that the scheme delivery will include all of these areas; however, a final decision has not yet been made with regard to the exact areas.

Councillor Wyatt added that there is not yet a list of guaranteed sites for broadband coverage. The aim of 97/9% coverage is the broad target and the intention is that business areas will be the priority – and it is another intention that the Rotherham Borough area will do very well from this contract delivery

(O) Councillor Hoddinott questioning the Cabinet Member for Finance – what is the progress with the contracts in the other 44 local authority areas – are any of them nearing completion?

The Director of Audit and Asset Management replied that there was a period of three years for the implementation of the BDUK scheme and the first areas for inclusion are still in the process of implementation. It is clear that progress is good and there have not been any 'horror stories' reported.

Councillor Wyatt stated that the Government Unit/team manages the country-wide BDUK project; and yes, there are risks associated with the scheme.

(P) Councillor Hoddinott commented that many local authorities have joined the BDUK scheme and, as such, will have had similar discussions to this one in this meeting today.

The Director of Audit and Asset Management commented that more than one hundred local authorities have become involved in the BDUK scheme and consequently there is a lot of expertise developing, from which to seek advice whenever necessary.

Councillor Wyatt added that there has been due diligence undertaken by technical and legal officers, who have provided advice to the four South Yorkshire local authorities.

(Q) Councillor Parker commented that due diligence has not been shown in this case; Members cannot make a decision on this matter until they are allowed sight of the information from the redacted report. It is well known that the private companies operating communications systems (eg: internet, telephone, television etc) have to make the initial investment in order to obtain the largest returns. The rural areas will not benefit to the extent now being described. The private sector will try and get away with it, because they will not obtain sufficiently attractive financial returns from the rural areas. The risk should not be with this Council, but should instead rest with BT. This Council would be better advised to sign a letter of intent and send that to BT, stating that the money will be paid later, after confirmation of the SCRIF funding. Should BT not be prepared to accept that intention, the Council must question the reasons why; this Council must ask BT to accept this proposal now. The burden of funding must rest with BT and not the Council Tax payer.

Response – Councillor Wyatt stated that rural areas of the Borough include business parks at Dinnington and elsewhere; and there are many rural, Parished areas of the Borough. The Council is part of a ‘circular debate’ alongside BT and its commitment to Project delivery and also the coalition Government which will contribute a share of the funding. All of these parties have to share in the delivery of this Project

(R) Councillor Parker stated that the UKIP Councillors are not suggesting that the Council should opt-out of this Project. He insisted that the taxpayer cannot stand the risk and that BT must do so. The Council must convince the coalition Government that the SCRIF funding decision ought to be made at an earlier stage, because the Council cannot put public money at risk.

Response - the Director of Audit and Asset Management confirmed that the four local authorities of South Yorkshire, the coalition Government and the supplier should all contribute to the Project – this is how it has worked around the country; South Yorkshire is different because of the financial commitment made to the Digital Region scheme. Now, the Sheffield City Region Combined Authority has been asked to contribute to the Project by means of the allocation of the SCRIF funding; South Yorkshire’s late involvement in the BDUK scheme and the Sheffield City Region Combined Authority’s own decision-making processes have inevitably become misaligned. The four local authorities of South Yorkshire remain confident that there will be eventual approval of the SCRIF funding.

(S) Councillor Parker commented that a delay of four months for the SCRIF funding, in respect of a Project of this magnitude, should not be disadvantageous to BT, as the supplier. The Council must wait and sign the contract after confirmation of the SCRIF funding. The concern remains that some areas of the Rotherham Borough will not receive the supposed and promised broadband coverage.

Response – Councillor Wyatt stated that BT is the contractor selected by the coalition Government’s tendering process; the four local authorities of South Yorkshire realise that this Project is critical to the wider economic growth of the whole of the Sheffield City Region.

(T) Councillor Middleton asked if the 97.9% broadband coverage was calculated from the number of residential dwellings and industrial premises within the Borough area, or from the amount of land contained within the whole of the Borough area?

Response – the Director of Audit and Asset Management stated that the figure is 97.9% of all properties in the Rotherham Borough area (and that figure will be calculated at the time at which the contract is signed) A decision would be needed on whether to include in the Project any new properties which are built after the time at which the contract is signed.

(U) Councillor C. Vines stated that everyone seems to agree that this type of Project is needed in this area. But, at the moment, there is too much of a risk falling upon this Council. He suggested that the Council signs a contract of intent to proceed with the Project, "subject to the funding being made available."

The Chair invited the Cabinet Member for Finance and the call in sponsors to sum-up their respective cases.

Councillor Wyatt – summing-up, on behalf of the Cabinet

Reference to his first words stated at this meeting: the Council will explain what this Project is about, but the Council did not write the rule book. The four South Yorkshire local authorities were presented with a Project to take advantage of. There has been a proper assessment of the risks and a balanced decision has been taken. The Project will draw down £20 to £30 millions of investment over the next three years. This opportunity cannot be missed to provide broadband connectivity in this City Region and, in turn, stimulate economic growth and job creation. There is no other similar scheme available, because the private sector would not invest in rural areas. The scheme has coalition Government support and therefore we must take advantage of the Project. The South Yorkshire local authorities will assess the capabilities required and assign a project management team, as soon as the scheme is agreed. This Project is the second or third highest priority of the Sheffield City Region Combined Authority. All of the technical and financial details have been assessed and the coalition Government's legal experts have completed the due diligence tests. The Project brings the potential of more than £200 millions of future investment in the Sheffield City Region, a factor obviously dependent upon the extent of regional, national and global economic growth in the future.

Councillor Cowles summing-up, on behalf of the call in sponsors

Repeating that this Project is supported by the UKIP Councillors and should proceed because the Rotherham Borough area will benefit from the faster speed broadband coverage. However, the Councillors must have knowledge of all of the facts upon which to base any decision. The Council's Executive has not said that there is any additional risk in delaying until December before signing the Project contract. Yes, the Project brings benefits to people and to business. But the Council's analysis of the risks is incomplete. There should be an assessment of the ability of the proposed project managers. The Council is being required to spend public money on a proposal whose details are not known in full. The Project should be delayed until all relevant information has been provided and has been properly analysed. The reports submitted to this meeting clearly state that with a technically complex project, there are many risks – and the Council does not know precisely what those risks are.

The Director of Audit and Asset Management confirmed that the risk is clear if the contract is not signed during August 2014 - the opportunity to join the Project will be lost.

At the conclusion of discussion and summing-up, the Chair stated that there were three options available to the Overview and Scrutiny Management Board:-

- : whether there are exceptional grounds sufficient to refer the call in request to the Council;
- : to support the call in request and refer the decision back to the Cabinet for reconsideration by the Executive; and
- : not to support call in request, in which case the Cabinet decision proceeds to implementation.

After consideration of and discussion about the call-in of the decision of the Cabinet, the Members of the Overview and Scrutiny Management Board decided, by majority vote, that they had no further concerns to raise about this matter and did not wish to refer the call in request to a meeting of the Council, nor to refer the matter back to the Cabinet.

Resolved:- That the call-in request in respect of the South Yorkshire Broadband Project (Minute No. 20 of the Cabinet meeting of 9th July, 2014) is not supported.

**IMPROVING PLACES SELECT COMMISSION
18th June, 2014**

Present:- Councillor Read (in the Chair); The Mayor (Councillor John Foden), Councillors Atkin, Cowles, Gilding, N. Hamilton, Sims and Wallis.

Apologies for absence were received from Councillors Andrews, Copnell, Finnie, Gosling and Roche.

1. WELCOME TO NEW MEMBERS

The Chairman welcomed new members to their first meeting of the Improving Places Select Commission, including the two co-opted members, Mr. Pat Cahill and Mrs. Lilian Shears (the latter attending as substitute for Miss Copnell).

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

4. COMMUNICATIONS

The Select Commission confirmed that the scrutiny review group for the review of dampness and condensation in Council housing properties shall comprise Councillors Andrews, Cowles, Foden, Sims and C. Vines.

5. MINUTES OF THE PREVIOUS MEETING HELD ON 23RD APRIL, 2014

Resolved:- That the minutes of the previous meeting of the Improving Places Select Commission, held on 23rd April, 2014, be approved as a correct record for signature by the Chairman.

