

CABINET MEMBER FOR BUSINESS GROWTH AND REGENERATION

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

Date: Monday, 3rd November, 2014

Time: 9.00 a.m.

A G E N D A

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence
4. Minutes of the previous meeting held on 10th October, 2014 (Pages 1 - 3)
5. Environment and Development Services - Revenue Budget Monitoring 2014/15 (Pages 4 - 9)
6. Petition - request for the prohibition of badger culling on Council-owned land (Pages 10 - 14)
The petition contains 32 signatures and calls on Rotherham Borough Council to prohibit the culling of badgers on Council-owned land and invest in vaccination programmes locally.
7. Date and time of next meeting = Monday 1 December 2014 at 9.00 am

**CABINET MEMBER FOR BUSINESS GROWTH AND REGENERATION
10th October, 2014**

Present:- Councillor Beck (in the Chair); Councillors Sansome and Whysall.

I16. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH OCTOBER, 2014

Resolved:- That the minutes of the meeting of the Cabinet Member and Advisers for Business Growth and Regeneration held on 6th October, 2014 be approved as a correct record for signature by the Chairman.

I17. ENVIRONMENT AND DEVELOPMENT SERVICES - REVENUE BUDGET MONITORING 2014/15

Further to Minute No.110 of the meeting of the Cabinet Member and Advisers for Business Growth and Regeneration held on 6th October, 2014, consideration was given to a report, presented by the Finance Manager on the performance against budget for the Environment and Development Services Directorate Revenue Accounts as at 31st August, 2014 and providing a forecast outturn for the whole of the 2014/15 financial year. Members noted the forecast outturn position of an over-spend of £219,000 for the Environment and Development Services Directorate, based on expenditure and income as at 31st August, 2014.

During discussion of this item, Members raised the following salient items:-

: agency costs; consultancy fees; non-contractual overtime – Members requested further information about the budgets for these issues;

: the costs of staff absence because of sickness;

: the current, Council-wide moratorium on non-essential spending.

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

(2) That the latest financial projection against budget for 2014/15, based on actual income and expenditure to 31st August, 2014, as outlined in the submitted report, be noted.

(3) That the submitted report be referred to the Self Regulation Select Commission for information.

111 CABINET MEMBER FOR BUSINESS GROWTH AND REGENERATION - 10/10/14

118. EXCLUSION OF THE PRESS AND PUBLIC

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

119. ROTHERHAM TOWN CENTRE BUSINESS GRANTS - BUSINESS DEVELOPMENT GRANT APPLICATION

Consideration was given to a report, presented by the Retail Investment Manager, concerning an application for a Business Development Grant in respect of a retail shop situated within the Rotherham town centre and which intended to relocate to alternative business premises.

The report stated that the Town Centre Business Development Grant Scheme is designed to encourage and support existing retail and catering businesses to improve their businesses in the Rotherham town centre. It was confirmed that this project satisfied the eligibility criteria of the Scheme.

Members were informed of the circumstances of this retailer's intention to relocate the business to alternative premises within the Rotherham town centre (a unit inside the Old Town Hall, off Effingham Street/Howard Street).

It was noted that the grants panel was confident that the application represented a genuine business development project.

Discussion also took place on the impact upon town centre retail businesses of the imminent opening of the new Tesco supermarket on Thursday 13th November, 2014.

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

(2) That a Business Development capital grant of £7,500 be awarded to the premises, now identified, enabling the business to relocate to premises within the Old Town Hall and the following additional conditions shall be applied to this award:-

(a) the Council shall require repayment of the grant in full should the business cease to operate in the Rotherham town centre within a period of three years from the date of payment of the grant; and

(b) a graphics design consultancy will work with the tenant to ensure the highest quality branding and signage is used and agreed with the RiDO and Planning teams prior to commencement of the tenancy of the premises within the Old Town Hall.

I20. LOCALISM ACT 2011 - COMMUNITY RIGHT TO BID

Further to Minute No. I15 of the meeting of the Cabinet Member and Advisers for Business Growth and Regeneration held on 6th October, 2014, consideration was given to a report, presented by the Estates Manager, concerning the five Community Right to Bid applications submitted by Dalton Parish Council. The report stated that the Parish Council was seeking permission to list the individual nominated properties on Rotherham's successful register as Assets of Community Value.

Details of each of the five applications were included within the report, together with the assessment of each application.

Members discussed the costs of administration of the register of Assets of Community Value.

