

**You are hereby summoned to a meeting of the Council
to be held on:-**

**Date:- Wednesday, 3 June 2015 Venue:- Town Hall, Moorgate Street,
Rotherham. S60 2TH**

Time:- 2.00 p.m.

COUNCIL MEETING AGENDA

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any item which the Mayor is of the opinion should be considered as a matter of urgency
3. Declarations of Interest.
4. To submit for approval the minutes of the Annual Council Meeting held on 22nd May, 2015 (herewith) (Pages 1 - 10)
5. To consider any communication received by the Mayor or the Managing Director and to pass a resolution or resolutions thereon.
6. To consider any questions from Members of the Public.
7. To receive the report of the Organisational Review of Rotherham Council - Laying the Foundations (herewith) (Pages 11 - 40)
8. To receive the report of the Community Governance Review - Orgreave Parish (herewith) (Pages 41 - 51)
9. To receive the report of the Governance Review of Rotherham Metropolitan Borough Council (herewith) (Pages 52 - 58)
10. To receive the report of the Adoption of a Revised Statement of Community Involvement (herewith) (Pages 59 - 103)
11. To receive the report on the Changes to Disciplinary Procedures for Senior Officers (herewith) (Pages 104 - 111)

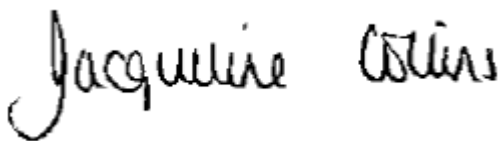
12. To receive and consider reports, minutes and recommendations of the Standards Committee - Pages 14B to 20B (Section B) (Pages 112 - 118)

Minute No. B23 (Outcome of Standards Hearing Regarding the Alleged Breach of the Code of Conduct) (Page 17B) refers.

13. To receive and consider reports, minutes and recommendations of the Audit Committee - Pages 29N to 38N (Section N) (Pages 119 - 128)
14. To receive and consider reports, minutes and recommendations of the Health and Wellbeing Board - Pages 78S to 93S (Section S) (Pages 129 - 144)
15. To receive and consider reports, minutes and recommendations of the Planning Board - Pages 48T to 59T (Section T) (Pages 145 - 156)
16. To receive and consider reports, minutes and recommendations of the Staffing Committee held on 10th April, 2015 - Pages 6U to 8U (Section U) (Pages 157 - 159)

Minute No. U9 (Annual Pay Statement) (Page 7U) refers.

17. To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Standing Order No. 7(5).
18. To put questions, if any, to Cabinet Members and Chairmen (or their representatives) under Standing Order No. 7(1) and 7(3).



J. COLLINS,
Director of Legal and Democratic Services.

COUNCIL MEETING - 22/05/15

COUNCIL MEETING
Friday, 22nd May, 2015

Present:- The Mayor (Councillor John Foden) (in the Chair); Councillors Ahmed, Alam, Ali, Atkin, Beaumont, Beck, Buckley, Burton, Clark, Cowles, Currie, Cutts, Elliot, Ellis, Godfrey, Gosling, Hague, J. Hamilton, Hoddinott, Jepson, Johnston, Jones, Khan, Lelliott, Mallinder, McNeely, Middleton, Pickering, Pitchley, Read, Reeder, Reynolds, Robinson, Roche, Rose, Rosling, G. A. Russell, Sansome, Sims, Smith, Steele, Turner, Tweed, C. Vines, M. Vines, Wallis, Watson, Whelbourn, Whysall, Wyatt and Yasseen.

A1 ELECTION OF CHAIRMAN

Resolved:- That Councillor Maggi Clark be elected Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972.

Mover:- Councillor Sims

Second:- Councillor Read

Councillor Clark thereupon made and subscribed the statutory declaration of acceptance of office.

(Councillor Clark assumed the Chair)

A2 VOTE OF THANKS TO THE RETIRING MAYOR

Resolved:- That the Council tender its sincere thanks to Mr. John Foden for the excellent manner in which he has carried out all his duties as Mayor of the Metropolitan Borough of Rotherham and that the best thanks of this Council be recorded for the kind and admirable way in which Mrs. Kath Foden performed the duties of Mayoress.

Mover:- Councillor Sims

Second:- Councillor Johnston

A3 ELECTION OF VICE-CHAIRMAN

Resolved:- That Councillor Christopher Middleton be elected Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Deputy Mayor by virtue of section 245(1) of the Local Government Act 1972.

Mover:- Councillor Read

Second:- Councillor C. Vines

Councillor Middleton thereupon made and subscribed the statutory declaration of acceptance of office.

A4 DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

A5 COUNCIL MINUTES

Resolved:- That the minutes of the meetings of the Council held on 4th March, 2015, be approved for signature by the Mayor, subject to a clerical correction at Minute No. A115 (Delegated Powers) relating to Minute D34 (Waiving of Standing Orders) and amending the word “acceptable”, which should read “unacceptable”.

Mover:- Councillor Read

Seconder:- Councillor Watson

A6 COMMUNICATIONS

(1) The Managing Director submitted the following petitions which had been referred to the appropriate Directorates for consideration:-

- Containing 270 signatures from local residents requesting immediate full corrective maintenance to the road surface on the complete length of Greystones Road, Whiston.
- Containing 14 signatures from local residents requesting residents' only parking on Bateman Road leading to Ridgeway Close, Hellaby.
- Containing 32 signatures from local residents requesting the Council do not remove the security gates at the three points, but put a key lock on entrances to Victoria Street, College Road and Prince's Road.
- Containing 841 signatures from Sarah Champion MP in support of the Tenants Hall St John's Green, Kimberworth Park who are opposed to the closure of the Community Hall.
- Containing 28 signatures from local residents for the erection of a speed camera on Mansfield Road.

(2) The Managing Director submitted apologies for absence from Councillors Astbury, Evans, Finnie, Fleming, Hughes, Hunter, Parker, Roddison, Rushforth and Taylor.

A7 ELECTION OF COUNCILLORS

The Returning Officer reported that the persons indicated below had been elected Members of the Council at the election held on 7th May, 2015:-

Forename (s)	Surname	Ward	No of votes polled
Robert Paul	Taylor	Anston and Woodsetts	1873
Mohammed Saghir	Alam	Boston Castle	2703
Taiba Khatoon	Yasseen	Boston Castle	2273
Andrew Scott	Roddison	Brinsworth and Catcliffe	2744

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Janet Martin	Mallinder	Dinnington	2037
Richard	Fleming	Hellaby	2317
Lyndsay	Pitchley	Holderness	2570
Jane	Hamilton	Hoober	2751
Paul	Hague	Keppel	2487
Christine	Beaumont	Maltby	2298
Simon	Evans	Rawmarsh	2702
Darren Jason Louis	Hughes	Rother Vale	2529
Tajamal	Khan	Rotherham East	2527
Ian Paul	Jones	Rotherham West	2873
Jon Bryan	Rosling	Silverwood	2527
Julie	Turner	Sitwell	2716
Eve	Rose	Swinton	3005
Dave	Pickering	Valley	2566
Dominic Edward	Beck	Wales	2351
Jayne Christine	Elliot	Wath	2834
Christopher	Read	Wickersley	2786
Richard	Price	Wingfield	2291

Resolved:- That the report indicated below be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

A8**ROTHERHAM IMPROVEMENT PLAN**

Consideration was given to the draft Improvement Plan for Rotherham MBC, produced by the Commissioners in line with the requirements of their appointment, as set out in the Secretary of State Directions published on 26th February, 2015.

In addition to addressing the performance issues identified, the Plan had been shaped by the Commissioners' developing views, since their appointment, on the most urgent improvement actions required to deliver a "fresh start" for Rotherham. It had taken into consideration a range of discussions with leading Councillors, input from a staff corporate working group and soundings from members of the LGA Improvement Board.

Resolved:- (1) That the content of the Plan for submission to Secretaries of State be approved.

(2) That the individual and collective commitments of fulfilling the Elected Member roles in delivering the improvements, set out within the Plan, be confirmed.

(3) That the proposal for a Joint Board of Commissioners and leading Elected Members (supported by a corporate officer group) to oversee delivery of the Plan within the Council be approved.

Mover:- Councillor Read

Seconder:- Councillor Watson

A9 INDEPENDENT REMUNERATION PANEL

Consideration was given to the report of the Independent Remuneration Panel on the level of Members' Allowances Scheme and expenses it considered should be paid to Members and Co-opted Members of Rotherham Metropolitan Borough Council.

Resolved:- (1) That the contents of the report be noted and the recommendations be approved and the Members' Allowances Scheme be amended accordingly.

(2) That the Independent Remuneration Panel be thanked for their hard work and the very thorough way they have reviewed the Members' Allowance Scheme.

Mover:- Councillor Read

Seconder:- Councillor Watson

A10 SCRUTINY TERMS OF REFERENCE AND PRIORITIES 2015/16

Consideration was given to the proposed revisions to the Scrutiny Terms of Reference and Priorities for 2015/16 within the Constitution following a review in light of the changes to the executive decision making arrangements of the Council, following the appointment of Commissioners to take all decisions relating to executive functions and licensing.

Resolved:- (1) That the changes to the constitution – Appendix 2 Overview and Scrutiny Procedure Rules (Appendix A of this report) be approved.

(2) That the proposed work priorities and ways of working for Scrutiny for 2015/16 (Appendix B of this report) be approved.

Mover:- Councillor Steele

Seconder:- Councillor Hamilton

A11 APPOINTMENTS TO COMMITTEES, BOARD AND PANELS OF THE COUNCIL AND AMENDMENTS TO THE COMPOSITION OF THOSE BODIES

The Director of Legal and Democratic Services submitted details of the new membership arrangements in respect of Overview and Scrutiny Select Commissions and the membership allocations to committees, boards and appointments to outside bodies for the forthcoming year.

COUNCIL MEETING - 22/05/15

Resolved:- (1) That the minor amendments to the composition of the bodies described at Appendix A be approved.

(2) That the appointment of Members to the Council's bodies below be approved and the appointments of representatives to joint authorities made by Commissioner Sir Derek Myers, as described at Appendix B, also below, be noted:-

Executive:-

Leader of the Council
Deputy Leader
Advisory Cabinet Member
Advisory Cabinet Member
Advisory Cabinet Member

Councillor Read
Councillor Watson
Councillor Lelliott
Councillor Roche
Councillor Sims

Area Assemblies:-

Wentworth North
(Hoover, Wath, Swinton)
Rotherham North
(Keppel, Wingfield, Rotherham West)
Rotherham South
(Rotherham East, Boston Castle, Sitwell)
Wentworth South
(Rawmarsh, Valley, Silverwood)
Rother Valley West
(Brinsworth/Catcliffe, Rother Vale, Holderness)
Rother Valley South
(Dinnington, Anston/Woodsetts, Wales)
Wentworth Valley
(Maltby, Hellaby, Wickersley)

Chairman ViceChairman

Sansome Hamilton
Johnston Jones
McNeely Yasseen
Evans Rosling
Buckley Pitchley
Whysall Taylor
Godfrey Beaumont

REGULATORY BOARDS

Standards Committee:-

Councillor Alam
Councillor Beaumont
Councillor Beck (Chairman)
Councillor Finnie
Councillor Fleming
Councillor Hughes (Vice-Chairman)
Councillor Pitchley
Councillor Taylor
(8)

Independent Members:-

Mr. I. Daines
Ms. A. Dowdall
Mr. P. Edler
Ms. J. Porter
Mrs. C. Saltis

Parish Council Representatives:-

Councillors D. Bates, D. Rowley and R. Swann.

Advisory Licensing Board:-

Councillor Beaumont
Councillor Beck
Councillor Buckley
Councillor Clark
Councillor Currie
Councillor Elliot
Councillor Ellis (Chairman)
Councillor Evans
Councillor Hague
Councillor Hamilton
Councillor Jones
Councillor McNeely
Councillor Parker
Councillor Reeder
Councillor Reynolds
Councillor Robinson
Councillor Rushforth
Councillor Steele
Councillor Taylor
Councillor Wallis (Vice-Chairman)
Councillor Wyatt
(21)

Advisory Licensing Committee:-

Councillor Beaumont
Councillor Beck
Councillor Buckley
Councillor Elliot
Councillor Ellis (Chairman)
Councillor Evans
Councillor Hamilton
Councillor McNeely
Councillor Parker
Councillor Reeder

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Councillor Reynolds
Councillor Rushforth
Councillor Taylor
Councillor Wallis (Vice-Chairman)
Councillor Wyatt
(15)

Planning Board:-

Councillor Astbury
Councillor Atkin (Chairman)
Councillor Godfrey
Councillor Lelliott (Advisory Cabinet Member)
Councillor Middleton
Councillor Pickering
Councillor Roche
Councillor Rosling
Councillor Sims
Councillor Smith
Councillor Tweed (Vice-Chairman)
Councillor John Turner
Councillor M. Vines
Councillor Whysall
Councillor Yasseen
(15)

Substitutes:-

Councillor Beaumont (Wentworth Valley)
Councillor Burton (Rother Valley South)
Councillors Cutts/Johnston (Rotherham North)
Councillor Khan (Rotherham South)
Councillor Roddison (Rother Valley West)
Councillor Sansome (Wentworth North)
Councillor Evans (Wentworth South)

Audit Committee:-

Councillor Alam
Councillor Cowles
Councillor Evans
Councillor Hughes (Vice-Chairman)
Councillor Wyatt (Chairman)
(5)

SELECT COMMISSIONS

Overview and Scrutiny Management Board:-

Councillor Beck
Councillor Cowles
Councillor Hamilton (Vice-Chairman)
Councillor Hughes
Councillor Mallinder
Councillor Pitchley
Councillor Reynolds
Councillor Sansome
Councillor Steele (Chairman)
Councillor Julie Turner
Councillor Whelbourn
Councillor Wyatt
(12)

Health:-

Councillor Ahmed
Councillor Alam
Councillor Burton
Councillor Elliot
Councillor Ellis
Councillor Evans
Councillor Fleming
Councillor Godfrey
Councillor Hunter
Councillor Khan
Councillor Mallinder (Vice-Chairman)
Councillor Price
Councillor Sansome (Chairman)
Councillor Reeder
Councillor Rose
Councillor Rushforth
Councillor Smith
Councillor M. Vines
(18)

Improving Lives:-

Councillor Ahmed
Councillor Astbury
Councillor Beaumont
Councillor Burton
Councillor Clark
Councillor Currie

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Councillor Cutts
Councillor Hamilton (Chairman)
Councillor Hoddinott
Councillor Hague
Councillor Jones
Councillor Pitchley (Vice-Chairman)
Councillor Rose
Councillor Rosling
Councillor Taylor
Councillor Tweed
Councillor John Turner
Councillor M. Vines
(18)

Improving Places:-

Councillor Atkin
Councillor Beck (Chairman)
Councillor Buckley
Councillor Cutts
Councillor Godfrey
Councillor Gosling
Councillor Jepson
Councillor McNeely
Councillor Pickering
Councillor Smith
Councillor Reeder
Councillor Robinson
Councillor Rosling
Councillor C. Vines
Councillor Wallis
Councillor Whelbourn (Vice-Chairman)
Councillor Whysall
Councillor Wyatt
(18)

REPRESENTATIVES ON JOINT AUTHORITIES

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

Councillors Atkin and Buckley

**BARNSELY, DONCASTER, ROTHERHAM AND SHEFFIELD
COMBINED AUTHORITY**

Councillor Read, Councillor Watson (Substitute) and Councillor TBC
(Rotational Member)

Transport Committee - Councillors Godfrey and Lelliott
Scrutiny Committee – Councillor Steele

SOUTH YORKSHIRE PENSIONS AUTHORITY

Councillors Ellis and Wyatt

SOUTH YORKSHIRE POLICE AND CRIME PANEL

Councillors Wallis and Councillor C. Vines

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Council
2.	Date:	3rd June 2015
3.	Title:	Organisational Review of Rotherham Council – Laying the Foundations
4.	Directorate:	All

5 Summary

5.1 One of the key tasks of the Government appointed commissioners has been to review the management structure of Rotherham Council and make recommendations, while at the same time producing a corporate Improvement Plan for submission to the Secretary of State by 26th May 2015. Undertaking a senior management review has been particularly urgent because of the gaps in permanent management appointments at the top of the organisation, following resignations and retirements. In addition the report makes some recommendations in some other specific areas, for example in relation to the restoration of key parts of the corporate management of the organisation; democratic services and the communications function.

5.2 The terms of reference for the organisational review are:

To review the current organisational structure of Rotherham MBC, with a particular focus on

- a) The authority exercising effective corporate governance and meeting the Best Value requirement to secure continuous improvement
- b) Its ability to achieve maximum economy, efficiency and effectiveness
- c) Making the operation of the organisation as transparent and corporate as possible
- d) Relationships with partners and the Council's ability to keep children and vulnerable adults safe and to tackle child sexual exploitation
- e) How the authority promotes the economy and the opportunity for local people to prosper
- f) The context of tight financial resources and the need for future savings.