6. METHODOLOGY FOR THE PRIORITISATION OF HIGHWAY WORKS AND THE VARIOUS METHODS OF HIGHWAY SURFACE REPAIRS

Further to Minute No. 17 of the meeting of the Improving Places Select Commission held on 4th September, 2013, consideration was given to a report presented by the Principal Engineer (Streetpride) describing the methodology for the prioritisation of highway works and the various methods of highway surface repairs.

The report stated that, as Highway Authority, the Council's primary objective is to ensure that Rotherham's roads and footways are maintained to the nationally recognised safety standards. Additionally, in carrying out maintenance works on the highway, such works are not

necessarily on roads that are in the worst condition, but the aim is to extend the life of the existing highway network fabric.

The Select Commission was informed of the three, proactive forms of assessment used to examine the condition of the highway network:-

SCRIM (Sideway-force Coefficient Routine Investigation Machine)
 SCANNER (Surface Condition Assessment of the National Network of Roads)
 CVI (Coarse Visual Inspection)

The assessment process permits Elected Members to identify highway locations, within their Wards, which require treatment.

The various methods of surface repair and treatment to highways, as well as the budget allocations, were also described in the report:-

- : no works required (but some may be planned for the future);
- : Safety defect repair;
- : Patching;
- : Super Patching (larger areas of highway than patching);
- : Overlay;
- : Resurfacing;
- : Reconstruction.

The Select Commission viewed maps of various highways, throughout the Borough area and discussed the road surface maintenance requirements of those areas.

The Select Commission's discussion of this issue included the following salient issues:-

- : Bellows Road, Rawmarsh – highway maintenance deferred, pending redevelopment of adjacent retail area;
- : a question whether an improved highway surface encourages higher vehicle speeds – there was no specific evidence to support such a suggestion;
- : consultation with statutory undertakers, to ensure the completion of their works and to prevent excavation works in newly-resurfaced highways (nb: the resurfacing of Morthen Road, Wickersley had been delayed for a short period because of excavation works having to be completed);
- : the provisions of Section 58 of the Highways Act 1980 concerning the legal obligations upon local authorities to maintain the highway;
- : statutory undertakers are required to resurface the highway after completion of excavation works, but not the whole surrounding area;

- : completion of resurfacing throughout residential estates, as quickly as possible, so as to minimise disruption of travelling;
- : the reducing budgets available for highway maintenance and the need to secure value for money;
- : improved highway maintenance techniques (eg: use of the 'multihog' machine); procurement of materials and machinery at more advantageous costs; the proposed use of the 'find and fix' teams for highway repairs;
- : production of the Highways Asset Management Plan (involving the financial value of the entire highway network);
- : Department for Transport national averages for planned maintenance of the footway and the carriageway – the Rotherham Borough area highway network compares favourably with the national averages (nb: the Department for Transport does not collect data for footpath maintenance);
- : inspection of footpaths in Council-owned housing areas, where maintenance is funded from the Housing Revenue Account;
- : specific arrangements for strengthening the highway surface near to 'speed humps', to prevent rutting and tracking of the road surface;
- : 'fretting' of a road surface caused by the oxidisation of the binder in the primary aggregate and causing holes in the road surface as chippings work loose; this issue does not occur with other methods of road surface treatment;
- : provision of Local Transport Plan funding by central Government; the method of funding may alter from 1st April, 2015 onwards and be based upon the asset valuation of an area's highway network;
- : sharing of best practice of highway maintenance with other local authorities in Yorkshire and in the wider region;
- : the experience of Sheffield City Council, where highway maintenance is the subject of Private Finance Initiative funding.

Resolved:- That the report be received and its contents noted.

7. ARRANGEMENTS FOR MANAGING OFF ROAD MOTOR VEHICLE NUISANCE

Further to Minute No. 62 of the meeting of the Improving Places Select Commission held on 16th April, 2013, consideration was given to a report presented by the Director of Streetpride describing the arrangements for the management of Off-Road Motor Vehicle nuisance and including information on the way in which this nuisance is currently being dealt with in the Rotherham Borough area.

The report referred to:-

; the Off Road Motor Vehicle Prevention function became the responsibility of Streetpride with effect from 1st April 2012;

: the management of the reducing budget for this function, within Leisure and Community Services;

: the response provided to contacts (usually by telephone, electronic mail or letter) expressing concerns about off-road motor vehicle nuisance;

: the responsibility for enforcement against any individuals who engage in off-road motoring causing nuisance and criminal damage lies with the South Yorkshire Police (nb: there is no separate recording of incidents of off-road motor vehicles nuisance; these incidents are included within the statistics on anti-social behaviour).

The report also described various structural works, undertaken on Council-owned land during the 2013/14 financial year, in areas ranging from Wath upon Dearne and Swinton, to Kimberworth, Scholes and the Rother Valley Country Park. These works would assist in reducing the incidence of off-road motor vehicle nuisance in these areas.

Members of the Select Commission discussed the following issues:-

: off-road motor vehicle nuisance is frequently discussed at meetings of the Area Assemblies and the Police sometimes attend and report on incidents which have occurred in the local area;

: Elected Members and the general public are able to report incidents of off-road motor vehicle nuisance, to the Borough Council, by telephone 01709 336003 and speaking to the Leisure and Community Services' business support team;

: an important issue to resolve is the prevention of unlicensed vehicles using the public highway to access land for off-road motoring; the Police have responsibility for apprehending such motorists;

: it was noted that there are specific sites located in the Doncaster Borough area, where off-road motor cycling is permitted, although there is no similar provision in Rotherham.

Resolved:- That the report be received and its contents noted.

8. REPRESENTATION ON OTHER BODIES 2014/2015

Resolved:- (1) That the following appointments of representatives from the Improving Places Select Commission to the groups and outside bodies listed below, be approved for the 2014/2015 Municipal Year:-

RUSH House Management Committee - Councillor Sims

Health, Welfare and Safety Panel - Councillor Foden

Rotherham Local Plan Members' Steering Group - Councillor Sims (as Vice-Chair)

(2) That consideration of appointments to the following organisations and groups be deferred, pending receipt of further information as to their frequency of meetings:-

Groundwork, Creswell, Ashfield and Mansfield

Recycling Group

Social Concerns Committee Churches Together

Women's Refuge

Yorkshire and Humberside Pollution and Advisory Council

IMPROVING PLACES SELECT COMMISSION
23rd July, 2014

Present:- Councillor Read (in the Chair); Councillors Andrews, Atkin, Cowles, Gilding, Gosling, N. Hamilton, Sims and Wallis; together with co-opted members Mr. P. Cahill, Mrs L. Shears and Mr. B. Walker.

Apologies for absence were received from The Mayor (Councillor Foden); Councillors Finnie and Roche and from co-opted member Miss P. Copnell.

9. DECLARATIONS OF INTEREST

Councillor Wallis declared a personal interest in Minute No. 13 (Private Rented Housing – Selective Licensing) as the owner-occupier of residential premises in one of the areas which was the subject of public consultation in respect of the proposed licensing scheme.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

11. COMMUNICATIONS

There were no items to report.

12. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JUNE, 2014

Resolved:- That the minutes of the previous meeting of the Improving Places Select Commission, held on 18th June, 2014, be approved as a correct record for signature by the Chairman.

13. PRIVATE RENTED HOUSING - SELECTIVE LICENSING

Further to Minute No. 53(2) of the meeting of the Improving Places Select Commission held on 26h March, 2014 and Minute No. 236 of the meeting of the Cabinet held on 9th April, 2014, consideration was given to a report presented by the Strategic Director of Neighbourhood and Adult Services, which provided details of the consultation feedback about the proposed selective licensing scheme for landlords of private rented housing and included recommendations based on the responses, comments and representations made. The report stated that approximately two-thirds of residents' responses had expressed their support for a mandatory selective licensing scheme, although local landlords expressed opinions against such regulation.