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

(2) That decisions be recorded in respect of the five applications submitted by Dalton Parish Council, as detailed below:-

(a) Brecks Lane Allotments, Brecks Lane, Rotherham, S65 3SS - the property will be placed on the successful register of Assets of Community Value;

(b) Dalton Youth Centre, Magna Lane, Dalton, Rotherham, S65 4HH - the property will be placed on the successful register of Assets of Community Value;

(c) Sunnyside Community Centre, Flanderwell Lane, Sunnyside, Rotherham, S66 3RL - the property will be placed on the successful register of Assets of Community Value;

(d) Land housing the Doctors' Surgery located off Magna Lane, Dalton, Rotherham, S65 4HH - the property will be placed on the unsuccessful register of Assets of Community Value and further discussions shall take place with Dalton Parish Council about the possible resubmission of this application; and

(e) Greenspace located off Dalton Lane, Lane, Dalton, Rotherham, S65 3QX - the property will be placed on the successful register of Assets of Community Value.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1

1	Meeting:	Cabinet Member and Advisers for Business Growth and Regeneration
2	Date:	Monday 3rd November 2014
3	Title:	Environment and Development Services Revenue Budget Monitoring Report to 30th September 2014
4	Directorate :	Environment and Development Services

5 Summary

To report on the performance against budget for the Environment and Development Services Directorate Revenue Accounts at **the end of September 2014** and to provide a forecast outturn for the whole of the 2014/15 financial year.

Members are asked to note the forecast outturn position of an under-spend of -£296k for the Environment and Development Services Directorate based on expenditure and income as at September 2014.

6 Recommendations

That the Cabinet Member notes the latest financial projection against budget for the year based on actual income and expenditure to the end of September 2014. This report is referred to the Self Regulation Overview and Scrutiny Select Commission for information.

7 Proposals and Details

7.1.1 Cabinet Members receive and comment upon budget monitoring reports on a monthly basis. This report reflects the position against budget for the period 1 April 2014 to 30 September 2014.

7.1.2 The table below summarises the forecast outturn against approved budgets for each service division:

Division of Service	Net Budget	Forecast Outturn	Variation	Variation
	£000	£000	£000	%
Asset Management, Audit and Insurance	8,222	8,034	-188	
Business Unit	579	519	-60	
Communications	803	806	+3	
Regeneration, Planning and Cultural Services	6,729	6,489	-240	
Streetpride	28,570	28,759	+189	
Total Environmental and Development Services	44,903	44,607	-296	0.66%

Following the September cycle of budget monitoring the Directorate has identified that it is likely to be underspent by -£296k (**-0.66%**) against its total net revenue budget of **£44,903k**.

7.1.3 The details below have previously been offered in a Briefing Note, but due to the timing of this meeting, this month this has not been circulated in advance.

SUBJECT: EDS REVENUE BUDGET MONITORING**1. Update on the current projections for EDS Revenue Budget Monitoring at the end of September 2014.**

The table below shows the monitoring figures for April – September with narratives explaining the current projections.

	April - Sept
Service	£000
Asset Management, Audit and Insurance	-188
Business Unit	-60
Communications	+3
Regeneration, Planning, Customer & Cultural Services	-240
Streetpride	+189
TOTAL	-296

Asset Management, Audit and Insurance -£188k

There are some small pressures across the Asset Management service which total **+£53k**: Health and Safety (+£18k) for costs incurred relating to the English Defence League demonstrations, and an under recovery of income for some training. All Saints toilets has a pressure (+£11k) which is due to an over spend on pay and a small under recovery of income against the budget. Riverside café and hospitality has a pressure (+£15k), also due to an over spend on pay budgets and an under recovery of income. Further pressures are being reported, CENT has some residual costs (+£2k) and Internal Audit (+£7k) pressure which is staffing related.

The pressures are now being offset by reported under spends which total **-£241k**. Facilities Management have reported the following savings, Commercial Properties (-£20k) due to additional rental income, and (-£152k) from Facilities Management of all council buildings. Further savings are being reported from the Corporate Environment Team (-£34k) and (-£15k) from the Capital Team, (-£15k) Caretaking and (-£5k) School Crossing Patrol.

Business Unit -£60k

The Service has declared an under spend on the training budget with a balance being retained for essential/mandatory training; this will be further scrutinised to consider if any further saving can be offered.

Communications +£3K

This small pressure is around staffing and marketing events, and work is ongoing to mitigate this pressure.

Regeneration, Planning, Customer and Cultural Services -£240k

A number of smaller pressures remain within the service area, RIDO is funding a replacement IT package, and has some staffing costs causing a pressure (+£29k). The Contact Centre (+£36k) pressure caused by additional staffing costs to ensure delivery of service. Cashiers (+£43k) mainly due to increased charges for use of paypoint and post office collection service. A further (+£33k) across a number of services, these remain under review to mitigate the pressure.