6 Key proposals

The key proposals in the report are as follows:

1 Second tier job titles to be changed from “Director” to “Assistant Director”

2 Creation of the post of Strategic Director for the new Directorate of Community Well-being and Housing to include Adults Services and most of Housing and Neighbourhoods Services

3 Director of Public Health to report directly to the Managing Director/Chief Executive

4 Creation of posts of Assistant Director Strategic Commissioning and Assistant Director Independent Living and Support for the new Community Well-being and Housing Directorate in relation to Adult Social Care Services

5 The existing retitled post of Assistant Director Housing and Neighbourhood Services should be within the Community Well - being and Housing Directorate

6 Deletion of post of Director of Human Resources and creation of an Assistant Chief Executive Partnerships, People and Performance

7 Creation of a Strategic Director Finance and Corporate Services post

8 Human Resources to be managed by the new post of Assistant Chief Executive

9 Inclusion of Scrutiny in Democratic services, creation of a Democratic Services Manager post and transfer of Democratic Services into the management of the Assistant Chief Executive

10 Creation of a new Corporate Performance Team to be created initially from existing staff from within the authority

11 Re – creation of the Equalities function to include responsibilities for helping to support cohesion, to be located in the Policy and Performance Team

12 Creation of a Voluntary Sector Liaison Manager

13 Restructuring of the Communications Team

14 Deletion of post of Director of Transformation (formerly known as Internal Audit and Asset Management) and creation of post of Assistant Director Audit, ICT and Procurement

15 Creation of post of Assistant Director Community Safety

16 Transfer of Asset Management permanently into Environment and Development Services.

7 Finance

Some of the costs of the new posts created are already in the budget. However there will be some new costs which including on-costs at current estimates would be a minimum of £218,807. The costs will be covered from the savings being driven out of “all service reviews” being done as part of the budget processes currently being set up for the 2016/17 budget. There are areas where other savings can be made through improving systems and driving out the time-wasting of repeat and ineffective work. There are likely to be a small number of savings in the area of Communications and Marketing. The detail of this will depend on which staff members are appointed to the posts in the new structures and how many redundancies are generated. All of the new posts will be paid at the levels in the normal salary scale and job evaluation scheme. There will be no extra payments unless unsuccessful recruitment processes make this absolutely necessary.

8 Benefits

Implementing these proposals will bring the following benefits:

- Beginning the process of getting best value in management costs across the council
- Reinforce the importance of democratic services supporting Elected Members
- Clarify the permanent structure to the benefit of members, staff and public
- Enable recruitment to key posts
- Enable progress forward on the sustainable changes to the council which are needed
- Enable the council to take all the steps necessary to support Children and Young People's Services in providing high quality children's social care and tackling child sexual exploitation
- Restore capacity to elected members and the future chief executive to have oversight of the performance and priorities of the whole council.

9 Key Recommendations

It is recommended that

- a) The proposals listed should be agreed**
- b) Formal consultation on the proposals should take place as soon as possible**
- c) Subject to the outcome of those consultations an implementation plan should be produced and staged implementation should take place**
- d) Budgetary consequences should be factored into budget planning for late 2015/16 and for the coming financial year 2016/17.**

10 Background papers

The following background papers were considered as part of this report:

- Independent inquiry into CSE in Rotherham, by Professor Alexis Jay (26th August 2014)
- Ofsted Inspection of Services for children in need of help and protection, children looked after and care leavers *and* the Review of the effectiveness of the Local Safeguarding Board (19th November 2014)
- Louise Casey Corporate Governance Inspection report, on the council's ability to deliver on its best value obligations (4th February 2015)
- Secretary of State Directions to the Council (26th February 2015).
- Children & Young People's Services Improvement Board Action Plan
- DCLG Best Value Statutory Guidance (September 2011)
- Rotherham Improvement Plan "A Fresh Start" (May 2015).

If you have any queries about this report please contact:

Stella Manzie CBE
Commissioner and Managing Director
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01709 822773

MAIN REPORT – ORGANISATIONAL REVIEW ROTHERHAM COUNCIL

LAYING THE FOUNDATIONS

“A Best Value authority must make arrangements to secure **continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness (LGA 1999, section 3[1])”**

- 1 Rotherham Council has been nationally profiled in the wake of the Jay Review, the Casey Corporate Governance Investigation and an Ofsted review. In response to these reviews and the concerns about the Council’s response to criminal acts of child sexual exploitation. In February 2015 five commissioners were appointed by the Secretary of States for Communities and Local Government and Education.
- 2 As set out in the summary above, it has been necessary to undertake an organisational review predominantly addressing senior management arrangements but also dealing with a number of issues related to the effective corporate management of the authority.
- 3 The review has of necessity been short and sharp, addressing the most urgent issues, laying the foundations for the right senior staffing structures and accountabilities and giving some stability to the Council. It has been undertaken by me as Commissioner and Managing Director and will signal some areas where further work will need to be undertaken. It has not cut across the work being done on the structure of Children and Young People’s Services which is being dealt with by the Commissioner for Children’s Services and the Strategic Director, Children and Young People’s Services.

The context of Rotherham

- 4 The Council is has the powers and duties of all aspects of local government services. As a mixed very urban and rural metropolitan borough it has to consider the different needs across the authority. It is part of the metropolitan area of South Yorkshire and is served by police, fire and other regional bodies. The population of Rotherham has increased by 10,400 (4.2%) since 2001 to reach a record 258,700 in 2013. Population projections suggest that the population will increase by about 1,000 a year, to reach 266,500 by 2021. Rising life expectancy, more births than deaths and migration are all factors causing the population to increase. Rotherham has a number of thriving industries and has made great strides since the decline of the historic steel and coal industries, but it continues to be the 53rd most deprived district out of 326 districts in England.
- 5 Black and Minority Ethnic (BME) groups make up 8.1% of the Borough population (2011 Census), with those of Pakistani or Kashmiri origin being the largest community. Smaller BME groups include Slovak, Czech and

Romanian Roma, Black African, Irish, Chinese, Indian and Arab. In 2008, 40.9% of the relevant cohort obtained 5 or more GCSE's A*-C including English and Maths but this had increased to 57.3% by 2014. Rotherham was 6.7% below the English average in 2008 but in 2014 was 3.9% above average. This of course shows that there is still much more progress to be made to increase these levels of achievement. The 2011 Census shows that 20.6% of people aged 16-64 in Rotherham had no qualifications compared with 14.8% in England. These figures just give a flavour of the issues facing Rotherham Council.

Current Senior Management Structure

- 6 The current senior management structure is in a transitional position. Attached at **Appendix 1** is the Rotherham Council Management Structure 2014 pre December 2014, with three Strategic Directors and eleven second tier officers known as Directors, including the Director of Public Health as a second tier officer in the former Neighbourhood and Adult Services Directorate. There had been a Strategic Director (Resources) in the structure originally, but this had been deleted in 2012 when the post-holder left the Council and the three functions of finance, HR and Legal and Democratic Services reported directly to the Chief Executive until earlier this year. The post of Monitoring Officer has been held by the Director of Legal and Democratic Services. The post of S151 Officer had been held by the Director of Finance, now Acting Strategic Director. Following the departure of the two remaining Strategic Directors and the Chief Executive in late 2014, elected members and the Interim Chief Executive made arrangements to secure the management of the organisation and co-operate with the appointment of the Children's Services Commissioner, to improve Children and Young People's Services. This meant:
- appointing a Strategic Director Children and Young People's Services on a fixed term contract (initially one year, then extended to two)
 - creating and filling internally a post of Acting Strategic Director retitled Resources and Transformation overseeing the full range of corporate services – Communications, Human Resources (including shared HR transactional services with Doncaster), ICT, Insurance and Risk, Internal Audit, Legal and Democratic Services, Procurement as well as the direct service of Revenues and Benefits
 - not filling the Strategic Director Neighbourhood and Adult Services and appointing an acting Director (second tier) of Adult Services
 - redistributing the non-Adult Services functions of NAS and Asset Management functions previously held with Audit, to the substantively held post of the Strategic Director Environment and Development Services

- attaching a lead role on Transformation to the Director responsible for Internal Audit , ICT and Procurement .

This transitional structure with which elected members and commissioners are working currently is set out at **Appendix 2**.

History of Recent Management Restructurings in Rotherham

- 7 Examining the history of restructurings from 2003 onwards, there has been a gradual reduction in the numbers of second tier officers (Directors). There have been models with one or more than one Assistant Chief Executive and then later, moves to absorb those functions into responsibilities of Strategic Directors. One issue is marked over time – the relative lack of profile of Policy and Performance functions in the overall structure of the council in particular at the corporate centre, despite the existence of performance and quality staff. These are essential functions to support the ability of elected members and the chief executive, first to keep a grip on how the authority is performing, and second, to research and initiate policy and challenge the practice of service departments and produce innovative policy in a constructive way. In most authorities one of the key roles of this kind of Policy and Performance function is also to take joint lead of the budget process with Finance colleagues.

Key organisational and philosophical questions

- 8 There are of course different views about the best way to organise local authorities and trends come and go. Key questions are:
 - To what extent should there be central resource to support taking an overview of the whole authority and driving corporate behaviour?
 - What is the balance between the strategic and the operational?
 - How to get value for money from senior management costs while not making jobs “undoable” because of the number of responsibilities they carry?
 - What levels of support services (human resources, finance, legal, procurement and ICT services) are needed to make the authority work but not over-burden it with overhead cost?
- 9 Central to this issue is of course productivity. If you have well – managed, high performing staff at every level, junior and senior then you need fewer of them, and you can, with the right performance indicators and financial information, be confident that you are achieving value for money.

Management structures in other authorities

10 In the time available it has not been possible to do a full – scale, systematic review of alternative management structures used in other authorities. However I have looked at other medium sized metropolitan authorities across the country eg Leicester, Coventry, Doncaster and Gateshead and found that the numbers of Strategic Director level and next level posts are not dissimilar to those proposed in this paper. The number of Strategic Director posts varies between four and three (plus a Director of Public Health), but where there are three there tend to be more tiers underneath e.g. posts of Deputy Director. Some have an Assistant Chief Executive, some do not. Some have Director of Public Health embedded in Adult Services, some have the Director reporting directly to the Chief Executive as is proposed in this paper. In the context of Rotherham I would advise a four Strategic Director structure, in particular not having a single post for Children's and Adults' services, given the major challenges which face Children's Services and the need for a longer term programme of improvement in Adult Social Care.

The Rotherham context

11 The reports and inspections in relation to Rotherham have focused on corporate failings such as lack of leadership by members and officers and a lack of vision and strategy to drive the authority forward. The failings in children and young people's services appear not to have been visible to the rest of the organisation and there is no corporate performance framework. At the same time there are issues where corporate standards are required, such as completion of the Forward Plan or quality of report writing, which have not been clear and where high standards have not been met. Organisational structures are not the answer to all these problems, but the way in which you set up management structures can make it harder or easier to manage. In addition, structures can be symbolic of the state of the organisation. If there appears to be no consistency between the style of job titles, numbers of levels of management and spans of control this is often symbolic of a lack of control of the overall organisation. At the same time there are differences between services and a management structure which might suit environmental services, might not suit learning disability services.

12 Key points to bear in mind in effective structures are:

- The most senior managers in the authority must be responsible for the effective operation of their services as well as being able to think and act strategically, summed up by the phrase "feet in the mud , head in the skies"
- If you remove capacity to challenge and manage from elected members and the chief executive, the council will lose its ability to be effective

- The avoidance of confusion is imperative – if accountabilities are not clear then it enables officers to claim lack of clarity as an excuse for failure
- There will always be complexity and the need to work across the council on certain issues – it is rare for a service to be able to achieve anything alone, without the support of another service whether it be finance, communications or health and safety.

13 In the recently published Improvement Plan we have spoken about being a child-centred borough. This is not an issue which is directly addressed just by structural changes, although of course these are important in terms of managerial oversight and accountability. Issues about being “child-centred” relate to how much focus we give to children and young people in all our daily work and how in every aspect of the council we seek to fulfil the key aims of the Children and Young People’s Improvement Plan, that

- Children and young people are healthy and safe from harm
- Children and young people start school ready to learn for life
- Children, young people and their families are ready for the world of work.

The Council’s Improvement Plan “A Fresh Start” says more about this concept.

MANAGEMENT STRUCTURE PROPOSALS

Key strategic issues

14 This report is not designed to be a thorough look at the whole management structure. That process will need to take place as part of budget – related service reviews. However, there are urgent steps which need to be taken to stabilise the management, give elected members confidence that their council is in safe hands and the workforce confidence that they are being well – led. There are some specific proposals about key service areas such as Communications and Democratic Services where, although there is good work done by those teams, changes are essential to make the functions more effective.

Lack of focus on performance and driving continuous improvement

15 Examining structure changes in the Council over the last few years they evidence an overwhelming drive based on a wish to save money (sometimes in the wrong places or in the wrong way), without focusing enough on what the qualitative needs of a complex strategic and operational organisation are. The last mention of a senior level filled post dealing with corporate

performance on the structure chart is in the structure chart of 2012. By 2013, the post is vacant and since then it has disappeared altogether.

Strategic corporate services

- 16 In addition to the evident lack of focus on performance management and quality at a corporate level, it is also clear that, despite interesting developments (like the shared services arrangements with Doncaster for Human Resources transactional services and Internal Audit) there has not been much strategic focus on how corporate support services are provided and what strategic drive they can provide to improving the performance of the council. This report therefore contains proposals to address this, including creating the posts of Strategic Director Finance and Corporate Services and Assistant Chief Executive (focusing on Human Resources, Democratic Services, Communications, Partnerships, Policy and Performance).

Effective senior officer leadership

- 17 Criticism of senior leadership in the Casey Report related just as much to officers as to elected members. It is essential that there is sound, stable leadership at the top of the organisation. Making sure that the council has an effective top team is an urgent priority as without this the authority will not be able to move forward. Elected members will not feel they have staff who are in it for the longer term and staff will feel that there is continuing instability. The proposals below are designed to enable the authority to get to that point as quickly as possible, building on some of the steps taken by Members and the Interim Chief Executive Jan Ormondroyd earlier in 2015. The proposals do not refer to the appointment of the Chief Executive, which is an essential component of this process. Commissioners are keeping this issue under review, but subject to the rate of progress on some key management issues it is possible that advertising for this post will take place in Autumn 2015.

Consistency and transparency of job titles

- 18 One of the first key principles behind the restructuring is to make the structure transparent and understandable to elected members, staff, the public, partners and national organisations. Job titles may seem like a trivial issue to some, but one of the very first issues which has struck those involved in the organisation from outside Rotherham, is the confusing nature of the title "Director" used at the second tier of the organisation i.e. under Chief Executive and Strategic Directors. The use of this title leads to confusion within the authority when discussing different posts and responsibilities, but even more so to those outside where the normal expectation would be that the Director would be someone at first tier level (equivalent to Rotherham's Strategic Directors). In many local authorities (particularly in metropolitan authorities like Rotherham) those people at second tier levels would be either

Heads of Service, or Assistant Directors. It is important that Rotherham does everything it can to avoid ambiguity of how it works, both to its staff and to those outside the authority, so it is proposed, subject to consultation, to change the existing “Director” job titles to “Assistant Director” as soon as possible. Job titles are symbolic of the organisation and they need to make sense and be in plain English.

DIRECTORATE OF COMMUNITY WELL- BEING AND HOUSING

Creation of this Directorate

- 19 It is proposed that the Adult Social Care and Housing functions be brought together in a new Directorate called Community Well-being and Housing . This title is deliberately different from the old Neighbourhood and Adult Services (NAS) as it is designed to reflect the current emphasis on caring for people in their own community for as long as possible and make links to maintaining the well-being of the population in every way. And of course Housing, both strategically and operationally is an important partner in those tasks.
- 20 In addition to the Housing and Adult Social Care functions, the previous NAS Directorate also had a range of environmental functions which this report proposes stay with Environment and Development Services, where they have been in the transitional structural arrangements since December. The title and composition of the new Directorate reflects the:
- Need to provide diverse, universal services in the community which elderly people, adults with learning and physical disabilities and their carers can access according to their choices
 - Importance of housing (both private housing and social housing) and related services in prevention and whether people can stay in their own home
 - Need for communities to be not just about bricks and mortar, but also about the quality of life and well-being which people who live in Rotherham wish to create for themselves, supported by elected members and council officers
 - Profile of Health and Well-being and the governance structures which surround it, which in turn need to be aligned with the Safeguarding Boards for Children and Adults and the Children and Young People’s Partnership/Children’s Trust (currently being reviewed).

What posts are needed to make this work?

- 21 Currently there is a senior experienced interim health and social care first tier manager leading the adult social care functions at the existing director level.

He has been commissioned by me to make proposals for restructuring in adult social care services. These are predominantly concerned with the current senior management structure, but also relate to the philosophy and quality of services which the Council with its partners can offer to elderly people and learning and physically disabled adults in Rotherham. In the longer term, changes are also likely to bring savings to contribute either to reinvestment in services, or to the budget challenge facing the authority. A key part of this work in conjunction with colleagues in Children and Young People's Services, will be on having a proper "jointly owned" "Transitions" service to handle transition in support from the Children and Young People's wing of the authority to Adults, as young people move into adult-hood. The history of the transition of responsibilities for young adults has been chequered in local government and it is imperative that Rotherham can be confident of how it is handled here.