The scheme was under consideration because of the Council's wish to secure an effective and efficient way of dealing with the issues which occur with private rented sector housing. The proposals consulted upon were that Selective Licensing designations under the Housing Act 2004

should be introduced in three areas of the Borough:-

- Rotherham Central (including the Town Centre, Canklow, South Central and Boston Castle, Eastwood and Masbrough)
- Dinnington
- Maltby South East

The report, which included options for the introduction of either a mandatory selective licensing scheme or a voluntary local scheme, is intended to be submitted for further consideration at the meeting of the Cabinet to be held on Wednesday, 24th September, 2014. Consideration was continuing as to which approach would be the preferred way forward to ensure the objectives of the proposal would be achieved.

The Select Commission's discussion of this issue included the following salient matters:-

: the scrutiny review of housing in the private rented sector (2012);

: the range of legislative powers available, which enable the Council to fulfil its responsibility to take action against irresponsible housing landlords (eg: HHSRS enforcement; management orders; compulsory purchase of property);

: the Council's previous attempt to introduce a voluntary licensing scheme had not succeeded because of a low level of take-up by landlords and an over-reliance on the Borough Council to resource the scheme;

: the key elements of a mandatory scheme (eg: areas of low housing demand and high turn-over of tenants and where there is a high incidence of anti-social behaviour linked to rented housing);

: the various consultation meetings held, responses received and online communications received, about the proposed licensing scheme;

: the consultation responses received from residents showed that a large majority of residents were in favour of a selective licensing scheme; by contrast, the responses showed that the vast majority of landlords were not in favour of such a scheme;

: the Council's dialogue and engagement with residents, with landlords and with landlords' associations;

: the Council's dialogue and engagement with managing/lettings agents (who act on behalf of landlords) and the responsibility of such agents for maintaining acceptable housing standards;

: the legal requirement, embedded in central Government guidance, for the Council to consider any other course of action that might provide an effective method of achieving the objectives;

: details of the landlord-led voluntary quality landlord scheme (as described in the report); it was noted that this scheme was initiated by landlords' organisations and, if implemented, would be administered on a commercial basis by a third party and not by this Council;

: the number of responses received as part of the consultation process and the validity of the conclusions drawn from those responses;

: consideration of the proposed fee to be payable by licensed landlords; the business case for the scheme contains an estimated cost of £687 for a landlord, for a licence lasting five years; the fee would be for administrative purposes and not profit-making;

: the Council's enforcement resources for a mandatory scheme are likely to be two full-time equivalent enforcement officer posts (and there may be other costs incurred); on this basis, a recurring annual cost of £70,000 was being estimated; this cost should be compared against the current cost to the Council (and to other public sector services) of dealing with residents' complaints about the standards of private rented sector housing and with the consequences of the problems posed by irresponsible landlords;

: the analysis of the ethnic background of people who had responded to the consultation;

: the relative merits of introducing a licensing scheme in a selective, local area and of introducing a scheme which covers the whole Borough area;

: the possibility of the Council's eventual decision, to introduce either a mandatory or a voluntary licensing scheme, being the subject of a legal challenge;

: alternative means of ensuring that landlords will register with the licensing scheme to be introduced and will remain registered in the future;

: if a Borough-wide voluntary scheme was introduced by the landlords' organisations, the Council would require its performance to be monitored utilising a set of key measures including take-up in both the prioritised areas and throughout the Borough area; variance from those success indicators would result in further consideration of the possible introduction of a mandatory scheme;

: the licensing scheme will include education and training for landlords, as well as inspections of properties; such a scheme may prevent the spread of housing blight and also provide assistance in reducing the level of homelessness in the Borough, for example, by means of earlier identification of empty properties available for occupation;

: whether the information in the register of licensed landlords will be made

available for tenants and prospective tenants;

: questioning the impact of the licensing scheme upon housing rents (the possibility of a consequent increase in rents was acknowledged); questioning whether the licensing scheme would be necessary if landlords were required to utilise authorised lettings/management agents; the possibility of the scheme including discounted fees for landlords who utilise managing agents was discussed; currently, there was no registration scheme for lettings/management agents.

In conclusion, the Improving Places Select Commission acknowledged that the Council has a duty to try and resolve the issues affecting private rented sector housing in the areas highlighted in the report. Accordingly, the Select Commission both recognises the benefits of a mandatory licensing scheme and understands that currently there are reasons to consider the introduction of a voluntary local scheme.

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

(2) That, insofar as the Improving Places Select Commission is concerned, the introduction of a landlord-led voluntary quality landlord scheme is the preferred option.

(Councillor Wallis declared a personal interest in the above item, as the owner-occupier of residential premises in one of the areas which was the subject of public consultation in respect of the proposed licensing scheme)

14. HOUSING REPAIRS AND MAINTENANCE - UPDATE

Further to Minute No. 35 of the meeting of the Improving Places Select Commission held on 27th November, 2013, consideration was given to a report presented by the Contract and Service Development Manager, describing the progress of the repairs and maintenance service provided for this Council's Housing Stock during the last twelve months. The report stated that the service is provided by the Willmott Dixon Partnership and by Morrison Facility Services.

Members noted that, because of continuing satisfactory performance, the contracts with both companies will be extended until 31st March, 2018. Contained within the report were details of:-

- : shared financial savings and value for money
- : customer volunteer inspections and mystery shopper exercises
- : legacy projects (eg: building new accommodation, in the Rockingham area, specifically for people with a disability);
- : key performance indicators and performance management
- : learning from complaints
- : responsive repairs
- : void (empty) properties (the 'turn-around time' of these properties for

- re-letting); ensuring that the number of void properties is less than 1% of the entire stock of Council housing
- : void properties – problems of neglected gardens and outhouses
- : trial of the use of “master keys” to increase the security of properties and also to assist in reducing the ‘turn-around time’ of void properties
- : gas and cyclical works
- : gas responsive repairs
- : planned and capital works
- : aids and adaptations
- : the contractors’ corporate and social responsibility.

The Select Commission’s discussion of this issue included the following salient issues:-

- : back-to-back lettings (introduced in January 2014) and the incidence of properties being let to new tenants, even though all repairs have not been completed; it was noted that the standard checks and repairs are always undertaken in these cases (eg: electrical safety checks);
- : action taken against departing tenants, who have caused damage to properties; repairs will be identified during inspections undertaken at the time of termination of the tenancy and the cost of repairs may be recharged to the departing tenant;
- : ensuring that the condition of the gardens of void properties does not suffer because of neglect;
- : customer satisfaction and its impact upon key performance levels and targets;
- : aids and adaptations, undertaken at Council properties, provided for tenants who have a disability; the impact of central Government policy was acknowledged.

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

(2) That a further report be submitted to a future meeting of the Improving Places Select Commission concerning the planned and capital works to this Council’s stock of housing.

15. ENERGY SUPPLY - COLLECTIVE SWITCHING SCHEME (THE BIG SWITCH)

Consideration was given to a report, presented by the Corporate Environmental Manager, stating that the purpose of collective switching is to allow consumers to group together to increase their buying power and to negotiate a better deal from gas and electricity suppliers. The more people who are involved in a switch, the bigger the buying power and the better the deal is likely to be.

An assessment of the feasibility of implementing a Rotherham collective switching scheme had been carried out by this Council's Corporate Environmental Team during February, 2014. The assessment had examined various schemes; reviewed costs, benefits and potential funding; resource implications; risks; uncertainties and feasibility. Details of the assessment were included within the report.

The Select Commission discussed the following salient issues:-

: switching schemes operated by other local authorities (eg: the scheme operated by Kirklees MDC (Huddersfield) was cited as a successful scheme); however, the uptake was low (8.7% at Kirklees) and there was no known data of actual reductions or increased tariff after the first year;

: all of the Councils assessed used a third party, ichooser, to administer the switching schemes;

: the scheme could have a negative impact on households suffering fuel poverty and on vulnerable people in the Rotherham Borough area and checks, support, resources and long-term actions would be required to prevent such impact.

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

(2) That, because of the resource implications compared with the risk and the small percentage of householders that may benefit, the implementation of a 'Bigswitch' style scheme is not supported.

(3) That this Select Commission considers that officers should focus resources on these issues:-

(a) continuing to work with tenants to reduce energy consumption;

(b) Housing and Neighbourhoods Services should assess the feasibility of Neighbourhood Wardens working with residents to secure the best utility prices through price comparison sites; and

(c) the Corporate Environmental Team shall continue to monitor the energy markets in case the situation changes.