There are now an increased number of budgets reporting under spends which is partially due to some recently approved budget virements at Cabinet, and seeing more of an impact of the moratorium on spend. Business Centres due to retaining increased occupancy levels (-£60k). Cultural Services from Theatres (-£14k), Boston Castle and Museums (-£19k), and Libraries and Customer Services (including Riverside and Maltby) (-£245k) mainly due to the non-filling of vacant posts prior to the now implemented staffing restructure, and a reduction on expected spend from the materials fund, in line with the moratorium. Building Control (-£8k), due to an increase on applications. Planning Services have identified a small underspend due to the delaying of consultancy spend in this year (-£17k). A review of the Markets budget has identified an improved position of (-£18k).

Streetpride +£188k

At this stage in the year the service is reporting a pressure in **Network Management Services (+£224k)**, in the main this is due to failure to reach the income targets in Parking Services (+£290k); this is due to:

- a reduction in the number of staff parking permits issued as a result of the cheaper 'offer' from private car parks in the vicinity of Riverside House;
- the continuing downturn in income from off-street parking
- fall in the number of Parking Control Notices (PCNs) issued, and

Cabinet recently approved a budget virement in recognition of the likely impact of the new Tesco store opening mid-November which has reduced the pressure on this budget (last month reported £387k) this year. The remaining pressure is being partially mitigated by some savings in other areas (-£66k), mainly from Street Lighting energy savings.

There has only been a minor change since last month for **Leisure and Green Spaces** reporting a pressure (+£6k), an under recovery of income from Allotments (+£23k), and (+£9k) from the golf course. Country Parks have a pressure (+£32k) due to agency cover costs, and Trees and Woodlands have a staffing pressure (+£3k). There are some savings mainly due to working within the moratorium on spend, from Urban Parks (-£32k), and Landscape Design and general management (-£29k).

Community Services are reporting a pressure (+£69k) due to an over spend on Street Cleansing (+£53k), staffing vacancy factor costs (+£15k) and increased costs due to a new kennelling contract for the Dog Warden service (+£11k); these pressures are being partially offset by an underspend (-£10k) on Pest Control.

Waste Services are now reporting a improved position (**-£46k**) with Waste Collection under spent by (-£175k) mainly due to a WEEE (Waste Electrical and Electronic Equipment) rebate, effects of industrial action, increased income on bulky items and commercial waste. However, Waste Disposal has a pressure (+£149k) due to expected outlet not coming on line by the timetabled date, and needing to take more waste into other (higher cost) facilities than planned. There is also a small saving on Waste PFI due to reduced savings on external consultancy (-£20k).

An under spend has been identified within **Corporate Transport Unit (-£44k)** **mainly** from the Bus Services Operator's Grant, work is ongoing to establish if anything further can be saved. And the Corporate Account is now reporting (**-£21k**) largely due to the moratorium on non-essential spend.

Summary

The EDS reported pressures at April – September Monitoring shows an under spend forecast of -£296k.

As noted in earlier months, and still valid, there are some areas within EDS which could be over budget by the end of the financial year, but these are not currently being reported in the figures:

Winter Service has historically overspent by around (+£450k), a review of previous years data has updated the current estimate to year end as a £417k pressure, but this could fluctuate depending on the severity of the weather.

Planning income was under recovered last year (+£93k), at this stage it is too earlier to predict whether this financial year will outturn the same, as early months have seen some significant planning applications.

Riverside Café could potentially show an under recovery of income due to this service having to increase the price to customers to cover the increase on food prices. This could potentially mean the café may have fewer customers in the future.

Details have been requested on the following types of spend :

Agency Costs

Total expenditure on Agency staff for Environment and Development Services for the period ending 30th September 2014 was £422,078. This was £380,233 for the same period 2013.

Consultancy

For the period ending September 2014 the total expenditure on Consultancy was £48,834 this follows a review of spend by staff in EDS. The reported spend for the same period in 2013 was £105,074.

Non contractual Overtime

Actual expenditure to the end of September, 2014 on non-contractual overtime for Environment and Development Services is £207,530 whilst the same period to September 2013 spend was £253,607. Please note that the data for 2013/14 did not include Asset Management for the full year.

The actual costs of Agency, Consultancy and Overtime are included within the financial forecasts.

Currently ICT is reported via Resources staff

8. Finance

There are no other details to report this month.

9. Risks and Uncertainties

The overall Directorate budget shows an under-spend of -£296k which has been identified and explained above and in the appendices. Winter Service, Planning Income and Riverside Café have been identified as areas that could potentially report a pressure by year end.