22 The programme of work required in the new Directorate to modernise services and reflect the wish to sustain people in the community for as long and as much as possible will demand long-term commitment and persistent focus on modernising services for local people so they are in full command of their lives and living independently as long as possible and permanent senior staff are needed to deliver that.

23 The proposed posts at a senior level in this Directorate are:

- Strategic Director (Community Well-being and Housing) (New but budget available)
- Assistant Director Strategic Commissioning (New but budget available)
- Assistant Director Independent Living and Support (New, new funding required)
- Assistant Director Housing and Neighbourhood Services (Existing, with some adjustments).

24 This will mean that there are two second tier posts dealing with Adult Social Care, rather than one – a fairer reflection of the challenge of providing a range of high quality services to growing numbers of older and disabled people, many of whom wish to retain their independence for as long as possible, while being able to access support at the right stage in their lives.

25 Moving towards this structure will be a gradual process given the need to accommodate running the Council's direct services, so implementation will be phased, but subject to agreement to these proposals, there would be early

recruitment to the new Strategic Director post and the two new Assistant Director posts.

26 The functions of:

- Environmental protection regulation and enforcement
- Noise and pollution control, statutory nuisance
- Enviro-crime enforcement
- Traveller/Gypsy Land trespass
- Licensing enforcement – taxis, licensed premises

which were previously in Housing and Neighbourhood Services, will remain in the Environment and Development Services Directorate, where they have been transitionally. They will not be part of the Community Well-being and Housing Directorate as their functions will have more impact linked with the other environmental and community safety functions in EDS. The private sector housing standards function will however remain in Housing and Neighbourhood Services.

27 Anti-social behaviour and community safety functions will also be transferred from Housing and Neighbourhood Services into the Environmental and Development services under a newly created Assistant Director Community Safety (see paragraph 49).

28 Implementation of the proposal to create the new post of Strategic Director (Community Well-being and Housing) and recruit to it should be immediate. This is essential not only to give confidence to elected members and staff that there is a permanent post-holder for adult social care and housing services, but also so that the new postholder can make a confident contribution to the corporate leadership and management of the authority, and can work positively with partners, particularly in the health and voluntary sectors. Creation of the two new Assistant Director posts and deletion of the existing one will be linked with the restructuring of the manager level in Adult Social Care, which will release funding which can go towards the funding of this second Assistant Director post.

Creation of an Assistant Chief Executive Partnerships, People and Performance

29 The Assistant Chief Executive, Partnerships, People and Performance would manage

- **Human Resources**
- A new **Corporate Performance** team to be created initially from existing staff from within the authority
- The existing **Policy and Partnerships** team which includes support to the Rotherham Strategic Partnership and a range of related partnerships, a very small policy function, and corporate complaints
- **Voluntary sector strategic liaison** (one new post to be drawn from existing staff)
- **Communications** – the existing (restructured) communications function (see below)
- A recreated **Equalities and Cohesion** function, drawn from existing staff, currently placed in Housing and Neighbourhood Services with reconstructed post or posts.

The post of Director of **Human Resources** would be deleted.

Human Resources

30 The Human Resources function is a critical strategic function of the authority. In the light of the criticisms of Rotherham, how the authority uses human resources strategy and supports those who are leading and managing the authority and the workforce generally, is critical. It is therefore proposed to have this function reporting to the chief executive through a new post of Assistant Chief Executive whose responsibilities will bind together some of the lynch – pin corporate functions which influence the success or failure of elected members and chief executive. Human Resources in Rotherham covers the strategic functions of policy, industrial relations and organisational development, along with “consultancy” which focuses on more complex HR cases where managers need support and the shared transactional services between Rotherham and Doncaster(Payroll and HR advice). They must be a key strategic player in how the authority moves forward, acting as and being seen as strategic thinkers and influencers, not just guardians of procedures. When advertised, the post of Assistant Chief Executive will be promoted as a post which can either be filled by someone with a strong HR background but who also wants to work with Members, work on performance etc, or as someone with a Policy and Performance background used to working with Members, but with a strong interest in HR.

Transfer of Democratic Services into the management of the Assistant Chief Executive, inclusion of Scrutiny within Democratic Services and re-creation of a Democratic Services Manager post

- 31 Services which would normally be covered by the title “Democratic Services” are to some extent, fragmented. Democratic Services currently contains committee services, services to members including PAs to the Leader, Mayor and Deputy Leader and two members of staff working partly for the rest of the elected member group and partly supporting Education Appeals. There is a post - holder with the title of Democratic and Business Support Manager but in fact much of his work does not relate to Democratic Services and his post was adjusted as the result of a deletion of a Democratic Services Manager post in the past. The Scrutiny function is seen as a separate function from the rest of Democratic Services even though its role is fundamentally to support elected members in the specific activity of Scrutiny. There are of course a number of important Town Hall and mayoral functions. One of the results of the loss of a “true” Democratic Services Manager post has been the loss of a clear focus for elected members as to whom they can go to (below the level of Director of Legal and Democratic Services) when they have issues in relation to the governance of the council and the support of their needs. There has also been less opportunity to drive continuous improvement in this area because of the management structures which have existed.
- 32 There are issues about the balance of resource in Democratic Services, where there are 4.8 full time equivalent posts(FTE) supporting the Scrutiny function (and work on supporting member induction and some smaller functions), 4 FTE providing support to committees and 4 FTE giving support to Leader, Mayor and Deputy Leader and all remaining elected members. These are in addition to the Town Hall support services. This means that the support provided to elected members generally, to pursue casework and deal with correspondence from the public is slim and not as focused as it could be although this is supplemented by the work of Scrutiny. Again there needs to be some thought about how the overall resource is used, with the potential to move one member of staff from Scrutiny to lead Members Services and improve support services to the wider group of elected members.
- 33 It is recognised that the Director of Legal and Democratic Services carries a significant burden of legal work, as well as being Monitoring Officer and having electoral responsibilities for elections and electoral registration, in particular in the coming year, having to recruit a new Electoral Services Manager. At the same time there is considerable work to be done in Democratic Services to upgrade the quality of governance systems for elected members. There is a valuable opportunity with the creation of the Assistant Chief Executive post to ensure that Democratic Services is a part of the drive

to give proper pro-active support to elected members allied to the strengthening of corporate functions generally. It is therefore proposed:

- a) To include the Scrutiny function within Democratic Services
- b) To re-create the post of Democratic Services Manager to give the right level of drive and impetus to be continuously improving the service to members and governance and decision-making processes of the Council
- c) To transfer the Democratic Services function to the management of the Assistant Chief Executive to enable a clear focus on Members' day to day requirements and energetic management of all the other Democratic Services including Scrutiny.

Democratic Services would continue to work closely with Legal Services but with a new focus on being a fundamental point of corporate decision-making and the celebration of democracy. Within the informal consultation which has taken place prior to publication of this report, there have been some concerns about splitting Legal and Democratic Services, due to the need for close working on some issues. However, this close working can still take place, with the advantage of a new impetus behind Democratic Services, and placing Democratic Services within the new Assistant Chief Executive function remains the proposal.

Creation of a new corporate performance team to be created initially from existing staff from within the authority

34 In early 2015 38.6 staff across the whole Council were engaged on "performance and quality" activities. The role of these staff varies and they are vital to providing and analysing essential management information and service data needed to run day to day services. They are particularly important in Children and Young People's Services and Adult Social Care where a great deal of reporting to inspection services and government departments is required, as well as tracking inspection outcomes, good practice and innovation inside and outside the Council and keeping up with UK and international trends in service delivery. But currently none of these types of staff are located at the centre of the organisation or providing an overview of the information needed to manage all the Council properly. This means that leading members and the chief executive have not been equipped to track the performance of the organisation overall and where its strengths and weaknesses lie. A normal function within most large local authorities would be to have either a small performance function at the centre, usually

linked to the policy function, to take an overview of detailed performance data collected by such services as Adults Social Care, Children's Social Care, Education, Environment, Housing or to have a single corporate unit which supports all services. Performance teams also keep track of inspections and other quality assurance processes, co-ordinating these to varying degrees depending on the capacity of the authority. This function is often also linked to a research function just as in a commercial business, looking at the policies and performance of other authorities to enable members to challenge their own services. For this reason the work of this type of function can also prove helpful to the scrutiny function in the Council.

- 35 It is understood that there have been significant reductions in the numbers of staff working on performance and quality over the years and this report does not attempt to do a detailed analysis of exactly the skill mix and tasks the current services are currently engaged on which will be looked at in more detail. This recommendation does however highlight the need to configure the resource available to supply the material which will be required by the chief executive and the elected members to drive the authority's policies, services and continuous improvement within the policy function. This will of course be closely linked to the driving of the future corporate performance framework, an important part of the Council's Improvement Plan objectives.
- 36 We are currently looking at an option where Children and Young People's Services retain their own performance and quality function for the foreseeable future given the necessary focus on achieving outstanding services, but we are proposing a single corporate performance function, based on the function currently based in Adults Services, which already deals with Adults services, EDS and Public Health to support Members, the Chief Executive and the relevant service department. Outside this report, there are discussions taking place about proposed levels of staffing.

Re – creation of the Equalities function to include responsibilities for helping to support cohesion

- 37 Until recent organisational arrangements, there was a recognised Equalities function within the Council ensuring that the Council met legislative requirements and served all its communities fairly. However the staff were transferred into the Housing and Neighbourhoods function. Some posts have been deleted, others have become community engagement officers working with groups locally through the mechanism of housing and estates. These moves have had the effect of removing corporate impetus to drive proper attention to Equalities including the provision of advice on Equality Impact Assessments, an essential part of policy-making. The proposal is that the Council recreates the Equalities function, with a new structure of one to two

posts, structure and grading to be agreed, but to be drawn from existing budgets through redeployment of staff and associated budgets. This should be done immediately. The Equalities function should be located in the Partnerships and Policy team.

Creation of a Voluntary Sector Liaison Manager

38 On reviewing the existing functions of the council, one of its striking features is the lack of any single post with responsibility for voluntary sector liaison, a key component of being able to work positively with key partners in the voluntary sector. Inevitably a range of council staff have contacts with the voluntary sector, particularly Children's and Adults' services. However there needs to be a strategic focus on the Council's relations with voluntary organisations individually and Voluntary Action Rotherham. It is proposed that an Assistant Director in the authority should be asked to play a role as Strategic Lead as part of their job, with redeployment of a funded officer at M3 level as all or part of their role to do this. There are two possible choices about the location of that post – either centrally as part of the partnership team or as part of Adult Social Care. In order to reinforce the importance of working with the voluntary sector and making the links with the partnerships team, it is proposed to place the post under the Assistant Chief Executive Partnerships, People and Performance.

Restructuring of Communications and Marketing Function

- 39 While working with the media is often what people think of when they think of communications, in fact it includes issues like the vital job of communicating with our partners and local people, supporting management in communicating properly with our staff - getting out common messages, keeping them up to date and reminding them of the purpose and values of the Council; marketing our services, for example the museum; running campaigns on issues like attracting more foster carers, public health and environment and of course making sure that what we put on the internet or intranet is well – communicated.
- 40 A separate more detailed paper is currently out for more informal discussion directly with Communications and Marketing staff but in conjunction with the Head of Communications and Marketing, I am proposing a restructuring which aims to have a more strategic and integrated approach to managing the vital functions of the Council's external and internal communications.
- 41 The Head of Communications and Marketing post will remain, with a specific focus on supporting a forward communications strategy and there will be a Communications Manager post dealing with internal communications, the website and intranet, a smaller Design and Creative team including web designer, supporting the Chief Executive and Assistant Chief Executive and

deputising for the Head of Communications and Marketing. There will be three integrated teams supporting Directorates - Children and Young People's Services; Community Well-being and Housing and Environment and Development Services and Finance and Corporate Services - developing some expertise in the services they support. Discussions are underway about the Online Services team.

- 42 Staff will need to be more multi-skilled and flexible in dealing with the wide variety of communications tasks in line with the need to communicate in a wide range of media to a wide range of audiences. Staff will of course be supported as they learn some new skills but it will require a new approach with new job descriptions and specifications. There will continue to be some areas of specialist skills.
- 43 We are proposing transferring some functions out of Communications e.g. Events and Online Management to Planning, Regeneration and Culture, and Customer Services and Libraries, respectively, to ensure more emphasis on common styles, presentation and alignment with what we present to the public audience on the website.
- 44 The aim of these proposals is to :
- Provide a more flexible sustainable overall management structure to the communications service
 - Continue to have the appropriate focus on media-handling
 - Set up more integrated, multi-skilled support to the service directorates, while retaining the necessary corporate approach
 - Give the opportunity for a more strategic focus on the planning of communications
 - Give an increased focus on internal communication to staff
 - Reduce costs.

They will retain core communications functions at the centre and return the important Events function to the EDS directorate on the understanding it will still support events across the council. The proposals will generate some small savings, which will be provided in more detail later following discussions with the staff of the Communications Team. Informal consultation is underway with staff and unions.

FINANCE AND CORPORATE SERVICES DIRECTORATE

Creation of Strategic Director Finance and Corporate Services

- 45 It might be argued that a version of this post was set up by elected members and the interim chief executive earlier this year. However, inevitably this has had the sense of being an interim arrangement with all the uncertainties of the

arrival of the commissioners, so it is important to be clear about responsibilities etc. Currently the Acting Strategic Director of Resources and Transformation is responsible for four Directors

- Finance including Revenues and Benefits
- Legal and Democratic Services
- Transformation (previously described as Internal Audit and Asset Management) (currently includes Internal Audit and ICT)
- Human Resources (Director post vacant).

In addition to this the acting Strategic Director has taken temporary responsibility for Communications and the Head of Policy, Improvement and Partnerships and team.

- 46 It is proposed that the new post of Strategic Director Finance and Corporate Services is created and that the new post would be responsible for Finance including Internal Audit, ICT, Revenues and Benefits, Legal and Democratic Services and Procurement.

Deletion of post of Director of Transformation (formerly known as Internal Audit and Asset Management) and creation of post of Assistant Director Audit, ICT and Procurement

- 47 The current post of Director of Transformation does not have the “weight “ you might expect a Director level post to have in terms of responsibilities. It currently manages the Internal Audit and ICT functions. At the same time some previously odd decisions about where functions were in the organisation, have been exposed by the departure of previous Chief Officers. For example Procurement, a function you would normally expect to see in central or corporate services was actually in the former Neighbourhood and Adult Services. Since the departure of the Strategic Director for NAS, the Procurement Manager for the authority has been reporting direct to the Acting Strategic Director Resources and Transformation. ICT a function which was in the former BT joint venture company is now headed at Manager level, reporting to the Director of Transformation. It is proposed that the Procurement function should be located with this post - holder , newly designated Assistant Director Audit, ICT and Procurement. Procurement is an increasingly important function and very important to the Council’s value for money and sits comfortably with Internal Audit and ICT.

ENVIRONMENT AND DEVELOPMENT SERVICES

Transition period and future priorities

- 48 The Strategic Director of Environment and Development services has “looked after” a number of services put under his supervision during the transitional period following the departure of other members of the Strategic Leadership Team. He has also played a major role in supporting the work of the Licensing Board and Commissioner Ney in reforming the Council’s taxi licensing function. Under the proposals earlier in this report, Housing and Neighbourhood Services will become part of the new Community Well-being and Housing Directorate. The Licensing function will remain permanently in its new home in Streetpride.
- 49 The Directorate already plays a key role in economic development through the Planning, Regeneration and Culture service and the Strategic Director has personally supported elected members and the Interim Chief Executive in the work of the Sheffield City Region, as well as in Rotherham economic development and promotion. As the authority begins to promote a new strategy, much of which is likely to be focused on job creation and skills it will be increasingly important that the Strategic Director is able to spend time on strategic developments as well as on ensuring operational effectiveness of the Streetpride and Planning, Regeneration and Culture Services.

Creation of post of Assistant Director Community Safety

- 50 It is proposed to create a new Assistant Director to be a senior corporate lead for Community Safety. Although there is a full – time Community Safety Manager, the authority is not operating at the level it now needs given the importance of making Rotherham a safe place for everyone and given the relative fragmentation of functions relating to Community Safety across the Council. In many urban authorities Community Safety is led at a strategic level and this would give a renewed focus to the issues in particular the importance of the liaison with the South Yorkshire Police and the National Crime Agency. The new post would report directly to the Strategic Director Environment and Development Services. Its functions would include:
- Being the senior lead on community safety issues across the Council
 - Supporting the Safer Rotherham Partnership
 - Supporting the Strategic Director Environment and Development Services in senior level liaison with the Police
 - Taking the lead on PREVENT issues(terrorism issues)
 - Taking the lead on MAPPA
 - Taking a strategic approach to the pursuit of perpetrators of child sexual exploitation.
 - Emergency Planning.