16. SCRUTINY REVIEW - SUPPORTING THE LOCAL ECONOMY

Further to Minute No. 20 of the meeting of the Improving Places Select Commission held on 4th September, 2013, consideration was given to a report presented by the Scrutiny Manager concerning the progress of the scrutiny review of the support for Rotherham's local economy. This review was being undertaken for several reasons, including: the changes to Local Government Finance (in particular, the business rates); the need to generate employment and training opportunities for local residents; and

the need to secure private sector investment in the local economy.

An initial draft of the scrutiny review report, including recommendations, was also considered.

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

(2) That the final version of the report of the scrutiny review of supporting the local economy be submitted to the next meeting of the Improving Places Select Commission, to be held on Wednesday, 3rd September, 2014.

17. IMPROVING PLACES SELECT COMMISSION - SCRUTINY WORK PROGRAMME 2014/15

Further to Minute No. 54 of the meeting of the Improving Places Select Commission held on 26th March, 2014, consideration was given to a report, presented by the Scrutiny Manager, concerning this Select Commission's scrutiny work programme. The Council's Constitution required this Select Commission to carry out the overview and scrutiny of issues relating to:-

- community cohesion and social inclusion and the Council's specific initiatives to promote them;
- tourism, culture and leisure services and strategies;
- Borough-wide Housing and Neighbourhood strategies;
- economic development and regeneration strategies;
- environment and sustainable development.

The report provided details of future agenda items and potential themes for consideration during 2014/2015.

Members were invited to send their individual comments to Scrutiny Manager. It was also suggested that information should be reported to meetings of this Select Commission on these issues:-

: the coalition Government Department for Transport open consultation about the future of the Northern and TransPennine Express rail franchises – concern had been expressed about the level of public subsidy for these rail services;

: the management of allotment sites and the availability of land for such sites.

Members noted the allocation of staff resources for detailed scrutiny reviews of certain specific topics.

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

(2) That the scrutiny work programme, as now submitted, be approved.

18. REPRESENTATION ON OTHER BODIES 2014/2015

Resolved:- That, further to Minute No. 8(2) of the meeting of the Improving Places Select Commission held on 18th June, 2014, the following appointments of representatives from the Improving Places Select Commission to the groups listed below, be approved for the 2014/2015 Municipal Year:-

Recycling Group - Councillor Gosling

Environment and Climate Change Steering Group - Councillor Wallis

Housing Assessment Panel – Councillor Sims.

**COUNCIL SEMINAR
1st July, 2014**

Present:- Councillor Wyatt (in the Chair); together with The Mayor (Councillor John Foden), Ali, Cowles, Currie, Dalton, Doyle, Ellis, Kaye, McNeely, Reynolds, G. A. Russell, Sansome, Swift and Whelbourn.

Apologies for absence were received from Councillors Jepson, Reeder and Rushforth.

**ROTHERHAM'S AWARD WINNING SOCIAL PRESCRIBING SCHEME -
COMMISSIONING ARRANGEMENTS.**

Councillor K. Wyatt, Cabinet Member for Finance, welcomed Sarah Whittle, NHS Rotherham Clinical Commissioning Group, Janet Wheatley, Voluntary Action Rotherham, and Linda Jarrold Manager of Rotherham's Social Prescribing Scheme, to the Seminar. The Officers had prepared an information sharing presentation for Elected Members about Rotherham's award winning Social Prescribing Scheme.

- Rotherham's Social Prescribing Scheme had been commissioned by the Rotherham CCG from Voluntary Action Rotherham (VAR) in 2012;
- The Scheme had been commissioned in response to a number of factors in Rotherham: -
 - High number of people with long-term conditions, including asthma, diabetes, obesity and arthritis;
 - Rotherham had above average unplanned hospital admissions;
 - GPs were saying that there was not a lot they could do for people, they could prescribe, refer to hospital or give people TLC. TLC was often the most appropriate/needed factor, and one that they had limited resources/time for;
 - The Social Prescribing Scheme was commissioned to give GPs a 'fourth option'.
- The Social Prescribing Scheme's tag line was: 'Strengthening Individuals, Strengthening Communities';
- All of Rotherham's GP Practices were engaged in the Scheme;
- 26 Voluntary Sector Organisations were involved with the Scheme.

How it works: -

- Patients were identified by their GP who remained their Case Manager/Lead;
- VAR operated a Case Management Team who worked with the individual to identify an activity/resource that they could get involved with: -
 - After referral by the GP the majority of participants received an individual visit by a member of the Case Management Team. A guided conversation and formed an assessment of the individual's needs;
 - At this stage, the individual identified what it was that they would like to improve about their life;
 - The Case Management Officer referred the individual to the appropriate VCS activity;
 - Often support was provided to the individual to access their first sessions.
- A quote demonstrating the gravity of the Scheme from a member of the Case Management Team: - they often felt as though they were 'giving the people involved something to live for';
- Rotherham's Social Prescribing Scheme had won an NHS England award.

The statistics so far: -

- 1,626 referrals into the Social Prescribing Scheme since September, 2012;
- 3,200 referrals on to VCS Services;
- 700 referrals on to non-VCS Services – such as the SY Fire Authority;
- 65% referrals aged 75+;
- 42% lived alone;
- 37% had an informal carer;
- 5% were members of the BME community.

- Many were suffering from loneliness and isolation. The health effects of loneliness and isolation were comparable to smoking 15 cigarettes a day or being an alcoholic;
- The Rotherham model of the Social Prescribing Scheme was being used as an exemplar, and a programme of presentations across the North West had been planned. Visits of other authorities to Rotherham were also due to take place.

Outcomes: -

- 51% fewer outpatients appointments;
- 50% fewer A&E attendances;
- 43% fewer hospital admissions;
- 78% progress on at least one outcome area;

- 66% increased their financial benefits (£225,000 in additional benefits since September, 2012);
- 50% of the participants were more active.

Quotes and case studies: -

- Two positive case studies were shared from the many successful examples that could have been chosen;
- Patient quote: “It has been fantastic, getting out of the house, meeting nice people, we are back in society, love it!”;
- Patient quote: “So many housebound and disabled people have a better quality of life now because of all you”;
- GP quote: “Reduces our workload and reassures that all that can be done is done”;
- GP quote: “Patients who are responsive to voluntary sector referrals have notably had less need for presentation to us”;
- Volunteer quote: “The reward for me is seeing people become brighter, more talkative, looking forward to having visitors and making a new circle of friends”.

Discussion ensued and the following questions and answers were made: -

- Many Members expressed how pleased they were that Rotherham’s excellent practice had been recognised by the award and the scheme being used as an exemplar;
- Members should be encouraged to visit the Programme in their Wards;
- Members were glad that they had been made aware of the scheme and could signpost people to it via their GP;
- Rotherham’s model needed to be rolled-out to the whole country!;
- More information was requested about the age-profile of the participants – were younger people using the Scheme?: -
 - 11 – 12% of participants were under 60;
 - Some participants were over 100;
 - The Programme started with very high risk patients and was now moving down the risk profile.
- What about the volunteers who, where, what? They were the key part of the Scheme: -
 - Contracts and/or one-off spot purchases existed with the VCS organisations;
 - For example, the befriending service and Swinton Lock;
 - Physical activity;
 - Satisfaction from volunteering;
 - Revenue streams used to sustain VCS organisations;
 - Volunteers gain skills that could be used to increase their employability.

- How was the Scheme funded?: -
 - The CCG funded the Social Prescribing Scheme and it now formed part of the Better Care Fund;
 - The Scheme represented a prevention and early intervention mechanism, which would lead to efficiencies in other areas;
 - Projected fewer unplanned hospital admissions and less 999 ambulance call-outs.
- Importance of increasing the number of local provisions, including courses, coffee mornings and so on;
- Important role for young people to get involved and volunteer;
- The added value provided to the CCG through VAR's role.

Councillor Wyatt thanked the Officers for their attendance and their informative and positive presentation and contribution to the discussion.

Resolved: - That the information shared be noted.

LICENSING SUB-COMMITTEE
29th July, 2014

Present:- Councillor Dalton (in the Chair); Councillors Buckley and Doyle.

CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) - WHITE SWAN PUBLIC HOUSE, BLYTH ROAD, MALTBY

Consideration was given to an application for the grant of a Premises Licence under the Licensing Act 2003 in respect of the premises known as the White Swan public house, Blyth Road, Maltby.

The Licensing Authority received representations which were not withdrawn and the Sub-Committee considered those representations.

The Sub-Committee heard from the applicant that the building had been purchased from Enterprise Inns, who had surrendered the previous licence. The premises would be substantially reduced in size, so as to be easier to manage and for the control of running costs. The intention was to make the premises a smaller community-style public house. Part of the building would comprise residential accommodation. The intention is to open a Spanish-style restaurant, to attract customers mainly from the over 25 years age group.

Members asked questions about the changes to the layout of the building including toilet provision and the potential for noise nuisance (the latter having previously been an issue at the premises). The applicant gave assurances to Members that it was in the company's interests, with the residential development being proposed, to ensure that noise nuisance was kept to a minimum and that the toilet provision would be adequate for the expected numbers of customers.

There will be CCTV installed to cover both inside and outside the premises and patrons would be prevented from taking drinks outside the premises. The entertainment would be music from a jukebox and the occasional live act. Noise from the entertainment will be constantly monitored by the Designated Premises Supervisor and adjusted, particularly after 22.00 hours, when the recorded music would be turned down to a background level only.

The applicant advised the committee that they would not be intending carrying out any licensable activities after 23.00 and would be happy for their application to be amended to reflect this with a half hour 'drinking up' time. He said that should they wish to extend hours for special events etc then they would apply for Temporary Event Notices.

The objectors were invited to comment on the application and to amplify on their original representations. They advised the Sub-Committee that the applicant had appeared to address the concerns that they had in relation to the potential for the premises to present again the problems it

had caused in the past. The reduction in the proposed opening hours would be beneficial to nearby residents.

In arriving at its decision the sub-committee had regard to the promotion of the four licensing objectives, the Licensing Authority's Statement of Licensing Policy and the latest DCMS Guidance issued under Section 182 Licensing Act 2003.

Resolved:- (1) That the application for the grant of a premises licence in respect of the White Swan public House, Blyth Road, Maltby, be approved, as follows:-

Sale of Alcohol: Monday to Sunday from 10.00 hours to 23.00 hours

Opening Hours of the Premises: from 10.00 hours to 23.30 hours

(2) That the following conditions be attached to the premises licence:-

1. The licence holder shall install CCTV which covers both the front and rear of the premises. The system shall record and store images for at least 28 days and images made available to authorised officers upon request. The system shall be to a standard which is to those required by South Yorkshire Police.
2. The licence holder shall ensure that the smoking area is at the rear of the premises and no drinks are allowed at any time in this area.
3. The premises licence holder or nominated person shall carry out observations in the vicinity of properties within 50 metres of the premises at hourly intervals between 9.00pm and 11.00pm during live or recorded entertainment, in order to establish if there is noise pollution being caused by the entertainment. If noise pollution is at a level likely to disturb residents in their homes (this may include gardens), the volume shall be reduced to a level that is not likely to cause disturbance. A log/record of the checks shall be kept along with any actions taken. The log/record shall be available to the relevant authority.
4. The licence holder or nominated person shall erect and maintain, in a prominent position at every exit a clear, conspicuous and legible notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents.
5. The licence holder shall ensure that where customers are being collected by vehicle, including taxis, from the premises that this is done in a manner which does not cause disturbance to local residents. Contact should be made with taxi firms who collect customers to advise them that when collecting customers from the premises that they should do so with the minimum disturbance as possible, particularly after 22.00 hours.

POLICE AND CRIME PANEL
30th July, 2014

Present:-

Barnsley Metropolitan Borough Council:-

No member present

Doncaster Metropolitan Borough Council:-

No member present

Rotherham Metropolitan Borough Council:-

Councillor T. Sharman

Councillor C. Vines

Sheffield City Council

Councillor R. Davison

Councillor H. Harpham

Councillor T. Hussain

Councillor R. Munn

Co-opted Member

Mr. A. J. Carter

Mr. K. Walayat

Three members of the public were in attendance

Apologies for absence were received:-

Councillor M. Dyson (Barnsley Metropolitan Borough Council)

Councillor R. Sixsmith (Barnsley Metropolitan Borough Council)

Councillor R. Jones (Doncaster Metropolitan Borough Council)

Councillor J. Sheppard (Doncaster Metropolitan Borough Council)

J1. APPOINTMENT OF CHAIRMAN

Resolved:- That Councillor Harry Harpham be appointed Chairman for the 2014/15 Municipal Year.

(Councillor Harry Harpham in the Chair)

J2. APPOINTMENT OF VICE-CHAIRMAN

Resolved:- That Councillor Sharman be appointed Vice-Chairman for the 2014/15 Municipal Year.

J3. NEW MEMBERS

The Chairman welcomed Councillors Roy Munn (Sheffield City Council) and Caven Vines (Rotherham Borough Council) to their first meeting of the Panel.

J4. QUESTIONS FROM MEMBERS OF THE PUBLIC

Before asking his question, the member of the public requested that he be allowed to record the question section of the meeting. The views of the Panel members were sought and agreement reached that the questions could be recorded.

(1) A member of public asked if the Panel would invite Sheffield for Democracy to be part of the process of testing the Police and Crime Panel website?

The Chairman advised that this would be covered in more detail at Minute No. 6 with a proposal to run a discussion forum via Rotherham Council's website. A link to the website prototype was contained within the agenda papers for the meeting and any group or individual was welcome to feed back to officers their experience of it. All feedback would be captured and would inform ongoing development of the website.

(2) A member of the public asked if the Panel would ensure that the existence of the website, when it went live, was well advertised throughout the four Authority areas, not just on their own websites but through community hubs and Neighbourhood Watch organisations etc.?

The Chairman confirmed that the Panel's aim was to ensure that the website was as accessible as possible and maximise publicity for when it was launched.

(3) A member of the public asked, noting the comment at 6.4 in the report, would the Panel include webcasting as a high priority in this exploration? It worked well for the previous Police Authority meetings and continued to do so for the other remnant South Yorkshire bodies.

The Chairman advised that this was something that the Panel had considered in its early days and concluded that it needed to be better established before it could happen. Instead, it had been agreed to focus on the development of its website. Now that this was almost completed, it was something that the Panel could reconsider. It should be noted, however, that the other South Yorkshire bodies who did webcast had relatively small audiences. It should also be noted that changes to Regulations would come into effect on 6th August relating to the recording of Council meetings and the situation would be reviewed in light of this.

(4) A member of the public asked if the Panel would also explore non-media ways of improving engagement and interaction with the public?

The Chairman advised that there was no statutory obligation for PCPs to engage communities in their work; this obligation sat with the Commissioner. Again, this had been discussed in the early days and the Panel agreed that their role was limited but they should still be proactive.

It was agreed that there may be circumstances where they may wish to carry out bespoke consultation around a specific issue particularly where they may disagree with assumptions that had been made that may need testing. Therefore, future engagement exercises were likely to be around specific pieces of work in the Panel's work programme e.g. Domestic Abuse.

(5) A member of the public stated that the HMIC had confirmed that details had already been circulated to PCCs and Police and Crime Panels with regard to public consultation. In South Yorkshire, could the Panel please confirm how it would ensure the public was informed of this consultation and how the new HMIC inspections would be co-ordinated with the activities of this Police and Crime Panel?

The Chairman advised that further information would be covered under Minute No. 8. A letter had been received by the Chairman from HMIC explaining the proposed inspection process and encouraging the Panel to respond to the consultation. It was proposed to develop a response to this by the deadline. It was not, however, the role of the PCP to ensure that the public responded to this consultation. The PCP would consider this under Minute No. 8 but there was potential for the new website to be used to publicise the Panel's proposed response.

(6) A member of the public asked how the Panel intended to persuade the Commissioner to put a high priority on road safety and associated offences bearing in mind that it did not appear to be included in the Police and Crime Plan and performance table in Appendix B did not mention it?