10. Policy and Performance Agenda Implications

Directorate budgets are aligned only to corporate priorities and spending within the agreed Directorate cash allocation is key to demonstrate the efficient Use of Resources.

11. Background Papers and Consultation

This is the fifth budget monitoring report in this format for the Directorate for 2014/15 and reflects the position from April 2014 to September 2014. This report has been discussed with the Strategic Directors for Environment and Development Services and the Chief Finance Officer.

Contact Name: Andy Sidney – Finance Manager (EDS and Capital) – 01709 822025

E-mail: Andy.sidney@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS
--

1.	Meeting:	Cabinet Member and Advisers for Business Growth and Regeneration
2.	Date:	Monday 3rd November 2014
3.	Title:	Response to Badger petition
4.	Directorate:	Environment and Development Services

5. Summary

RMBC is within a defined low risk area for Bovine tuberculosis (bTB) and there are no recorded incidences of badgers in Rotherham with bTB. A formal position has been requested from RMBC in respect of the prohibition of the culling of badgers on RMBC land and in respect of investment in local badger vaccination programmes.

6. Recommendations

It is recommended that:

- 1. The culling of badgers on land in RMBC control be prohibited**
- 2. The Council does not invest in a local badger vaccination programme at this time**
- 3. The lead petitioner be informed of these decisions**

7. Proposals and details

Background

The following e-petition was received by the Council on 22nd May 2014:

We, the undersigned, call on Rotherham Borough Council to prohibit the culling of badgers on council-owned land and invest in vaccination programmes locally. We ask this because we believe culling to be inhumane, inefficient and unscientific.

This is a national issue which will be of direct concern to the people of Rotherham Borough Council when DEFRA "rolls out" its culling policy in 2014.

The object of the petition is to ensure that Rotherham Borough Council's badger Population is as safe as possible from slaughter and that the already available injectable badger vaccine against bTB [Bovine Tuberculosis] is used in as many cases as possible.

We ask this because we believe the culling policy is inhumane (DEFRA's measurement of "humaneness" is to time the screams of wounded badgers), inefficient (previous culls showed an increase in bTB because of badger movement) and unscientific (the majority of scientific opinion hold that a cull will have "no meaningful result").

The petition is connected to recent government-sponsored badger culling trials in Gloucestershire and Somerset which aim to reduce the incidence of Bovine Tuberculosis (bTB) in these high-risk areas. It is understood that approximately 150 similar petitions have been submitted to local authorities in England and Wales.

Available research on the matter and information about the risk of bTB in Rotherham has been investigated; the South Yorkshire Badger Group (SYBG) and both local Wildlife Trusts (Yorkshire and Sheffield & Rotherham) have been consulted.

Bovine TB is mainly a disease of cattle but can affect other farmed species, domestic animals and some wildlife, including badgers. The disease can be transmitted to humans, usually by infected milk and cattle testing positive for bTB must be slaughtered. The disease is transmitted between cattle, between badgers, and between the two species.

There is no single method that will sufficiently reduce the wildlife reservoir of bTB and prevent the spread of bTB between badgers and with cattle. The badger culling trials are aimed at reducing badger populations to reduce transmission between badgers and cattle. The ability to vaccinate both cattle and badgers would significantly help; an injectable badger vaccine was approved for use in 2010 but no approved cattle vaccine exists yet. Farm bio-security, cattle testing and good movement practices are also important.

There are concerns that the first year of the culling trial has been ineffective and that the methods are inhumane. There are currently no plans to extend the trial cull areas, although the initial trial area programmes will continue in 2014.

The DEFRA Bovine TB Information Note 04/13 confirms that South Yorkshire is currently a low risk area for bTB and the SYBG has stated that there is no recorded incidence of bTB in badgers within Rotherham.

DEFRA has mapped areas of high risk and low risk and has also identified 'edge' areas where enhanced cattle controls will be put in place to contain and reverse the spread of bTB. A number of Wildlife Trusts operating in edge areas in England are considering badger vaccination programmes. The closest edge area to Rotherham is the Derbyshire / Staffordshire border and, in addition to the enhanced cattle controls, the Derbyshire Wildlife Trust is funding and delivering a 5 year programme of badger vaccination.

RMBC, SYBG and the Wildlife Trusts consulted are not aware of any concerns on this issue being raised by local farmers or landowners. SYBG works with local farmers and landowners, providing advice on request.

Both local Wildlife Trusts are supportive of a ban on badger culling and, if culling was proposed for the local area, would be supportive of badger vaccination as a measure to prevent the need for culling. Sheffield CC has formally opposed the culling of badgers and prohibited culling on land in its ownership (a copy of the Council meeting notes are attached as Appendix One). Doncaster MBC and Barnsley MBC have both received the same e-petition as RMBC but have yet to respond.