- 51 One of the key roles of Community Safety would be to co-ordinate reviewing of hotspots and the gathering of community safety information across the Council. Consideration will need to be given to whether the planned joint enforcement team is within Community Safety or elsewhere in EDS.

Transfer of Asset Management into Environment and Development Services

- 52 Asset management which is about the management of commercial and service property was for some time linked with the internal Audit and ICT functions. Since the recent transitional phase of the management structure it has been reporting to the Director of Housing and Neighbourhood Services. However with the repositioning of the Housing Service with Adult Social Care, it makes sense for Asset Management to remain in Environment and Development Services under the Director of Planning, Regeneration and Culture, given the close links with these services. It will of course be important to ensure that there are appropriate checks and balances through the Director / Assistant Director between this service (possibly to be renamed Land and Property) and the Planning Service, but these types of arrangements exist in many local authorities.

Key strategic issues to be followed up at a later date

- 53 There are a range of strategic issues which have not been dealt with in this report. One example is the lack of clarity about where the strategic lead for customer and online services sits within the council's management. There is of course a post at third tier level (Customer and Cultural Services Manager) located in the Environment and Development Services Directorate. Considerable work is being done to look at how best to progress further the work on modern, online services within the authority, with key leads from Environmental and Development Services and corporate functions such as Finance and ICT. However, although there are some good transactional services through the Council's website, there are still areas for improvement in telephone access to the Council where there are still too many numbers and access points. The location of the Customer Services responsibility including the corporate contact centre, in Environmental and Development Services, while understandable given the development of services from libraries, does not make clear the corporate priority that customer service access has to have within the authority, in order to make the final steps towards modernisation and to maintain the focus on the customer. This service is often linked with ICT. This however is a subject for longer and more detailed discussion than is possible in this report..
- 54 A second example, mentioned in some staff comments, relates to the strength and focus on work on Skills in Rotherham and whether that is set up

appropriately and sufficiently in partnership with others, reflecting the employment and training issues facing local people.

Summary of views from staff

55 Prior to producing this report, following my invitation to staff to give their comments on the structure of the Council I received sixteen responses, two of which were team responses and the others individual. Issues covered included :

Specific issues

- Bringing facilities management and corporate property together
- Questions about the positioning of external funding in the council
- Need for more emphasis on community cohesion
- The potential of bringing together various functions to give a stronger community safety focus, including concerns about current lack of capacity in planning policy and co-ordination in relation to community safety

Management issues in the Council

- Restoring some management capacity in key areas
- Importance of getting staff to work across service boundaries and towards common goals across the council
- Concerns that the streamlining of services as a result of budget pressures has led to a weakening of professional skills and professional development
- Concerns about differing management spans of control between different areas of the council

Corporate and strategic issues

- Pleas for a more strategic approach to budgeting avoiding apparently endless rounds of restructuring
- Need to generate more corporate working and the need for a central challenge and quality function
- The possibilities offered by a stronger corporate policy function
- Serious criticism of the lack of project management processes within the Council and a wish to see much better organisation of change management

Staff

- Importance of learning and development to staff
- Points about the commitment and hard work of the vast majority of staff
- Reservations about the extent to which “business processes” can be applied to public services
- A plea for the majority of posts to be externally advertised to give the maximum opportunity for the best possible field of candidates
- Concerns about any possibility of “extra payments” to senior staff
- Frustrations about the amount of space in Riverside House for technical equipment, ICT network issues and capacity.

56 The recommendations in this report either directly or indirectly address the points listed under the “Corporate and strategic issues” heading. Many of the issues about different spans of management control will be addressed during service reviews as part of the budget process. In relation to the matters under the “Staff” heading, senior posts will be advertised externally with internal candidates welcome to apply. The pay scales will be the standard agreed pay scales and it would only be in exceptional circumstances that a market supplement might be applied e.g. where even after innovative recruitment processes it is demonstrably difficult to recruit. Some of the issues raised cannot be addressed in this phase of senior restructuring but are to do with the culture and style of the way the organisation operates, for example proper recognition of the importance of specific professional skills as well as those in general management. I will be going back to all those who have commented with detailed responses and will be making more detailed enquiries about some of the specifics.

57 Since the issuing of the pre-cursor paper to this report and a separate paper on the Communications and Marketing function, I have received 21 further sets of detailed comments on the proposals, predominantly, but not exclusively about Democratic Services and Communications and Marketing. I have covered these, or referred to some of these in the paper above, for example in correcting some previous factual inaccuracies and have met with the Democratic Services Team. I am further examining the Communications and Marketing comments and it may be that some changes are made to the proposals but they will follow the general principles outlined in this report.

Financial Implications

58 Within the proposals above there are proposals to create five posts which are already funded. These are

- Strategic Director Community Well-being and Housing
- Strategic Director Finance and Corporate Services (already factored into 2016/17 budget projections).
- Assistant Director Strategic Commissioning
- Assistant Chief Executive Partnerships, People and Performance (part)
- Voluntary Sector liaison post.

In addition to this the recreated Performance and Equalities functions will initially be drawn from existing staff.

New posts which are currently unfunded will be as follows

- Assistant Chief Executive (part)
- Assistant Director Independent Living and Support
- Assistant Director Community Safety
- Democratic Services Manager.

59 The total costs of these including on-costs at current estimates would be a minimum of £218,807. The costs will be covered by the savings being driven out of the service reviews being factored into the budget processes for the 2016/17 budget. There are areas where other savings can be made through improving systems and driving out the time-wasting of repeat and ineffective work. There are likely to be a small number of savings in the area of Communications and Marketing and there will be further reporting back on this.

60 All of the new posts will be paid at the levels in the normal salary scale and job evaluation scheme. There will be no extra payments unless recruitment processes demonstrate this is necessary, and we are not envisaging this at the moment.

Staffing implications

61 All the usual formal consultation arrangements will apply in relation to this review. There are likely to be a small number of post losses in Communications and Marketing and the first approach would be to seek to achieve redeployment wherever possible.

Conclusions and Recommendations

62 Members will note that these proposals remove the designation “Transformation” from two posts in the interim structure. This is because the changes which need to be made in the council need to be owned by all senior managers. Lead roles in change management will be played by all the Strategic Directors and the Assistant Chief Executive Partnerships, People and Performance and by a range of other staff in influential positions, led of course by the new Chief Executive when appointed.

63 The drive in this report is to achieve Best Value for Rotherham citizens and businesses. Many of the changes we need to make are not attributable to structure but about what the Council does and how it does it. We can increase the productivity of staff by opening up the opportunities for innovation and drive which many staff are desperate for, and reducing the opportunities to hide behind ambiguity and lack of performance management which has been in place in some areas of the authority. Proactive management can help staff perform at their absolute best ensuring that in every part of the authority services are at the very least to a good standard and in many places excellent. In some places however, this will take time because of the extent of change in philosophy and approach which will be required. The authority will have to relearn how to behave in a corporate, joined up way, to serve better both members and the public.

64 Recommendations are therefore that:

The proposals listed should be agreed

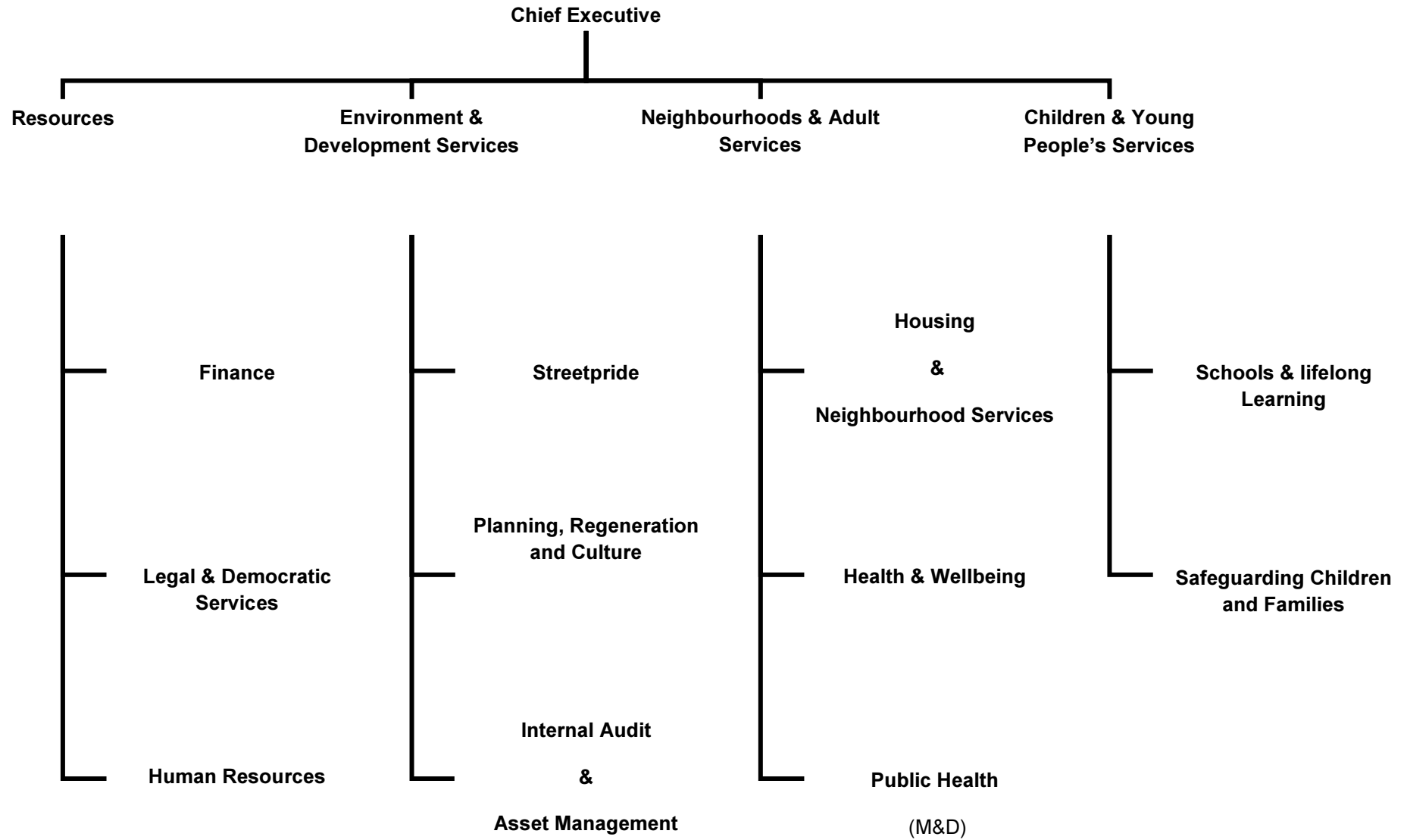
- a. Formal consultation on the proposals should take place as soon as possible**
- b. Subject to the outcome of those consultations an implementation plan should be produced and staged implementation should take place**
- c. Budgetary consequences should be factored into budget planning for late 2015/16 and for the coming financial year 2016/17.**

Stella Manzie

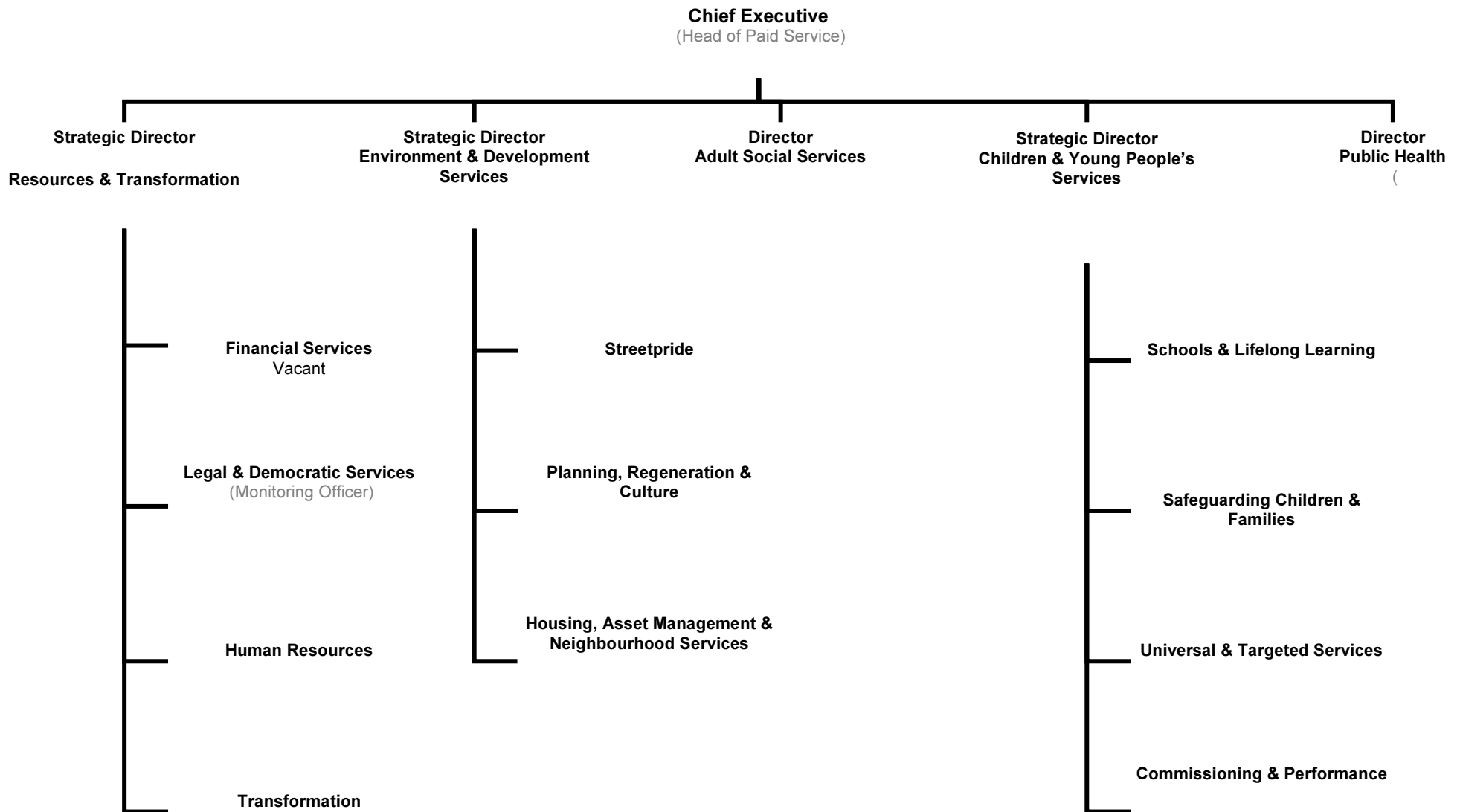
(Commissioner Managing Director)

Appendices

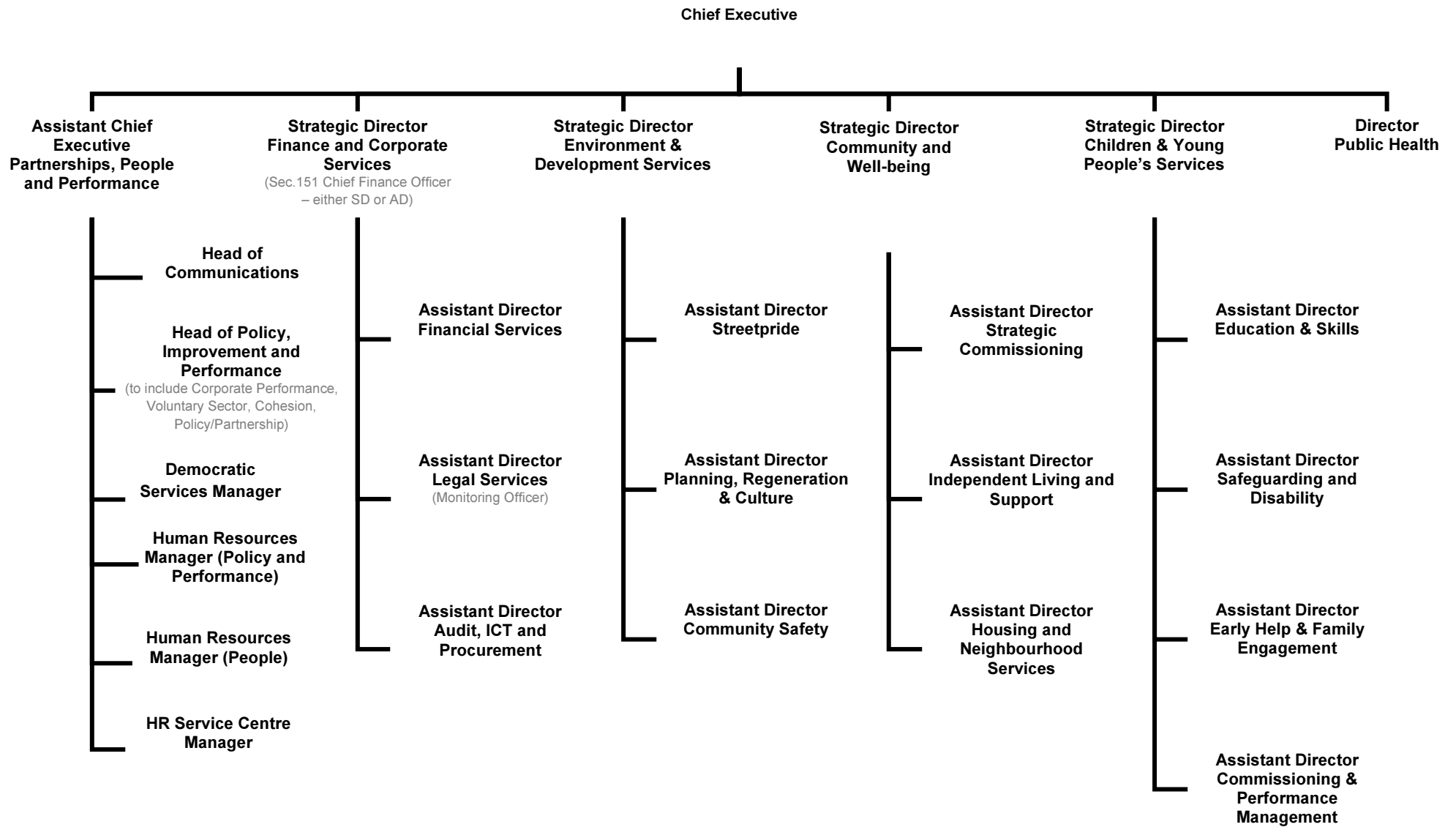
Rotherham MBC Management Structure 2014	Appendix 1
Rotherham MBC Transitional Management Structure May 2015	Appendix 2
Rotherham MBC Proposed Management Structure 2016/17	Appendix 3
May 2015	



Rotherham Council Senior Management Structure February 2015



Rotherham Council Proposed Senior Management Structure 2016/17



1.	Meeting:	Council Meeting
2.	Date:	3rd June, 2015
3.	Title:	Community Governance Review- Orgreave Parish
4.	Directorate:	Resources

5. Summary

The Council have received a petition from Orgreave Parish Council requesting a Community Governance Review. This report explains the statutory background, outlines the proposed timetable and the role of the Council role in carrying out the review.