The Chairman advised that the Panel had considered the Police and Crime Plan including its proposed priorities and had agreed them. The Panel's work programme also reflected the priorities in its own work programme and this had also been published for the year. They had concluded this based upon evidence they had gathered and been presented. It should be noted that just because something was not prioritised within the Police and Crime Plan it did not mean that the PCC and the Police Force were not addressing the issue in question.

J5. MINUTES OF THE PREVIOUS MEETING HELD ON 2ND MAY, 2014

Consideration was given to the minutes of the previous meeting of the Police and Crime Panel held on 2nd May 2014.

Resolved:- That the minutes of the previous meeting held on 2nd May, 2014, be agreed as a correct record for signature by the Chairman.

J6. POLICE AND CRIME COMMISSIONER'S ANNUAL REPORT

In accordance with the requirements of the Police Reform and Social Responsibility Act (2011), the Police and Crime Commissioner presented his 2013/14 annual report setting out how he had exercised his statutory

functions as well as an overview of the work undertaken by the South Yorkshire Police Authority of its statutory functions between April, 2013 and March, 2014.

The main purpose of the report was to highlight performance against the functions of a Police and Crime Commissioner as set out in the Act and to demonstrate performance against the key objectives set out in the Police and Crime Plan 2013/17 which were:

- Reduce Crime and Anti-Social Behaviour
- Protect Vulnerable People
- Improve Visible Policing

The reporting year was another very difficult year for all public services and Policing was not immune from the further significant cuts made by Central Government. However, crime in South Yorkshire remained at its lowest level for 25 years despite the extremely challenging circumstances.

The Police and Crime Commissioner gave an update on progress of elements of the Plan relating to:-

- Role of Police and Crime Commissioner
 - Statutory functions
 - Responsibility of setting the strategic direction and commissioning delivery of Policing and Crime Services for South Yorkshire
 - Chief Constable responsible for delivering an efficient and effective police service
 - Variety of other partners/service providers responsible for delivering community safety and Criminal Justice Services
- Governance Arrangements
 - Corporate Governance Framework jointly agreed with Chief Constable based on a model developed by the Association of Police and Crime Commissioners Chief Executives
 - Framework includes Statement of Corporate Governance, Code of Corporate Governance, Scheme of Corporate Governance and separate policies and procedures for each corporation sole including working protocols
 - Good Governance Standard for Public Service adopted
 - Monthly Governance Advisory Board meetings
 - Joint Independent Audit Committee established
 - Joint Engagement Strategy and Plan
 - Involvement with the recruitment of senior officers
 - Investigation of complaints made against the Chief Constable as well as monitoring the number/type of complaints made against Police Officers and staff

- Accountability
 - Regular surgeries held
 - Plans to involve the public as much as possible in shaping future plans by the use of Twitter, Facebook and meeting people in the communities
 - Policing Protocol Order 2011 set out the framework within which the Commissioner was expected to work with the Chief Constable and the Police and Crime panel
 - Requirement to have regard to the national Strategic Policing Requirement which focussed on those areas where Government had a responsibility for ensuring sufficient capabilities in place to response to serious and cross-border criminality threats e.g. terrorism, civil emergencies and in support of the work of national agencies such as the National Crime Agency

- Strategic Planning Overview
 - Aim of focussing resources on priority areas that were important to the people of South Yorkshire and agencies that the Police and Commissioner's office worked in partnership with
 - Approach to strategic planning continued to be evidence based, investing resources in what delivered results and making informed choices
 - Rotherham's Community Safety Partnership's priorities continued to be Anti-Social Behaviour, Reduce Crime and Reduce Harm
 - 80% of the public felt safer from crime than they had 2 years ago – HMIC Survey
 - Although there had been a large reduction in Burglary and Vehicle Crime in South Yorkshire it was still 1 of the highest in the country

- Consultation and Engagement
 - Consultation Engagement and Consultation Strategy developed identifying how the Commissioner would fulfil his statutory responsibility of engaging with the public and other key stakeholders
 - Approximately 100 engagement activities undertaken and direct engagement with over 1,400 people
 - Surgeries held on a rotation basis across South Yorkshire
 - Review of South Yorkshire Police's engagement activity carried out and identified a set of minimum standards which officers and partners in Safer Neighbourhood Areas expected to adhere to when engaging with members of the public
 - Refresh of the Black and Minority Ethnic Independent Advisory Groups
 - Victim Support commissioned to deliver a Victim Survey. Of the 865 completed surveys, 53% said they would engage with Restorative Justice
 - "Your Voice Counts" surveys conducted with members of the public across the Force area to assess perception of local policing and feelings of safety. Of the 9,747 who responded to the question

regarding value for money, 46% agreed that SYP provided good value for money. The top priorities they would like the Police to focus on included drugs, anti-social behaviour and a visible presence

- User satisfaction survey conducted with victims of burglary, vehicle crime and violent crime. Results indicated that 85% of people were fairly satisfied with the overall experience of dealing with the Police Service
- Performance against Priorities
 - Development of a Performance Framework instigated which would also measure the outcomes of other Service providers commissioned to deliver the Policing and Crime Priorities
 - Crime continued to fall in South Yorkshire- 1.1% in 2013/14 (995 less victims of crime compared with the same period last year)
 - Domestic burglary had fallen by 11.8% (970 less burglary victims) and vehicle crime by 6.0% (741 less victims)
 - Compared with peer forces, South Yorkshire had recorded an 11% reduction comparing favourably to the national and regional pictures (7.1%)
 - Anti-social behaviour had reduced by 4.0% (3,356 less reports) and 'personal' reports fell by 10.0% (3,612 less reports)
 - Whilst crime had reduced within the period, there were a number of challenges in relation to reducing crime
 - Limited success in seizing cash and assets under the Proceeds of Crime Act and would remain a key focus in 2014/15
 - Primary focus for 2013/14 had been Child Abuse and Child Sexual Exploitation with significant investment in this area to help tackle CSE
 - Victim Support had been commissioned to provide dedicated support to victims of CSE to help through the difficult Court process
 - Commissioner agreed to be a member of the National Taskforce on Sexual Violence against Children and Young People to help shape national thinking and policy making
 - Recommendations implemented from the HMIC thematic inspection of the effectiveness of the Force's approach to protecting children from sexual exploitation
 - Improved visibility of Detective Officers, signage of the Police estate, increased size and availability of the Special Constabulary, increased number of Police volunteers, maintained number of PCSOs, increased visibility of vehicles and expanded use of social media
 - HMIC Value for Money profile showed SYP's frontline Police Officer ratio of 94.8%, higher than both the national and MSG average

- Securing of £1.3M grant monies from the Home Office's Innovation Fund to support the delivery of a mobile technology project across South Yorkshire and Humberside. A further joint bid submitted to support the roll out of the mobile working for Police Officers
- Budget and Value for Money
 - Budget cut of £10M for 2013/14, a further £12M in 2014/15 and £13.5M in 2015/15
 - In spite of ongoing financial pressures and unanticipated events, the Chief Constable had delivered a 0.3% underspend
 - Recent HMIC report rated SYP as "good". Of the 43 police forces in the country, 35 had been rated as "good", 5 as "excellent", and 3 "inadequate"
 - Application to the Home Office for support in funding costs associated with the Hillsborough Inquest
 - Efficiency Advisory Panel established to inform future efficiency initiatives
 - 58 successful recipients of the Proceeds of Crime Fund totalling £643,000
 - Combination of projects commissioned aimed at increasing opportunities for victims and offenders to engage in restorative approaches
 - 455 offenders had undertaken victim awareness training; 46 adult offenders and 42 victims fully engaged with the restorative process
- Partnership Working
 - Regular strategic forums to further support delivery of policing and crime services through partnership working
 - New Community Remedy would give victims of low level crime and anti-social behaviour a say in the punishment of the offender out of court; Community Trigger would give victims of persistent anti-social behaviour the right to demand action where they felt their problems had not been dealt with
 - South Yorkshire Community Foundation to deliver a small open application fund to allow the smallest of organisations to bid for funding in 2014/15
 - Strengthened collaborative working arrangements with the South Yorkshire Criminal Justice Board
- Collaboration
 - South Yorkshire was part of a regional Police Collaboration Programme in the Yorkshire and Humber region
 - South Yorkshire was also part of a National Police Air Support
- Legacy Issues
 - An announcement from the Independent Police Complaints Commission was expected imminently with regard to the policing of the Orgreave Coking Plant in 1984