Consultation with RMBC Legal & Democratic Services has confirmed that irrespective of the scientific, technical or moral arguments relating to culling, it is clear that, at present at least, culling badgers or disturbing their setts is an illegal act. This is pursuant both to the general provisions protecting wild animals set out in the Wildlife and Countryside Act 1981 (as amended) and the specific provisions relating to badgers in the Protection of Badgers Act 1992. The majority of Council leases and tenancy agreements expressly prohibit the tenant from carrying out any illegal act or act which is contrary to statute. There is, therefore, effectively a prohibition in place against culling on Council land already. However, although it does not materially change the status quo, it may be considered welcome to reinforce the statutory position against culling by following the recommendations of this report.

In view of the information presented above, it is recommended that the request to prohibit culling on Council-owned land be supported, but that the Council does not invest in or otherwise support a badger vaccination programme. SYBG have been invited to submit further evidence of the possible need for a vaccination programme should bTB spread to Rotherham in the future.

8. Finance

There are no implications for staff workload or finances from the recommended response to the petition.

9 Risks and Uncertainties

The proposed response is based on the information currently available from Government agencies and from local conservation groups. RMBC Green Spaces will continue to monitor changes to Government policy and the local situation as part of ongoing work. Any significant changes will be reported.

10 Policy and Performance Agenda Implications

The Natural Environment and Rural Communities Act (2006) places a duty on all public authorities, in the exercising of its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Conserving biodiversity includes restoring and enhancing species

populations and habitats, as well as providing appropriate protection. It is considered that the prevention of harm to badgers, as a protected species, falls within this duty.

11 Background Papers and Consultation

RMBC service areas with land controlling and animal welfare responsibilities have been consulted. Copies of responses can be provided on request.

12 Contact

Carolyn Jones, RMBC Ecology Development Officer –
Carolyn.jones@rotherham.gov.uk 01709 8(22462)

Appendix One

Sheffield City Council – Meeting of Council, Wednesday 6 February 2013 2.00 pm (Item 17) Notice of Motion given by Councillor John Robson¹:

That this Council:

- (a) opposes the Government's decision to cull badgers in England;
- (b) is aware of strong objections to badger culling in the UK which resulted in a petition of over 150,000 people;
- (c) notes that Parliament voted against the cull in October 2012 with a huge majority of 147 votes to 28;
- (d) regrets the u-turn taken by Government to cull between 70-95% of the country's badgers with over 7,500 condemned in pilot studies in West Gloucestershire and West Somerset set to go ahead this summer;
- (e) acknowledges that despite contradicting statements there is strong scientific evidence that culling badgers will not make a difference to the numbers of bovine TB;
- (f) notes that leading scientists in this field agree that a cull will make little or no difference and that free shooting has not been scientifically tested anywhere and could even spread bovine TB in the short term as badgers move around more;
- (g) reminds the Government that badgers are a legally protected species and to kill them without knowing the full facts is a disgrace;
- (h) will not voluntarily allow badger culling on land in its ownership if the cull is extended after the pilot scheme; and
- (i) urges the Government to reconsider the decision as there is no scientific, economic or moral basis for culling.

Minutes:

RESOLVED: On the Motion of Councillor John Robson, seconded by Councillor Harry Harpham, that this Council:-

- (a) opposes the Government's decision to cull badgers in England;
- (b) is aware of strong objections to badger culling in the UK which resulted in a petition of over 150,000 people;
- (c) notes that Parliament voted against the cull in October 2012 with a huge majority of 147 votes to 28;
- (d) regrets the u-turn taken by Government to cull between 70-95% of the country's badgers with over 7,500 condemned in pilot studies in West Gloucestershire and West Somerset set to go ahead this summer;
- (e) acknowledges that despite contradicting statements there is strong scientific evidence that culling badgers will not make a difference to the numbers of bovine TB;
- (f) notes that leading scientists in this field agree that a cull will make little or no difference and that free shooting has not been scientifically tested anywhere and could even spread bovine TB in the short term as badgers move around more;
- (g) reminds the Government that badgers are a legally protected species and to kill them without knowing the full facts is a disgrace;
- (h) will not voluntarily allow badger culling on land in its ownership if the cull is extended after the pilot scheme; and
- (i) urges the Government to reconsider the decision as there is no scientific, economic or moral basis for culling.

¹ (<http://sheffielddemocracy.moderngov.co.uk/mgAi.aspx?ID=4963> – 13 June 2014)