6. Recommendations

- that Council agrees to undertake a community governance review in the parish of Orgreave;
- that Council approves the terms of reference for the review ; and
- that a further report be submitted with the results of the consultation exercise

7. Proposals and Details

7.1 The Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes to the 'Principle' Council Rotherham Metropolitan Borough Council now, therefore, has the power to carry out a Community Governance Review.

7.2 The Council has received a petition from Orgreave Parish Council asking that a Community Governance Review be undertaken in the Orgreave Parish Council area. The first page of the petition is at Appendix 1. The petition is a valid petition under the provisions of the Act.

7.3 The petition asks for a Community Governance Review to be undertaken with a view to altering the existing boundary of the parish of Orgreave to enable a separate parish to be formed for the new development known as Waverley. A map of the existing site and the proposals is at Appendix 1.

7.4 The reasons provided for the request are outlined in the terms of reference at Appendix 2 to this report.

If a valid petition is received, by the Council, is obliged to undertake out a review

Criteria

Section 93 of the Act require the Council to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area
- Effective and convenient

When considering the criteria the Council should take into account

- The impact of community governance arrangements on community cohesion and
- The size population and boundaries of a local community or parish

The Council is required to publish terms of reference for the review and this is at Appendix 2. Also at Appendix 2 is the proposed timetable for the review.

Government advice is that any community governance review should be completed within twelve months and any changes introduced on the 1st of April in the relevant year.

8. Finance

8.1 There will be a cost to undertaking the review. The terms of reference need to be publicised and the review advertised. 8.2 There will be a cost for the advertising and a cost in officer time in undertaking the review.

It is considered that this should not exceed £10,000.

9. Risks and Uncertainties

9.1 Until the review is completed it will not be known whether the proposals will fulfil the criteria outlined in the guidance. It is a Council decision whether to accept any conclusions of any review and a further report will be submitted to Council with recommendations on the completion of the review.

10. Background Papers and Consultation

10.1 Correspondence between Council officers and Orgreave parish council guidance on Community Governance Reviews - Local Government boundary commission for England 2010.

Files held by Legal Services.

10.2 Initial Consultation has been undertaken by Orgreave Parish Council which resulted in submission of the petition. Further consultation, as part of the review, will be carried out including

1. The Boundary Commission
2. The local community
3. Members
4. The Parish Council

Contact Name: *Stuart Fletcher, Service Manager – Commercial, Property & Information Governance telephone 01709 823523 or e-mail stuart.fletcher@rotherham.gov.uk*

ORGREAVE PARISH COUNCIL – PETITION TO R.M.B.C.

Reason: To alter the existing boundary of the Parish of Orgreave to enable a new parish to be formed for the area known as Waverley.

We the undersigned, being residents in the Parish of Orgreave, hereby petition Rotherham Metropolitan Borough Council to undertake a Community Governance Review for the above reason.

This petition is undertaken in accordance with section 80 of the Local Government and Public Involvement in Health Act 2007.

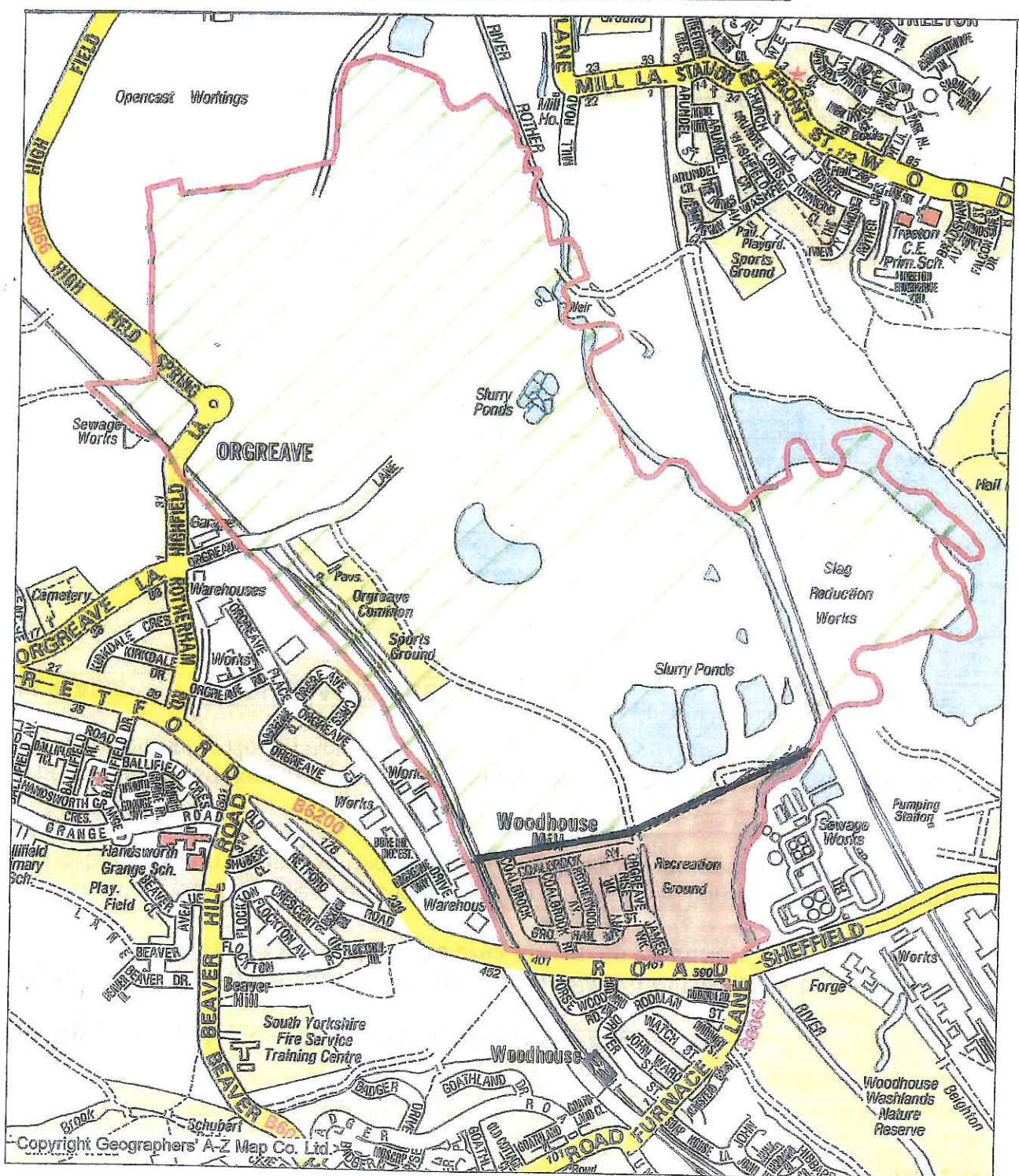
FULL NAME	FULL ADDRESS	SIGNATURE
A Barker	2 Orgreave Rise	A Barker
K Solcas	2 Orgreave Rise	K Solcas
M Fieldhouse	12 Orgreave Rise	M A Fieldhouse C.B.
C.S BATTY	18 ORGREAVE RISE S13 9X7	C S Batty
R. BATTY	" " 12	R. Batty
E Coombes	20 " " "	E Coombes
M Coombes	20 " " "	M Coombes
B Wilkinson	22 " " "	B Wilkinson
A Womble	30 ORGREAVE RISE "	A Womble
J Goodison	29 Orgreave Rise S13 9X2	J Goodison
R Goodison	" " "	R Goodison
D W Kendrick	25 ORGREAVE RISE	D W Kendrick
M Kendrick	" " "	M Kendrick
J Wainwright	23 ORGREAVE RISE	J Wainwright
M. Oldfield	19 Orgreave Rise	M. Oldfield
S Mills	15 ORGREAVE RISE	S Mills
L FAIRWEATHER	9 ORGREAVE RISE	L Fairweather
LIEJIEY-SMITH	7 ORGREAVE Rise	LIEJIEY-SMITH
LESLEY WAINWRIGHT	5 ORGREAVE RISE	LESLEY WAINWRIGHT
M Wainwright	11 Orgreave Rise	M Wainwright

The existing Parish of Orgreave is defined on the map shown below as the area contained within the red boundary line.

The proposed new area of Orgreave Parish to consist of the area highlighted in orange on the map shown below. The western, southern & eastern boundary to remain as per the existing Orgreave Parish & Rotherham Borough boundary. A new northern Parish boundary to be formed along the existing Waverley site perimeter fence to the rear of all properties on Coalbrook Avenue & the fence along the northern perimeter of the Woodhouse Mill recreation ground. (See black line on map)

The remaining area of the existing Parish of Orgreave within the Waverley development (as highlighted by the green hatched area) to form a new Parish.

MAP OF THE EXISTING PARISH OF ORGREAVE





COMMUNITY GOVERNANCE REVIEW

ORGREAVE PARISH COUNCIL

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

**TERMS OF REFERENCE
Proposed**

1. INTRODUCTION

1.1 Aims of Review

Following requests from Orgreave Parish Council, Rotherham Borough Council (the Principal Council), has resolved to undertake a Community Governance Review pursuant to Part 4 of the Local Government and Public Involvement in Health Act 2007, to consider

- a) Whether to alter the area of the existing Parish of Orgreave and
- b) Whether to establish a new Parish for the area to be named Waverley

1.2 Why undertake a Community Governance Review?

A Community Governance Review provides an opportunity for principal authorities such as Rotherham Metropolitan Borough Council to review and make changes to community governance within their area.

A Community Governance Review is a review of the whole or part of the District to consider one or more of the following:-

- creating, merging, altering or abolishing Parishes.
- the naming of Parishes and the style of new Parishes
- the electoral arrangements for Parishes (the ordinary year of election; Council size; the number of Councillors to be elected to Council; and, Parish Warding).
- grouping Parishes under a common Parish Council or de-grouping Parishes.

The Government has emphasised that, ultimately, recommendations arising from Community Governance Reviews ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

1.3 Scope of the Review

The Review will specifically consider whether to alter the area of the existing Parish of Orgreave in order to establish a new parish for the area to be named Waverley

Orgreave Parish Council has served a petition on the Principal Council to alter the area of the existing Parish of Orgreave and to establish a new parish for the area to be named Waverley.

The reasons for the petition are:-

- (i) data from the Orgreave Parish Council Boundary Consultation shows that 78% of respondents believe that a new parish should be created (i.e. Waverley Parish);
- (ii) the new Waverley housing development will provide significant changes to the population within the existing Parish of Orgreave;
- (iii) the existing parish boundary between Orgreave and Catcliffe has become anomalous as houses in the Waverley development are built across the boundary with no clearly defined boundary;
- (iv) there are no direct transport links between the two communities;
- (v) there is no “cohesion” between the two communities. They do not share any common

facilities i.e. schools and childcare, leisure centres, local transport facilities, community activities or places of worship; and

- (vi) the new development has already committed to its own identity “Waverley” and is to be managed under its own management committee.

2. THE LEGISLATIVE POSITION

The Local Government Act 1972 , as amended, specifies that each Parish Council must have at least five Councillors, there is no maximum number.

3. CONSULTATION

Before making any recommendations or publishing final proposals in line with legislative requirements, the Principal Council will take full account of the view of local people. The Principal Council will comply with legislative requirements by:-

1. Consulting Local Government electors for the area under review –
 - A Notice will be published in the relevant newspaper, on the Council’s website and the Notice Boards of the Parish. The Terms of Reference of the Review will be published on the Council’s website and sent to the Clerk of the affected Parish.
2. Consulting the Principal Council’s Councillors representing the areas affected by the Review –
 - Letters will be sent enclosing the Notice of Terms of Reference of the Review.
3. Consulting with the relevant Area Assembly.
4. Taking into account any representations received in connection with the Review.

When taking account of written representations, the Principal council is bound to have regard to the need to secure that community governance within the area under the review:

- Reflects the identities and interests of the community in that area; and,
- Is effective and convenient

In order to ensure that this review is conducted transparently, as soon as practicable, the Principal Council will publish its recommendations and take such steps as it considers sufficient, to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.

The Principal Council will also notify each consultee and any other person or bodies that have made written representations, of the outcome of the review.

4. CURRENT ELECTORATES

Using the Register as at 15th December 2014, the electorate for the existing Parish area is as follows:-

Parish/Ward	Electorate
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Orgreave	754
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5. ELECTION RESULTS

The last available results for the parish of Orgreave are for Thursday 5th May 2011. The election was uncontested and the persons below were elected to be Parish Councillors for Orgreave.

Name of Candidate	Home Address
CLEAR Mary	7St James Walk, Orgreave, S13 9XP
FARGHER Michael James	9 St James Walk, Orgreave, S13 9XP
HOLDER Margaret	21 Hail Mary Drive, Orgreave, Rotherham, S13 9XW
MARSH Susanne Yvonne	21 St James Walk, Orgreave, S13 9XP
SLATER Joan	22 Hail Mary Drive, Orgreave, Rotherham, S13 9XW
THORNSBY George Antony	27 St James Walk, Woodhouse Mill, Sheffield, S13 9XP

6. TIMETABLE FOR THE REVIEW

Action	Timetable	Outline of Action
Terms of Reference are published	1 st June 2015	Principal Council publishes Terms of Reference and notifies stakeholders, clearly defining the extent of the review.
Consultation	1 st June 2015 – 28 th August 2015	Views on the proposals sought from interested parties.
Final proposals prepared and published	31 st August 2015 – 30 September 2015	Report to Council on outcome of consultation and approval of final recommendations.
Consultation on final proposals	1 st October 2015 – 30 th November 2015	Copies of final proposals published on website and sent to all interested parties.
Council approval of Order	1 st December 2015 – 31 st January 2016	Report to Council on approval of Order to implement changes
Implementation of Changes	1 st April 2016	

7. YOUR VIEWS

If you would like to say how you view potential future arrangements under these Terms of Reference, please submit your written comments no later than 28th August 2015 to:-

Stuart Fletcher
 Service Manager – Commercial, Property & Information Governance
 Legal & Democratic Services
 Rotherham MBC
 Riverside House
 Main Street
 Rotherham
 S60 1AE

Alternatively your submission may be emailed to
stuart.fletcher@rotherham.gov.uk

Should you require any further information or need clarification on the review process, please contact:-

Stuart Fletcher
 Service Manager – Commercial, Property & Information Governance

Tel: 01709 82 3523

Email: stuart.fletcher@rotherham.gov.uk

These Terms of Reference will be published on the Borough Council website: www.rotherham.gov.uk and will be available for public inspection at the Riverside House, Main Street, Rotherham, S60 1AE. Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within the Parish.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council Meeting
2.	Date:	3rd June 2015
3.	Title:	Governance Review of Rotherham Metropolitan Borough Council
4.	Directorate:	Resources

5. Summary

5.1 The report outlines the reasons prompting a review of the governance arrangements for the Council and provides suggested Terms of Reference.

It also suggests a timetable for the review and seeks views on the membership of the review group.

6. Recommendations

Council is asked;

- to consider and approve the Terms of Reference for the review; and
- to recommend the size and membership of the review group.