- Hillsborough Inquests currently taking place in Warrington
- 2 officers had been trained in polygraph testing for sex offenders to help protect vulnerable people and reduce the risks posed by potential offenders
- Looking Ahead
 - Roll out of the revised governance and assurance arrangements and implementation of Stage 2 Transfer plans
 - As from October, 2014, responsibility for the commissioning of services to help victims of crime and anti-social behaviour cope and recover from their experience. Intention to establish a Victims Commissioning Advisory Board and provide greater opportunities for restorative justice to be available to victims of crime
 - More work with young people in schools around domestic violence and investment in campaigns to tackle and challenge the increasing negative portrayal of women and victim blaming
 - Further work with partners to better understand the issues and challenges for community safety, criminal justice and health agencies around those with mental health problems and serious drug or alcohol dependency
 - Possible opportunities to share services, functions and the use of assets with non-police partners
 - Establishment of an Independent Ethics Panel to help build further trust and confidence in South Yorkshire
 - Need for a clear, consistent and cohesive work plan for tackling cyber crime

A discussion and question and answer session ensued and the following issues were raised and clarified by the Police and Crime Commissioner:-

- Police Officers and PCSOs were moved at the discretion of the Chief Constable as to where they needed to be deployed. However, it was acknowledged that the public liked continuity as well as the local knowledge the PCSOs built up, therefore, consideration was given PCSOs remaining in their Neighbourhood Teams as long as possible
- Restorative Justice always had to be victim-led with evidence showing that it worked in terms of giving closure to the victim and changing the perpetrator's mind about offending again. This would be rolled out across South Yorkshire over the next 6-12 months and the opportunity available to every victim. It was also a factor taken into consideration by the Courts when sentencing. An analysis would be undertaken of its effectiveness
- The Corporate Communications Department included Marketing which ran awareness raising campaigns/community safety

- Whilst the Your Voice Count satisfaction rating of 84% was disappointing in that it had been 85% in previous years and national average of 86%, in light of the challenges faced in relation to the austerity measures and staff available to deliver the service, it was felt that 84% was an achievement. However, the survey had raised issues with regard to response times of the answering of telephones which needed further improvement
- Despite a large amount of work, it was still public perception that there was a lack of Police visibility. Endeavours were being made to protect frontline staff and increased the percentage of Officers on the frontline, however, there was still less people. Attempts were being made to get as many Specials into uniform as possible and volunteers to free up Police time
- Unsuccessful recruitment to the Independent Ethics Panel. Work was to take place with Sheffield University to match fund a Police Integrity and Ethics Research Study to examine the implementation of the new Code of Ethics for policing and the introduction of the Ethics Panel. It was hoping to identify a Chairperson and then Panel members
- The relationship between the Chief Constable and the Commissioner was very professional
- Road safety was not within the Police and Crime Plan as it had not been raised as a priority in the consultation. However, in terms of making our roads safer, the Safer Roads Partnership consisted of representatives from the local authorities, SYP and the Fire and Rescue Service. The cost of the Speed Awareness course had increased, the generated revenue used by the Partnership to make roads safer.
- 80% of the Police budget was derived from Central Government Grant which a number of Police Commissioners had made representations about fair distribution. 19% of the Force's budget came from Council Tax so increased housing building would generate income accordingly

Resolved:- That the draft Police and Crime Commissioner's annual report be received and any further comments submitted to the Commissioner by 15th August, 2014.

J7. POLICE AND CRIME PANEL WEBSITE DEVELOPMENT

Further to Minute No. J.43(3) of 2nd May, 2014, Christine Majer, Scrutiny Officer, reported on the progress made regarding development of the Panel's website.

The galaxy site had been developed and managed by Rotherham Council's On-Line Service Team with information from the existing site used to populate the new site.

Testing of the draft website would be undertaken by representatives of the community as previously agreed. There would be a community forum for comments/issues to be logged and the website continually updated.

Monitoring of the website could provide information as to the number of users of the site and the type of information viewed which could then be used by the panel to assist in the engagement of the community in their work.

A number of Panel members had already provided their pen portraits for inclusion on the website.

It was felt that the website should be launched as soon as possible.

Resolved:- (1) That the "galaxy" website hosted by Rotherham Borough Council be noted.

(2) That the content and format for the pen portraits be approved and that all Panel members be encouraged to submit their pen portraits as a matter of urgency.

(3) That the website be launched and publicised as soon as possible.

J8. POLICE AND CRIME PANEL UPDATE

Consideration was given to a report presented by Deborah Fellowes, Scrutiny Manager, updating the panel on a number of issues and areas of progress since the last meeting which included:-

Working Protocols

As agreed at the 2nd May meeting (Minute No. J40(a) refers), a draft was submitted for consideration (Appendix A) to enable sharing of information and work programmes between the Panel and the four Scrutiny Committees.

Memorandum of Association

As agreed at the 2nd May meeting (Minute No. J40(b) refers), a proposed refreshed Memorandum of Understanding between the Panel and the Police and Crime Commissioner was submitted for consideration (Appendix B).

Training and Induction

It was proposed that consideration be given to any training and induction requirements of the new Panel members as well as identifying areas for development for existing members. However, the budget provision was limited.

It was suggested that, as had happened in the past, the Panel spend a day with Police Officers to gain a general insight into their daily activities.

It was also felt that spending time with 1 of the new shared services would also be useful for members.

Work Programme

The updated scheduled work programme was attached at Appendix C with the main area of update was with regard to Domestic Abuse. A Task and Finish Group had been due to start work during July and report back in September, however, due to annual leave commitments, it was proposed that the final report be submitted in December.

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

(2) That the draft working protocols and Memorandum of Association be approved and forwarded to the relevant Crime and Disorder Scrutiny Committees and the Police and Crime Commissioner.

(3) That with regarding to training and induction, Members forward any areas of interest to Deborah Fellowes.

(4) That the progress on the work programme be noted and an extension to the timescale for the Domestic Abuse Task and Finish Group be approved.

(5) That anyone interested in joining the Task and Finish Group contact Deborah Fellowes.

J9. PERFORMANCE MANAGEMENT ARRANGEMENTS

Further to Minute J40(e) of 2nd May, 2014, consideration was given to proposals for the reporting of performance and financial information to enable the Panel to carry out its scrutiny function.

Officers from both RMBC and the PCC's office had met and agreed that the performance reporting format currently being developed by the PCC's office for their Governance and Assurance Board would be a useful starting point and reduce the need to duplicate effort/workload.

The performance reporting information was provided on an exception basis with a Red, Amber, Green rating system used. In terms of Finance reporting, the Office of the Police and Crime Commissioner would be developing a pro forma which would also deal with risk analysis. This was a key area for the Panel to focus upon, reassuring themselves that the Commissioner had a robust mechanism in place for management and mitigation of key areas of risk.

The office of the PCC would be providing the reports on a monthly basis.

Discussion ensued on the report. It was suggested that the financial report did not require a lot of detail but should include a breakdown of capital and revenue and budget against spend.

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

(2) That future performance management reports be submitted to the Panel on a quarterly basis.

J10. UPDATE ON THE HANDLING OF COMPLAINTS

In accordance with Minute No. J44 of 2nd May, 2014, a Sub-Committee had been convened on 7th July to consider the informal resolution of 2 complaints.

With regard to the first complaint, the Sub-committee reached the following conclusions in relation to the individual complaints:-

Complaint No. 1

1. That the Commissioner did not correctly consider the complaints
Based on the evidence provided, the Sub-Committee concluded that the Commissioner had consider the complaint appropriately.
2. That the Commission had contacted Members of Parliament but should not have done so
The Sub-Committee concluded that the response of the Commissioner to this complaint was appropriate.
3. That the Commissioner contacted the South Yorkshire Professional Standards Department asking them what they thought of the complaint
The Sub-Committee concluded that there was insufficient evidence that the Commissioner had contacted the Department.

Complaint No. 2

The complainant was concerned about the manner in which the Commissioner had considered the complaint and particularly that the Commissioner had delayed in responding and failed to inform the complainant of the possibility of challenged decisions by way of Judicial Review

The Sub-Committee was satisfied that the Commissioner had not delayed in either providing any information or taking decisions in order to prevent the complainant lodging a claim for Judicial Review.

The Complaints Procedure provided that the outcome of informal resolution could be published if it was considered to be in the public interest. The Panel was asked to consider whether any publication, in addition to that contained in the report submitted, was required.

The Monitoring Officer also reported that there were 2 outstanding complaints and, whilst separate, had certain common factors. The Monitoring Officer had met with the complainants to advise them of the

nature of the information required for 1 of the complaints to proceed. The remaining complaint was supported by its complete information.

Once the full information was received the matter would be referred back to the Panel. However, should the information be received prior to the next scheduled panel meeting, a Sub-Committee may be necessary to consider the complaints.

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

(2) That the Sub-Committee's outcomes be publicised on the Panel's website.

(3) That, if required, a Sub-Committee be convened to consider the complaints referred to above.

J11. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information likely to reveal the identity of an individual).

J12. POLICE AND CRIME PANEL SUB-COMMITTEE - MINUTES OF MEETING HELD ON 7TH JULY, 2014

The minutes of a Sub-Committee held on 7th July, 2014, to hear 2 complaints that had been made against the Police and Crime Commissioner were noted.

1K BARNESLEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD - 27/06/14

BARNESLEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Friday, 27th June, 2014

Present:- Councillors R. Miller (Barnsley MBC); C. Mills (Doncaster MBC), M. Clark and G. Smith (Rotherham MBC).

together with:-

Beth Clarke	BDR Joint Waste Project Manager
Adrian Gabriel	Rotherham MBC
Ann Todd	Rotherham MBC
Katherine Hanson	Doncaster MBC
Lee Richardson	Barnsley MBC
Paul Castle	Barnsley MBC
Steve Noble	DEFRA
Jim Busby	DEFRA

Apologies for absence were received from Mrs. G. Gillies (Doncaster MBC) and from Merrs K. Battersby and D. Burton (Rotherham MBC).

K1. APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR 2014/2015

Agreed:- That Councillor Roy Miller of Barnsley Metropolitan Borough Council be appointed Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2014/2015 Municipal Year.

(Councillor R. Miller in the Chair)

K2. APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2014/2015

Agreed:- That Councillor Gerald Smith of Rotherham Metropolitan Borough Council be appointed Vice-Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2014/2015 Municipal Year.

K3. WELCOME TO NEW MEMBERS

The Chairman welcomed new Members to the Barnsley, Doncaster and Rotherham Joint Waste Board, Councillors M. Clark and G. Smith of Rotherham Metropolitan Borough Council and Mr. Jim Busby, Transactor from the Department of Environment, Food and Rural Affairs.

Thanks were expressed to Mr. Steve Noble (DEFRA) for his services to the Joint Waste Board. Mr. Noble's role would be fulfilled by Mr. Busby.

Members also agreed that the Chairman should write to both Mr. Richard Russell (formerly a Councillor with Rotherham Metropolitan Borough Council) and to Mr. Tim Hardie (Legal Officer, formerly of Barnsley Metropolitan Borough Council) thanking them for their services to the Joint Waste Board.

K4. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

K5. MINUTES OF THE PREVIOUS MEETING HELD ON 14TH MARCH 2014

Consideration was given to minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board, held on 14th March, 2014.

Agreed:- That the minutes of the previous meeting of the BDR Joint Waste Board be approved as a correct record for signature by the Chairman.

K6. MATTERS ARISING

With regard to Minute No. K32(g) of the previous meeting, it was noted that Doncaster MBC has recently granted planning permission for a new waste transfer station to be located at Kirk Sandall.

K7. APPROVAL OF DELEGATIONS UNDER THE SECOND INTER-AUTHORITY AGREEMENT, FOR THE MUNICIPAL YEAR 2014/2015

Further to Minute No. 7 (IAA2 Report) of the meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 14th June, 2013, consideration was given to the report presented by the BDR Joint Waste Project Manager, detailing the way in which the functions of the Joint Waste Board will be delegated to the BDR Steering Committee and to the BDR Project Manager. The proposed delegation arrangements for the Principal Contract were in accordance with the terms of the Second Inter-Authority Agreement.

The report stated that, in order to adhere to the legislative requirements of the Local Government Act 1972, concerning the delegation of powers, the practice of the BDR Joint Waste Board is to delegate its powers to one of the BDR Steering Committee officers (the "Authorised BDR Steering Committee Member"), who then acts in consultation with the other officers of the Committee. The structure of the Steering Committee was outlined in the submitted report.

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

(2) That, with the exception of the decisions reserved to the three constituent Authorities for a unanimous decision under the Second Inter-Authority Agreement, all other decisions in respect of the Principal Contract are delegated by the BDR Joint Waste Board to the Authorised BDR Steering Committee Member.

(3) That the Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Project Manager.

(4) The BDR Project Manager may delegate any decisions delegated to her to a member of the Joint Waste Team (if the right to delegate is granted by the Authorised BDR Steering Committee Member).

(5) That the BDR Joint Waste Board notes that Doncaster Metropolitan Borough Council's representative on the BDR Steering Committee will be the Authorised BDR Steering Committee Member for the 2014/2015 Municipal Year.

K8. BDR MANAGER - ANNUAL REPORT 2013-2014

Consideration was given to the submitted annual report of the BDR Joint Waste Project Manager for the period April 2013 to March 2014. The information contained within the report included: -

- Governance
- Project Delivery
- Technical
- Health and Safety
- Legal
- Financial
- Communications;
- Resources
- Other, including the DEFRA consultation on the Waste Prevention Programme for England from 6th August to 23rd September 2013

A useful glossary of terms was appended to the report. Members also noted that:-

(i) the recruitment process of the Joint Waste Team for the operational phase of the Contract has now begun;

(ii) the discharge of the pre-operational conditions for the Environmental Permit has begun;

(iii) an update on the progress of the Grange Lane upgrade will be reported at the next meeting;

(iv) the development of the waste treatment site at Ferrybridge is on schedule and the first consignment of waste is due to be delivered to the facility during March, 2015; and

(v) Members suggested that there should be a visit of inspection to the Bolton Road facility by Council Leaders.

Agreed:- That the BDR Joint Waste Manager's annual report for the period April 2013 to March 2014, as now submitted, be approved.

K9. RISK REGISTER

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI transition phase risk register, as at 12 June 2014. Reference was made to the pressure upon local authorities to cope with the impact of new house building in their areas. It was noted that the Joint Waste PFI forward planning process considers the impact of new house building. The insurance cost risk, which involved ever increasing premiums, was also noted.

Agreed:- That the updated information on the risk register be received.

K10. EXCLUSION OF THE PRESS AND PUBLIC

Agreed:- That, under Section 100A(4) of the Local Government Act 1972, 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 1 of Schedule 12A to the Local Government Act 1972 as amended (information relating to the financial/business affairs of any person (including the Joint Waste Board)).

K11. BDR PFI BUDGET REPORT 2013/2014

Consideration was given to the 2013/2014 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Joint Waste Partnership Private Finance Initiative (PFI). The 2013/2014 annual return will be the subject of external audit. A summary of the 2014/2015 Budget was also contained in the report.

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

(2) That the 2013/2014 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Joint Waste Partnership, as now submitted, be approved.

(3) That the 2014/2015 Operational Management Budget for the Barnsley,

5K BARNESLEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD - 27/06/14

Doncaster and Rotherham Joint Waste Partnership, as summarised in the report now submitted and previously approved in accordance with each constituent Authority's budget setting policies, be approved.

K12. DATE, TIME AND VENUE FOR THE NEXT MEETING

Agreed:- (1) That the next meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board be held on Friday, 19th September, 2014, at the Town Hall, Rotherham, commencing at 2.00 p.m.

(2) That the next following meetings of the Barnsley, Doncaster and Rotherham Joint Waste Board be held on Friday, 12th December, 2014 and on Friday, 20th March, 2015, at the Town Hall, Rotherham, commencing at 2.00 p.m.