7. Proposals and Details

- 7.1 Following the decision by the Secretary of State to appoint Commissioners to assume certain powers in managing the Council, he also announced that he would ask the Commissioners to review the governance arrangements. He stated that suggestions had been made to change the governance arrangements to make them more transparent and accountable. He asked the Commissioners for their views to see what would be the most effective and efficient form of governance.
- 7.2 Before making any decisions the Commissioners wish to have the views of members and the community in Rotherham. Therefore the Commissioners wish to establish a group of elected members to review and examine the issue and report the views of the political parties and of the independent councillors to them. Membership of the review group will require significant commitment as there is a significant amount of work to be undertaken over the course of the next six months. The suggested Terms of Reference for the review are at the **Appendix**.
- 7.3 The Localism Act 2011 gives councils greater freedom in deciding the form of governance for their area. This enables councils to have a form of governance that reflects the needs and aspirations of people living within their area.
- 7.4 It is suggested that the review group will report their findings to the Commissioners within six months and a suggested timetable is in the Terms of Reference at the Appendix. The Commissioners will then report to the Secretary of State with any decision being made in advance of the 2016 elections.

8. Finance

- 8.1 The terms of reference suggest that representatives from councils who are operating alternative arrangements be invited to advise the group and there may be some expenses payable. It is also suggested that visits be made to other councils to observe how the arrangements work in practice. Therefore it is envisaged that the exercise will cost no more than £5000.

9. Risks and Uncertainties

- 9.1 Until a decision is made it is not possible assess any risks or uncertainties in a change of governance.

10. Policy and Performance Agenda Implications

- 10.1 Reviewing the governance arrangements for Rotherham Metropolitan Borough Council should lead to a more efficient and effective Council.

11. Background Papers and Consultation

11.1 'Rethinking Governance Guidance – Centre for Public Scrutiny

Contact Name: *Jacqueline Collins, Director of Legal and Democratic Services,
telephone 01709 8255768 or e-mail jacqueline.collins@rotherham.gov.uk*

Elected member task and finish group: Future Governance Structure for Rotherham MBC

Draft terms of reference.

Version 3 (29-4-15)

1. Membership

Maximum of 10 elected members, to better reflect political balance and to encourage as wide a participation as possible

Chair: To be determined

2. Background

2.1 The Localism Act 2011 expanded the number of decision-making systems that councils could adopt. A formal decision is required to move to a different decision-making system, and would take effect at the Council's Annual Meeting, therefore the earliest this could be implemented in Rotherham would be at the Annual Meeting in May 2016.

The options are:

- Leader and Cabinet – operated by most councils. Decision-making powers can be given to individual cabinet members or retained by full cabinet. The Leader is elected by Council and the Council must have at least one overview and scrutiny committee. This is the model in operation within Rotherham MBC at the time of Government intervention.
- Mayoral system – directly elected executive mayor, who appoints a cabinet made up of other councillors, who may also have decision making powers. The Council must have at least one overview and scrutiny committee. This should also be viewed in light of the growing emphasis upon introducing elected mayors to support regionalisation.
- Committee system – most decisions are made by committees, which comprise a range of councillors, to reflect the political balance of the Council (this is the only model of the three options that specifically requires political balance). The Council is not required to have overview or scrutiny committees but may choose to do so. Individual members cannot make decisions, although these can be delegated to individual officers

2.2 There are variations to these models leading to potential hybrid options for councils to adopt. Councils also have the option of suggesting an approach of their own to the Secretary of State, provided that it satisfies the tests laid out in s9BA of the Local Government Act 2000. To date no Council has devised such a scheme and had it approved.

Regulatory bodies such as Planning and Licensing remain in operation regardless of the governance model adopted.

Key background papers: Rethinking governance, LGA and CfPS; Accountability works for you, CfPS

3. Purpose, objectives and impact of the Task and Finish Group

3.1 The Secretary of State for Communities and Local Government announced the nature of the government's intervention into Rotherham MBC in a statement to the House of Commons on the 26th February 2015. As part of this statement he announced the following:

“It has also been suggested that the governance of the Authority could be improved – made more transparent and accountable - if it were changed to the committee system. Before taking any steps to implement such a change, I will be inviting the Commissioners views as to what they see would be the most effective and efficient form of governance for the Authority. I am also open to representations from the public.”

3.2 The Review group will be established by the Council, following the recommendation of the Commissioners, to seek Member involvement in the determination of a future governance structure. It will therefore consider the main governance options available and make recommendations to the Commissioners on the most appropriate model. Its objectives will therefore be to:

- Consider the main governance options
- Conduct an analysis of the strengths and weaknesses of such models
- Investigate how the models have been implemented elsewhere in the UK and to consider independent evidence regarding their success
- Consider the case for change, including the strengths and weaknesses of the current decision-making arrangement
- Formulate recommendations on the way forward for the Council

3.3 The recommendations will directly influence the future determination of the governance structure of the Council. The governance model will shape its effectiveness, performance, impact on local communities, accountability and leadership and ultimately contribute to the return to local elected members of the administration of the Council and its services.

3.4 The model of governance is key to ensuring that the Council is transparent and accountable to its electorate, via its elected members. An effective system must therefore take account of the extent to which the various communities of Rotherham will be able to influence the different models were they to be implemented. Similarly,

the impact on vulnerable groups or communities with protected characteristics, need to be considered. It is possible that the models may have differing impacts on such groups' ability to influence decision making effectively. The voice of the child is crucial and there will be consultation with and involvement of young people during the review, to ensure that the future arrangements properly involve and represent their views.

3.5 There will also be budget and cost implications for the different models – this will also need to be considered as part of the review

4. Methodology and Timescales

4.1 The review will commence in June 2015, following the local elections and will report by December 2015 at the latest. It will be completed across a programme of 6 meetings and will focus on the following stages:

Stage 1 – Baseline Assessment

Main tasks:

- Establish why the Council might need to change its arrangements and to consider the different viewpoints and perspectives on this, to include an assessment of the strengths and weakness of the current arrangements.
- Consider relevant background information, in particular on the different governance models.

Stage 2 – Options.

Main tasks:

- Determine the main design principles of an effective system, based on the strengths and weaknesses in stage 1.
- Draw up options to support these principles.
- Assess strengths and weaknesses of the models available

This stage will involve the use of research, case studies, visits and use of expert witnesses and guidance.

Stage 3 – Recommendations.

To formulate the recommendations for a future governance model for the Council

4.2 Any change to the model of governance will require consultation with the public. Members should consider a timescale and methodology of conducting this alongside their review and how it might effectively share its findings as part of the that public consultation

5. External Input

5.1 External input to the workings of the Task and Finish Group will take the form of the following:

- Independent technical support to the group to provide insight and advice into the legal structures associated with the models and crucially to provide challenge to the process therefore making it more robust
- External challenge to ensure that the work of the task and finish group is robust in terms of its deliberations and conclusions.
- Invitation of expert guests – where specific experience from other authorities, e.g. Doncaster, Nottinghamshire is deemed to be important in informing the deliberations of the group

Co-opting independent support to the group, where it is felt that particular perspectives or skills/experience are missing from the membership

6. Dates of Meetings

Stage 1 – Meetings 1 and 2 - June and July 2015

Stage 2 – Meetings 3, 4 and 5 – August – October 2015

Stage 3 – Meeting 6 – October or November 2015

7. Reporting Mechanism

Task and Finish Group to report directly to Commissioner Sir Derek Myers as the Lead Commissioner for this objective

Stuart Fletcher

Service Manager – Commercial Property & Information Governance

Legal Services

29th April 2015

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council Meeting
2.	Date:	3 June 2015
3.	Title:	Adoption of a Revised Statement of Community Involvement
4.	Directorate:	Environment & Development Services

5. Summary

- 5.1 The Council's Statement of Community Involvement sets out how we consult on the Local Plan and planning applications. The report outlines the outcome of consultation on a draft revised Statement of Community Involvement. Approval is sought for withdrawal of the current Statement of Community Involvement and adoption by the Council of the revised document.

6. Recommendations

- 1. That the current Statement of Community Involvement be withdrawn.**
- 2. That the Council adopt the revised Statement of Community Involvement.**

7. Proposals and Details

- 7.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to produce a Statement of Community Involvement (SCI). The SCI sets out how and when stakeholders can influence new planning policy documents covering Rotherham, how information will be communicated and the ways in which individuals and organisations can comment on planning applications. It is critical in encouraging engagement in the planning process with the communities and stakeholders of Rotherham and a range of other statutory consultees.
- 7.2 Since the existing SCI was adopted in 2006 the national planning context has changed significantly, particularly with the introduction of the Localism Act (2011), National Planning Policy Framework (2012) and Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.3 These have introduced changes that mean a SCI is no longer a development plan document and is not subject to independent examination. The contents of what a SCI should contain are also now much less prescriptive. Nonetheless, for a development plan document to be found sound at examination in public it must be demonstrated that it has been prepared in accordance with the Council's adopted SCI.
- 7.4 The current SCI has been reviewed and refreshed to create a new simplified and user-friendly document that is fit for purpose. The former Cabinet approved consultation on the draft document at its meeting of 24 September 2014 (minute C56, 24/09/14).
- 7.5 The Draft Revised SCI was subject to a six-week consultation period between 13 October and 24 November 2014. Representations were received from nine individuals or organisations.
- 7.6 Further detail of the consultation process including a summary of the representations received and the Council's response is set out in the consultation statement at **Appendix 1**.
- 7.7 The key issues raised in the representations received were:
- Comments around the volume of supporting documents made available for Local Plan consultations
 - Concern about the use of the internet for consultations as many, especially older residents have no internet access and there is no alternative
 - Information should be concise, easily accessible and easily navigable on the Council's website
 - Concerns around the number and location of public consultation events

- 7.8 A number of comments were received objecting to the development of particular sites. However, the revised SCI sets out how people will be engaged in the planning process – it does not set planning policy or allocate sites for development.
- 7.9 In response to the representations received a number of changes to the document have been made. These are set out in Table 1 of the Consultation Statement (Appendix 1). In summary the changes:
- Explain how people can be added to our consultation database to ensure they are notified of future consultations
 - Clarify that where consultation documents are placed in libraries or other locations, that relevant staff are fully briefed regarding the consultation purpose and material
 - Clarify that we must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible. We will ensure that the information provided through our website is concise, easily accessible and easily navigable
 - Clarify that charges for copies of documents will be limited to the costs of reproduction and postage
 - Emphasise that the Council provides free internet access in all libraries
- 7.10 The text of the revised SCI incorporating the above amendments is included at **Appendix 2**. The final version published on our website may include minor formatting and presentational changes.
- 7.11 Following adoption of the revised SCI the Council will be required to carry out future planning consultations in accordance with the document.

8. Finance

- 8.1 The Planning Policy team budget will meet the costs associated with the production and adoption of the revised Statement of Community Involvement.

9. Risks and Uncertainties

- 9.1 The Council has a statutory duty to prepare and keep up to date a Statement of Community Involvement under The Planning and Compulsory Purchase Act (2004) and The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 9.2 It is important to note that when a development plan document is subject to Examination in Public it is subject to a legal “test of soundness”. The Council must demonstrate the development plan document has been consulted on in accordance with the Council’s SCI. It is also equally important that consultation

on planning applications is carried out in accordance with the SCI so that decisions are not subject to legal challenge.

- 9.3 There are significant tensions in ensuring extensive community participation while meeting the Government's desire for timely determination of planning applications and quicker Local Plan preparation. The revised SCI seeks to balance those aims.

10. Policy and Performance Agenda Implications

- 10.1 The Local Plan will work alongside the Community Strategy to deliver local priorities for development and shares a common goal for effective and worthwhile community involvement.
- 10.2 The pre-application procedures promoted by the SCI will contribute to improving the quality and appropriateness of applications submitted. This will help minimise refusals and reduce the percentage of appeals allowed against the authority's decision to refuse planning applications.

11. Background Papers and Consultation

Appendix 1 Revised Statement of Community Involvement: Consultation Statement

Appendix 2 Revised Statement of Community Involvement

Consultation responses are available to view on our consultation website:

http://rotherham.limehouse.co.uk/portal/planning/sci/draft_sci_2014/draft_sci_2014?tab=list

The Council's Development Management team have been consulted and have helped to draft the section of the revised SCI dealing with the development management process.

The Council's Community Engagement team have been consulted to ensure alignment with corporate aims. The draft revised SCI has also been subject to an Equalities Impact Assessment.

Contact names:

Andy Duncan, Planning Policy Manager
01709 823830, andy.duncan@rotherham.gov.uk

Ryan Shepherd, Senior Planning Officer
01709 823888, ryan.shepherd@rotherham.gov.uk

APPENDIX 1

Draft Statement of Community Involvement 2014

Consultation and Adoption Statement

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Background

1. Since the existing Statement of Community Involvement (SCI) was adopted in 2006 the national planning context has changed significantly, particularly with the introduction of the Localism Act (2011), National Planning Policy Framework (2012) and Town and Country Planning (Local Planning) (England) Regulations 2012.
2. These have introduced changes that mean a SCI is no longer a development plan document (DPD) and is not subject to independent examination. The contents of what a SCI should contain are also now much less prescriptive. Nonetheless, for a DPD to be found sound at examination in public it must be demonstrated that it has been prepared in accordance with the Council's adopted SCI.
3. Furthermore, following the experience of over seven years of using the current SCI a number of drawbacks have been identified with the existing document being particularly lengthy (at around 80 pages) and overly detailed in parts.
4. In response to the above issues the SCI has been reviewed and refreshed to create a new simplified and user-friendly SCI that is fit for purpose. The revised SCI is now presented in three sections which explore the:
 - approach to community involvement
 - influencing the Local Plan
 - getting involved in planning applications

Consultation on Draft SCI

5. The purpose of this section is to provide details about the consultation which has taken place on the draft SCI.
6. Cabinet approved consultation on the draft Statement of Community Involvement at its meeting of 24 September 2014 (minute C56, 24/09/14).

Consultation Period

7. The revised document was published for consultation over a 6 week period, running from 13 October to 24 November 2014. The consultation was timed to tie in with consultation on the Final Draft of the Council's Sites and Policies document which took place over the same time period.

Document Availability

8. The document was made available on the Council's website (see appendix A) and also on the Local Plan consultation website:
<http://rotherham.limehouse.co.uk/portal>
9. Consultees were encouraged to view and respond to the document online, which has the following benefits:
 - ✓ Save time - view and download documents/comments online anytime, anywhere
 - ✓ Environmental - electronic systems save paper

- ✓ Keep track of how your comments are processed
- ✓ View and Search comments made by other consultees once they have been processed

10. The Council provides free internet access at all libraries. The Council has also provided a brief guide to registering with and using the Council's consultation website to submit comments.
11. Where consultees did not wish to respond through the consultation website a response form was made available which could be completed and returned via email or post.

Publicity

12. Notification of the consultation was targeted to individuals and organisations who have previously expressed an interest in being involved with the preparation of the Local Plan. Letters and emails were circulated in conjunction with the consultation on the Sites and Policies document which ran in tandem.
13. Notification was sent to 16,096 general and specific consultees, stakeholders including all town and parish Councils and the general public (see Appendix B – consultation letter).
14. Copies of the consultation document and response forms were made available in all libraries within the borough and copies were also available during the public drop in sessions for the Sites and Policies document:
 - 3 Nov 2014, Rawmarsh High Street Centre, Rawmarsh
 - 6 Nov 2014, Dinnington Resource Centre, Laughton Road, Dinnington
 - 13 Nov 2014, Wickersley Community Centre, Bawtry Road
 - 14 Nov 2014, MyPlace, St Ann's Road, Rotherham

Responses

15. In response to the consultation the Council received representations from 9 individuals, organisations or agents on behalf of others:
 - The Coal Authority
 - Highways Agency
 - Natural England
 - Environment Agency
 - Todwick Action Group (Mr Michael Crowther)
 - Mrs Wendy Blackett
 - Mrs Helen Greer-Waring
 - Ms Sandra Morrell
 - Phil Thornewell
16. A summary of the responses received and the Council's response is provided at table 1.

17. The key issues raised were:
- The large amount and technical nature of supporting information made available during consultations
 - The need to provide concise and easily accessible and navigable information
 - The limited ability of some parts of the community to access information online
 - The amount and location of consultation events
 - Concerns around inclusivity
 - How and when the availability of information is communicated to people
 - The availability of documents in libraries
 - Lack of information on how and where to return consultation comments
 - Requiring payment for paper copies of documents
 - Natural England are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies
18. In light of the comments received the document has been amended as set out in table 1. The following key changes have been made:
- Insert new sentence at the end of paragraph 1.6: "If you would like to be added to our database then you can register online through our consultation website at <http://rotherham.limehouse.co.uk/portal> or contact the Planning Policy team using the details below."
 - Insert new sentence at the end of paragraph 2.11: "These will be limited to covering reproduction and postage costs."
 - Add new paragraph after 2.11: "Where consultation material is placed with libraries or in other locations we will ensure that those responsible for holding the information are fully briefed regarding the purpose of consultation and the material provided. However any queries regarding the content should be directed to the Planning Policy team."
 - Insert new sentence at the end of paragraph 2.12: "We help our communities get to information online by providing free internet access at all of our libraries"
 - Insert new paragraph after 2.13: "We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable."

Adoption

19. Following the consultation process a final version of the SCI has been produced, incorporating the changes set out in table 1.
20. The SCI was adopted by the Council at its meeting of xx (minute xx, xxx). Future planning consultations will be carried out in accordance with this document.
21. The final adopted SCI is available on our website at:
www.rotherham.gov.uk/localplan

Table 1: Summary of representations received and Council response

Name / organisation	Summary of Representation	Council Response	Document Changes
Q1: Do you have any comments on Section 1 of the Draft SCI?			
Mrs Wendy Blackett	Conserve the natural environment is not Council policy; you do not listen to the residents whatsoever. To build more houses at Throapham is disgusting.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required.
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra morrell	Object to the building of homes on the greenbelt land between Todwick and Kiveton Park.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required
Phil Thornewell	<p>Section 1 reads well, however, using the current Final Draft Sites and Policies consultation exercise as an example, it bears absolutely no resemblance to reality.</p> <ul style="list-style-type: none"> Keep the process simple - Having thousands of pages of supporting information does little to suggest simplicity is a consideration. Make it easy for you to get 	The Planning process requires the use of evidence base documents to support decision making and the nature of these is often technical in detail. Furthermore there are documents which the Council is required to produce to comply with relevant legislation such as the Sustainability Appraisal. The Council must balance the need to provide easily	<p>Insert new sentence at the end of paragraph 1.6 "If you would like to be added to our database then you can register online through our consultation website at http://rotherham.limehouse.co.uk/portal or contact the Planning Policy team using the details below."</p> <p>Add new paragraph after 2.11: "Where consultation material is placed</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>involved - the sheer volume of 'stuff' makes it very difficult to participate in this process. Having everything available online can be really helpful for those with access to the internet, but many, especially older residents have no access and there is no alternative. Online access is only good where the information is well laid out and easy to navigate. The 4 public consultation events across the borough are all in locations where there is no public transport link from Todwick.</p> <ul style="list-style-type: none"> • Be inclusive - As above - no evidence of any attempt to be inclusive (of anyone). • Share information with you - Putting stuff on a website simply isn't an effective way of communicating. People need to know it's there and why they should look at it. Sometimes the low-tech 	<p>understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible.</p> <p>Paragraph 1.4 indicates that we will share information using the Council's website, in our libraries and at the Council's principal office whenever this is appropriate and effective. We ensure that libraries and other locations where information is available are briefed regarding the consultation material. It is acknowledged that this could be made clearer in the SCI.</p> <p>It is acknowledged that to encourage the use of information through our website that it should be, wherever possible, concise, easily accessible and easily navigable.</p> <p>The number of and location for public drop in sessions will vary depending upon the type and</p>	<p>with libraries or in other locations we will ensure that those responsible for holding the information are fully briefed regarding the purpose of consultation and the material provided. However any queries regarding the content should be directed to the Planning Policy team."</p> <p>Insert new paragraph after 2.13: "We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable."</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>option can be effective. Why not also make use of the village noticeboard?</p> <ul style="list-style-type: none"> • Make copies of Local Plan documents available - Documents should be available in borough libraries (none of which are on a public transport route from Todwick). Librarians should be made aware of the correct documents for consultation. • Make sure your involvement is effective - My involvement would have been more effective if I had been alerted at the start of the 6 week consultation window, rather than half way through it, and if I had been able to find the relevant information. • Strive to meet our timetable - a cynic might think that this is the only one you really aim to achieve, and that failing to meet all of the others reduces the amount of substantive 	<p>nature of the consultation and also the resources available to the Council; wherever possible we will endeavour to provide these in locations which are accessible to the widest range of people. However we must be realistic and acknowledge that not every Rotherham resident may be able to attend these events.</p> <p>Paragraph 1.6 explains that we maintain a consultation database. It is acknowledged that this could be worded more positively to encourage those interested in the preparation of new planning documents to register their details.</p>	

Name / organisation	Summary of Representation	Council Response	Document Changes
	comments you have to deal with.		
Todwick Action Group (Mr Michael Crowther)	<ul style="list-style-type: none"> Keep the process simple - This process is far from simple. It's very bureaucratic, with very large and wordy documents, little summarisation, vague, ambiguous and contradictory information. The sheer volume of information makes it very difficult to participate in this process. Having everything available online can be really helpful for those with access to the internet, but many, especially older residents have no access and there is no alternative. Only providing online access also removes the need for those producing proposals to be concise as they don't have to take account of printing costs - or therefore audience needs. 	<p>The Planning process requires the use of evidence base documents to support decision making and the nature of these is often technical in detail. Furthermore there are documents which the Council is required to produce to comply with relevant legislation such as the Sustainability Appraisal. The Council must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible.</p> <p>Paragraph 1.4 indicates that we will share information using the Council's website, in our libraries and at the Council's principal office whenever this is appropriate and effective. We ensure that libraries and other locations where information is available are briefed regarding the consultation</p>	<p>Insert new sentence at the end of paragraph 1.6 "If you would like to be added to our database then you can register online through our consultation website at http://rotherham.limehouse.co.uk/portal or contact the Planning Policy team using the details below."</p> <p>Add new paragraph after 2.11: "Where consultation material is placed with libraries or in other locations we will ensure that those responsible for holding the information are fully briefed regarding the purpose of consultation and the material provided. However any queries regarding the content should be directed to the Planning Policy team."</p> <p>Insert new paragraph after 2.13: "We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>Online access is only good where the information is well laid out and easy to navigate</p> <ul style="list-style-type: none"> • The 4 public consultation events across the borough are all in locations where there is no public transport link from Todwick. • Be inclusive - As above - no evidence of any attempt to be inclusive. • Share information with you - just using a website simply isn't an effective way of communicating. People need to know it's there and why they should look at it. Telling me there are changes which affect my village clearly is - so why didn't you? When I phoned and asked RMBC, I was told only those within 50mts were told about the 107 proposed houses - that's about 7 - 100 less than will be built! • Make copies of Local Plan 	<p>material. It is acknowledged that this could be made clearer in the SCI.</p> <p>It is acknowledged that to encourage the use of information through our website that it should be, wherever possible, concise, easily accessible and easily navigable.</p> <p>The number of and location for public drop in sessions will vary depending upon the type and nature of the consultation and also the resources available to the Council; wherever possible we will endeavour to provide these in locations which are accessible to the widest range of people. However we must be realistic and acknowledge that not every Rotherham resident may be able to attend these events.</p> <p>Paragraph 1.6 explains that we maintain a consultation database. It is acknowledged that this could</p>	<p>documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable."</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>documents available - My involvement would have been more effective if I had been alerted at the start of the 6 week consultation window, rather than half way through it, and if I had been able to find the relevant information</p> <ul style="list-style-type: none"> • Strive to meet our timetable - The less you tell people what is happening and how to access the correct info, the more easily this aim is to achieve. The failing to meet all of the others reduces the amount of substantive comments you have to deal with. 	<p>be worded more positively to encourage those interested in the preparation of new planning documents to register their details.</p>	
Mrs Helen Greer-Waring	<p>In an area where there are a lot of elderly people who don't use the internet the process has been more difficult. There was no information about how/where to send written comments.</p> <p>Holding so few drop-in sessions has</p>	<p>The consultation website allows comments to be submitted online. However a response form is normally also provided for those wishing to submit comments in writing or by email. The consultation website provides email and postal address details.</p>	<p>Insert new paragraph after 2.13: "We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>impacted on communications and feedback by limiting the opportunities particularly for those people who do not have internet access.</p> <p>Many people in Todwick who don't have access to a car were unable to attend the drop in session because of the withdrawal of the 27 bus service between Dinnington and Todwick which means getting to Dinnington is now much more difficult.</p> <p>The information has not been presented in a clear and easy to read and understand format. It's taken many, many hours of reading, re-reading, searching and then re-reading to try and match up information in respect of particular sites.</p>	<p>The Planning process requires the use of evidence base documents to support decision making and the nature of these is often technical in detail. Furthermore there are documents which the Council is required to produce to comply with relevant legislation such as the Sustainability Appraisal. The Council must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible. It is acknowledged that to encourage the use of information through our website that it should be, wherever possible, concise, easily accessible and easily navigable.</p> <p>The number of and location for public drop in sessions will vary depending upon the type and nature of the consultation and also the resources available to the</p>	<p>information provided through our website is concise, easily accessible and easily navigable."</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
		Council; wherever possible we will endeavour to provide these in locations which are accessible to the widest range of people. However we must be realistic and acknowledge that not every Rotherham resident may be able to attend these events.	
Q2: Do you have any comments on Section 2 of the Draft SCI?			
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra morrell	Object to the building of homes on the greenbelt land between Todwick and Kiveton Park.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required
Phil Thornewell	Using only (or almost only) online communications must carry responsibility on the part of the authority to provide concise and easily accessible and navigable information. It's too easy to just give access to documents which you wouldn't dream of inflicting on the public in paper form. 2000+ pages is not a consultation! Forcing those	It is acknowledged that to encourage the use of information through our website that it should be, wherever possible, concise, easily accessible and easily navigable. The Planning process requires the use of evidence base documents to support decision making and	Insert new sentence at the end of paragraph 2.11: "These will be limited to covering reproduction and postage costs." Insert new sentence at the end of paragraph 2.12: "We help our communities get to information online by providing free internet access at all of our libraries"

Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>who cannot access electronic versions to pay for paper copies is likely to disenfranchise particular groups. Public drop in sessions are useful - but if Todwick doesn't warrant one even within local transport range now, maybe there should be a note specifically excluding smaller settlements?</p>	<p>the nature of these is often technical in detail. Furthermore there are documents which the Council is required to produce to comply with relevant legislation such as the Sustainability Appraisal (also known as an Integrated Impact Assessment). The Council must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible.</p> <p>The Council offers free internet access at all of its libraries. This provides opportunities for those without, or with limited access to the internet elsewhere to view planning information online.</p> <p>Where we make a charge for printed copies of documents this will be limited to covering reproduction and postage costs.</p> <p>The number of and location for</p>	<p>Insert new paragraph after 2.13: “We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable.”</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
		<p>public drop in sessions will vary depending upon the type and nature of the consultation and also the resources available to the Council; wherever possible we will endeavour to provide these in locations which are accessible to the widest range of people. However we must be realistic and acknowledge that not every Rotherham resident may be able to attend these events.</p>	
<p>Todwick Action Group (Mr Michael Crowther)</p>	<p>Using mainly online communications must carry responsibility on the part of the authority to provide concise and easily accessible and navigable information. It's too easy to just give on-line access to documents which you wouldn't dream of giving to the public in paper form. There are hundreds and hundreds of pages , how do you expect anyone to feel 'consulted'? Asking people to pay for paper copies is likely to put off particular groups/people. Public drop in sessions are useful - but Todwick</p>	<p>It is acknowledged that to encourage the use of information through our website that it should be, wherever possible, concise, easily accessible and easily navigable.</p> <p>The Planning process requires the use of evidence base documents to support decision making and the nature of these is often technical in detail. Furthermore there are documents which the Council is required to produce to comply with relevant legislation</p>	<p>Insert new sentence at the end of paragraph 2.11: "These will be limited to covering reproduction and postage costs."</p> <p>Insert new sentence at the end of paragraph 2.12: "We help our communities get to information online by providing free internet access at all of our libraries"</p> <p>Insert new paragraph after 2.13: "We must balance the need to provide easily understandable information with the need to ensure a transparent</p>


Name / organisation	Summary of Representation	Council Response	Document Changes
	<p>doesn't have buses to the nearest one at Dinnington, so how can everyone have access to them - or the local libraries which need a car to get to them?</p>	<p>such as the Sustainability Appraisal (also known as an Integrated Impact Assessment). The Council must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible.</p> <p>The Council offers free internet access at all of its libraries. This provides opportunities for those without, or with limited access to the internet elsewhere to view planning information online.</p> <p>Where we make a charge for printed copies of documents this will be limited to covering reproduction and postage costs.</p> <p>The number of and location for public drop in sessions will vary depending upon the type and nature of the consultation and also the resources available to the Council; wherever possible we will</p>	<p>process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable."</p>

Name / organisation	Summary of Representation	Council Response	Document Changes
		endeavour to provide these in locations which are accessible to the widest range of people. However we must be realistic and acknowledge that not every Rotherham resident may be able to attend these events.	
Mrs Helen Greer-Waring	<p>I'd like to be able to see the CIL and comment as part of this consultation process but the information is not available until tomorrow when this particular part of the consultation process closes. It would have been helpful to have had all the information available at the same time.</p> <p>I'm interested in the neighbourhood plan concept but I've not had a chance to read all about it yet so can't comment further at this stage.</p>	Where possible we will run consultations together; however this is not always achievable.	No change required
Q3: Do you have any comments on Appendix A: Consultees of the Draft SCI?			
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra morrell	Object to the building of homes on the greenbelt land between Todwick	The revised SCI sets out how people will be engaged in the	No change required

Name / organisation	Summary of Representation	Council Response	Document Changes
	and Kiveton Park.	planning process; it does not set planning policy, or allocate sites for development.	
Q4: Do you have any comments on Section 3 of the Draft SCI?			
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra morrell	Object to the building of homes on the greenbelt land between Todwick and Kiveton Park.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required
Q5: Do you have any comments on Appendix B Material Planning Considerations of the Draft SCI?			
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra morrell	Object to the building of homes on the greenbelt land between Todwick and Kiveton Park.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required
Q6: Do you have any other comments on the Draft SCI?			
Natural England	Unable to comment on individual Statements of Community Involvement, however supportive of the principle of meaningful and early engagement of the general	Your comments are noted. It is considered that the revised SCI allows for meaningful engagement at appropriate times in the planning process.	No change required.

Name / organisation	Summary of Representation	Council Response	Document Changes
	community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.		
The Highways Agency	No comments to make	Noted	No change required.
The Coal Authority	No comments to make	Noted	No change required
The Environment Agency	No comments to make	Noted	No change required
Ms Sandra Morrell	Object to the building of homes on the greenbelt land between Todwick and Kiveton Park.	The revised SCI sets out how people will be engaged in the planning process; it does not set planning policy, or allocate sites for development.	No change required
Todwick Action Group (Mr Michael Crowther)	My thanks to Phil Thornewell for his research and comments. I am in complete agreement with them.	Noted	No change required

Appendix A: Council website page



Rotherham
Metropolitan
Borough Council
Where Everyone Matters

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[Events](#)

[Accessibility](#)

[Home](#) ▶ [Environment and planning](#) ▶ [Planning and regeneration](#) ▶ [A guide to how you can influence planning decisions](#)

A guide to how you can influence planning decisions

The Statement of Community Involvement (SCI) sets out how and when you can influence new planning documents covering Rotherham and the ways in which you can comment on planning applications, as well as other forms of consent such as listed building consent or telecommunications applications, such as mobile phone masts.

The SCI has been reviewed and refreshed to create a new simplified and user-friendly version that is fit for purpose. The draft revised document is now presented in three sections which explore the:

- Approach to community involvement
- Influencing the Local Plan
- Getting involved in planning applications

You can view and comment on this document for the next six weeks. Comments must be received by 5pm on 24 November 2014.

[View and comment on the draft Statement of Community Involvement](#)

Was this information helpful?

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Appendix B: Consultation Letter

«Full_Name»
«Company__Organisation»
«Address_Line_1»
«Address_Line_2»
«Address_Line_3»
«Post_Town»
«County»
«Post_Code»

October 2014

Dear Sir/Madam

Rotherham Local Plan: new homes and jobs in your community

- Would you like to know where new homes are planned in your area?
- Are you interested in where new jobs will be created?

Then you need to read this letter. The Council is drawing up a new Local Plan for the whole of Rotherham borough. We need your views to help us improve the draft plan.

To find out more visit our website at www.rotherham.gov.uk/localplan or come along to a public drop-in session near you.

What is it?

Since 2009 we have consulted on potential sites for new homes, shopping, employment and other new development in Rotherham. These are shown in a **Sites & Policies document**. We now have a final draft plan that we think shows the most suitable sites to take forward. These sites are needed to meet the targets for new homes and jobs shown in the Local Plan Core Strategy.

We have also drawn up policies to guide decision making on individual planning applications and a Policies Map that shows how land in the borough can be used in the future.

Where can I see it?

The consultation runs from **Monday 13 October** to **Monday 24 November 2014**.

The majority of the sites were subject to consultation in summer 2013 and, as a result of comments and more technical work, we have made some changes. Some sites have been removed from the draft plan; some new sites have been added. This is a new version of the plan; you should look at this draft and make any comments you have. Previous comments on earlier drafts are not automatically “rolled forward”.

We are holding **public drop-in sessions** in the borough to show the detail of our proposals and to answer any questions about individual sites. You can find us at:

Date	Time	Venue
3 Nov 2014	14:00 – 19:00	Rawmarsh High Street Centre, Rawmarsh
6 Nov 2014	14:00 – 19:00	Dinnington Resource Centre, Laughton Road, Dinnington
13 Nov 2014	14:00 – 19:00	Wickersley Community Centre, Bawtry Road
14 Nov 2014	14:00 – 19:00	MyPlace, St Ann's Road, Rotherham

You can also see the draft plan at all libraries in the borough during normal opening times.

What else do I need to know?

The Council adopted the Local Plan **Core Strategy** on 10 Sept 2014. It now forms part of the statutory development plan for Rotherham. More detail is available on our website.

We are also consulting on a revised **Statement of Community Involvement**. This explains how we will consult you on the Local Plan and individual planning applications.

We want your views

You can view and comment on the **Sites & Policies document** and the revised **Statement of Community Involvement** using our consultation website at <http://rotherham.limehouse.co.uk/portal>

Comments must be made by **5pm Monday 24 November 2014**.

For further information or help please contact us:

Phone:	01709 823869	Rotherham MBC Planning Policy Planning, Regeneration and Cultural Services Riverside House Main Street ROTHERHAM S60 1AE
Fax:	01709 372419	
Email:	planning.policy@rotherham.gov.uk	
Web:	www.rotherham.gov.uk/localplan	

If you do not wish to be contacted again, let us know quoting reference:
«**Person_ID**»

Yours faithfully

Councillor Maggie Godfrey

Cabinet Member for Safe and Attractive Neighbourhoods

APPENDIX 2

Statement of Community Involvement

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Statement of Community Involvement

Section 1: Introduction

1.1 This Statement of Community Involvement (SCI) sets out how and when you can influence new planning documents covering Rotherham and the ways in which you can comment on planning applications, as well as other forms of consent such as listed building consent or telecommunications applications.

1.2. Engagement is key to providing cost-effective services which meet the needs of our communities. It plays a critical role in shaping the places where people live, work and visit. By encouraging engagement, people and communities can be given the information, power and responsibility they need to respond to the challenges and opportunities they and their communities face.

Our approach to community involvement

1.3 Section 1, this section, describes our overall approach to community engagement and involvement in the planning process. There are two further sections on the following topics:

Section 2 - influencing the Local Plan

Section 3 - getting involved in planning decisions

1.4 When we involve you in preparing and revising the Local Plan or consult you on planning applications or other forms of consent we will:

- **Keep the process simple** by writing in plain English and explaining any planning terms that we need to use.
- **Make it easy for you to get involved** by setting out when and where you can provide your comments. We will always try and plan public events so they are accessible to all people and groups and use existing community involvement networks.
- **Be inclusive** by providing information in an accessible format and giving clear advice on how the planning system works, and encourage involvement from those groups that are not usually involved in the planning process.
- **Share information with you** using the Council's website, in our libraries and at the Council's principal office whenever this is appropriate and effective.
- **Make copies of Local Plan documents available** to view at key locations throughout the borough.

- **Make sure your involvement is effective** - all comments received by the authority will be recorded, read carefully and taken into account when they are relevant planning considerations.
- **Strive to meet our timetable** for the preparation and review of the Local Plan and also meet Government targets for deciding on planning applications.

Who will we involve?

1.5 We want everyone to have the chance to have their say on the Local Plan, and on planning applications, wherever it is relevant.

1.6 We maintain a consultation database of individuals, groups and stakeholders who we regularly contact on planning policy matters (that are of interest to them). We will continue to involve individuals, groups and organisations in the preparation of our new planning documents so that everyone has the chance to shape the future of the district. If you would like to be added to our database then you can register online through our consultation website at <http://rotherham.limehouse.co.uk/portal> or contact the Planning Policy team using the details below.

1.7 Government regulations require us to ensure that certain groups are consulted at key stages in the preparation and review of the Local Plan, for example the Coal Authority, Environment Agency, English Heritage, Natural England, the Highways Agency and the Homes and Communities Agency. These regulations change from time to time and this list may be amended.

1.8 We are committed to doing everything reasonably possible to make our community involvement inclusive. This means that we aim to give everyone in Rotherham an opportunity to be involved in the decisions that we take. The Council's Equal Opportunities Policy explains our approach to inclusion and the Community Engagement Framework seeks to ensure that community engagement underpins and is built into everything that the Council does. Allied to this, the Customer Charter & Customer Access Strategy both give clear and simple advice on what you should expect from us.

1.9 We can make documents available in alternative formats on request. This can include large print, Braille and alternative languages. For assistance with this, please contact p2ptlteam@rotherham.gov.uk

How will we involve you?

1.10 We will keep you informed through a variety of methods including our website www.rotherham.gov.uk, emails, and letters when appropriate. We may also post notices in local newspapers.

1.11 The ways in which you can have your say on the planning process will vary depending on the issue, and different techniques may be used at different stages in the production of a planning document or assessment of a planning application.

The role of planning officers

1.12 The Council's planning officers work in two teams within the Planning Service, which is based at Riverside House:

- The **Planning Policy Team** produces the planning documents that make up the Local Plan and can be contacted for advice on planning policy. They organise and lead the consultations on draft planning documents and consider relevant consultation responses, making changes to draft documents where appropriate.

Web: www.rotherham.gov.uk/localplan

Tel: 01709 823869

Email: planning.policy@rotherham.gov.uk

- The **Development Management Team** assesses planning applications in accordance with the policies of the adopted Development Plan, the National Planning Policy Framework (NPPF) and any other material considerations including consultation responses and other comments. They can be contacted for pre-application advice for all major developments and other advice on planning applications.

Web: www.rotherham.gov.uk/planning

Tel: 01709 823865

Email: development.management@rotherham.gov.uk

The planning officers from both teams work closely together in preparing planning policies, in the assessment of planning applications and in providing specialist professional planning advice on key development projects with land-use implications.

The role of councillors

1.13 Locally elected councillors have a key role in the planning process in the following ways:

- The Council meeting is responsible for approving and adopting key statutory planning policy documents such as the Local Plan.
- The Council's Planning Board is made up of councillors who make decisions on the more major or controversial planning applications.
- Councillors represent their respective wards and listen to residents' concerns on planning issues (at ward surgeries or public meetings and consultations).

- Councillors can voice their support or make objections to planning applications in writing and speak at Planning Board on behalf of their constituents.

1.14 The role of locally elected councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in writing to the Planning Policy Team within the specified time period for a particular consultation. There are existing rules for the way that councillors and council officers conduct their activities, which ensure that any potential conflicts of interest are resolved in a transparent way.

Planning Aid England

1.15 Planning Aid England is a voluntary organisation linked to the Royal Town Planning Institute (RTPI). Through its network of volunteers, who are chartered town planners, it can provide independent and impartial advice and support for Neighbourhood Planning and other planning matters. Please contact Planning Aid England for further information at www.rtpi.org.uk/planningaid to understand what support is available.

Section 2: Influencing the Local Plan

A new planning system

2.1 The Government wants to give local people a greater role in shaping their neighbourhoods, and the changes to the planning system set out in the Localism Act 2011 and National Planning Policy Framework (NPPF, March 2012) give communities the opportunity to get more involved in the preparation of planning documents for their areas.

2.2 The Localism Act also introduced the ‘duty to co-operate’. This is a legal requirement setting out how local planning authorities, national park authorities, county councils and a number of other public organisations must work with one another in a collaborative manner and to consider joint approaches when preparing their local plans.

Rotherham Local Plan

2.3 The Local Plan will be the new development plan for Rotherham. It will set out the spatial policies, guidance, land use designations and site allocations against which all planning applications and other development proposals in the borough will be assessed.

2.4 It will provide the formal statutory framework for sustainable development and lay the foundations for regeneration and economic growth, while protecting our most valuable built and natural environmental assets.

2.5 Our Local Plan will be made up of the following documents:

Core Strategy – this sets out the vision and strategic objectives for Rotherham up to the year 2028. It includes local targets for housing, employment and retail development and sets out broad locations and amounts of development for the borough. It must comply with Government planning policy. This strategic level document provides the context for any Neighbourhood Plans that might be produced.

Barnsley, Doncaster and Rotherham Joint Waste Core Strategy – provides a detailed planning framework to manage all types of waste in the three boroughs, including commercial and industrial waste, construction, demolition and excavation waste, hazardous waste and agricultural waste. It allocates new sites to manage waste, safeguards existing waste facilities of strategic importance and sets out criteria for assessing waste management proposals.

Sites & Policies document – this allocates land for a variety of uses, including housing and employment. It also sets out detailed policies that will guide decisions on planning applications.

Community Infrastructure Levy (CIL) – this is a tariff-based charging schedule. When planning permission is granted for certain types of development (e.g. housing)

the developer will be required to pay a financial contribution. This will be used towards providing and maintaining the strategic and local infrastructure identified by us to support growth. Infrastructure can be road improvements, schools, health facilities etc.

Supplementary Planning Documents (SPDs) – these are prepared to provide further detailed supporting guidance where necessary. Although they do not have the same weight as development plan documents they can still form a material consideration in determining planning applications. They can be produced more quickly as they are not subject to an independent public examination, and we will ask you what you think of any draft SPDs at an early stage in their preparation.

In preparing and reviewing our Local Plan we will also publish on our website:

- **Local Development Scheme (LDS)** – setting out what planning documents we will produce and the timetable for their production.
- **Annual Monitoring Report** – setting out the progress made in producing our local plan documents and our (and partners') performance in implementing planning policies and proposals.

Neighbourhood Plans

2.6 Local communities can now prepare plans for their local areas themselves if they wish to do so. Any community initiated neighbourhood plans will form part of the statutory development plan for those areas of the borough, once they have passed through independent examination and a local community referendum.

2.7 The local planning authority does not prepare Neighbourhood Plans, but the Council does have a duty to provide advice and technical assistance to community groups engaged in Neighbourhood Planning, particularly in relation to the initial designation of neighbourhood areas and neighbourhood forums, as well as the examination process and holding referendums.

Further information can be found on the government's website by searching for neighbourhood planning on www.gov.uk

Preparing the Local Plan

When will we involve you?

2.8 There are a number of key stages involved in preparing documents for the Local Plan. These stages are required by Government planning legislation and regulations and are designed to ensure that the process is as open and transparent as possible.

2.9 The diagrams below illustrate the key stages in the production of Development Plan Documents and Supplementary Planning Documents as well as the Community Infrastructure Levy (CIL). The shaded stages also show when you can get involved in

the planning process – getting involved at the earliest stages of preparation will ensure your views have the most opportunity for being taken into account. DPDs and the CIL will be subject to independent examination, chaired by a Planning Inspector, when people will be able to speak if they have made a formal representation at the last stage of public consultation.

Figure 1: Key Stages in Preparing Development Plan Documents (DPDs)



Figure 2: Key stages in preparing Supplementary Planning Documents (SPD)

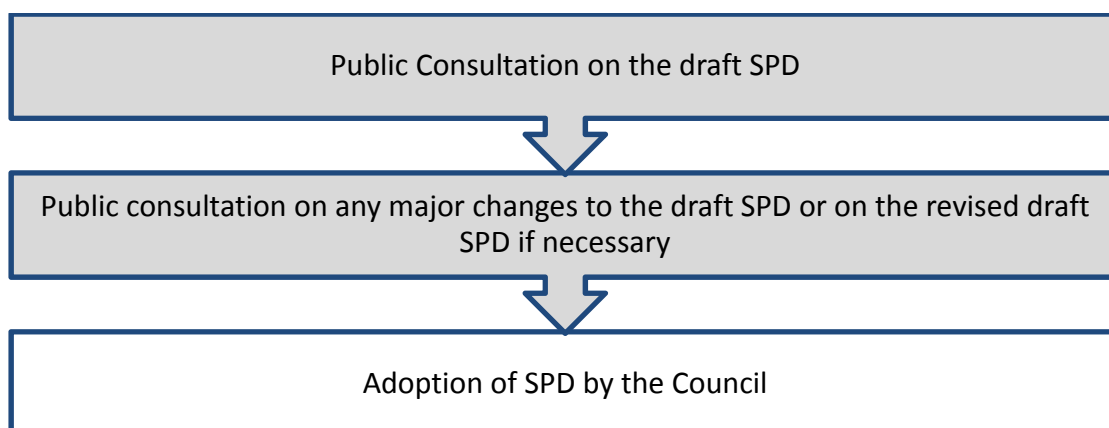
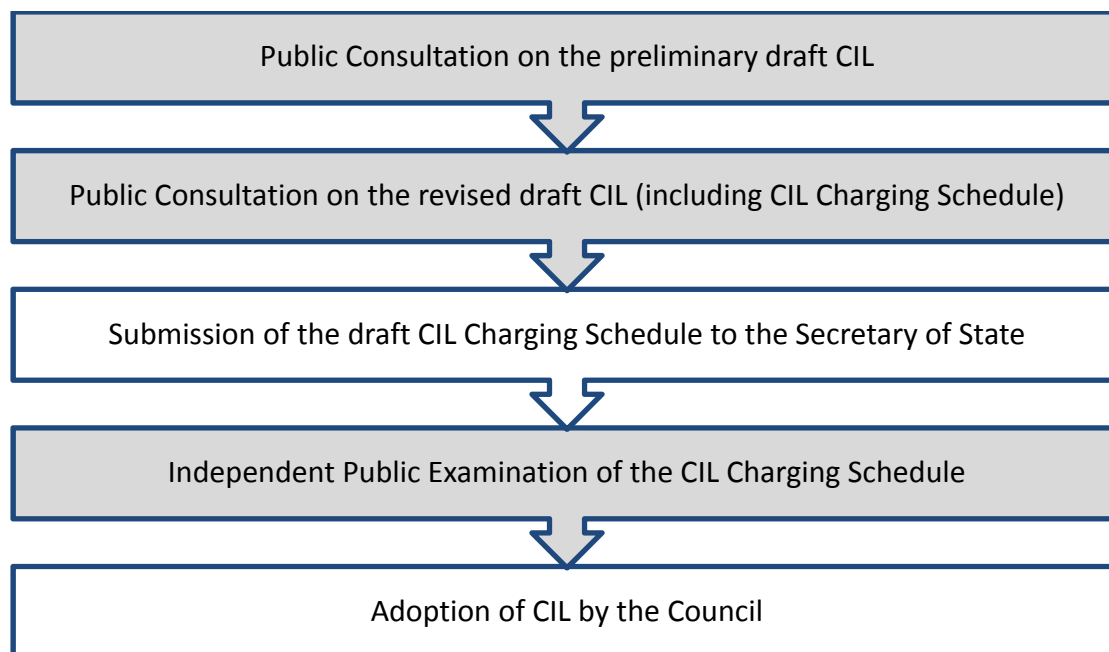


Figure 3: Key Stages in preparing the Community Infrastructure Levy (CIL)



Sustainability Appraisal

2.10 As part of preparing the Local Plan, we assess the social, environmental and economic impacts of each planning document and relevant Supplementary Planning Documents. The key purpose of Sustainability Appraisal is to identify and enhance the positive effects of planning policies while minimising any potentially adverse impacts. This process also involves the assessment of any health and equality impacts. Where necessary, we will also carry out a Habitat Regulations Assessment on our emerging planning documents.

Publications of documents and fees

2.11 At all stages of preparing and reviewing the Local Plan we will make reference copies of relevant documents available at our principal office at Riverside House, Main Street, Rotherham S60 1AE. All of our planning documents will be available to download from our website www.rotherham.gov.uk/localplan. Charges will apply for printed copies and for some background papers but these will be limited to covering reproduction and postage costs.

2.12 Where consultation material is placed with libraries or in other locations we will ensure that those responsible for holding the information are fully briefed regarding the purpose of consultation and the material provided. However any queries regarding the content should always be directed to the Planning Policy Team.

How will we involve you?

2.13 As a modern Council, we strongly encourage electronic communication. This is embodied by the Council's 'Save Time, Do It Online' approach. This has multiple benefits around convenience, cost and the environment (saving paper). It also allows

24 hour access to information. We help our communities get to information online by providing free internet access at all of our libraries.

Website

2.14 The internet is a popular way of communicating planning issues to individuals and groups. A key advantage of the website is that lots of information can be included compared to other formats. We have specific planning policy pages on the Council's website. We will ensure that these pages are regularly updated.

2.15 We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable.

2.16 We have an online consultation system so during periods of public consultation people can make comments online <http://rotherham.limehouse.co.uk/portal>. We strongly encourage consultation comments using this system. Commenting online ensures that comments are focussed on the parts of the document you are interested in and requires less interpretation by Council officers. This enables us to make the most efficient use of our resources.

Emails and letters

2.17 For environmental, speed and cost reasons, where you have provided us with an email address we will use this method of communication rather than sending a letter.

Press notices and statutory notices

2.18 Local newspaper notices are less personal but they help to ensure that we communicate as widely as possible and in some cases we may need to use newspaper notices to meet our legal requirements.

Public drop-in sessions

2.19 Depending on the nature of the document, the local areas affected, and the stage of the Local Plan preparation process we may hold public exhibitions. These give people the chance to look at plans and proposals and speak to planning officers in an informal setting. They are effective in engaging people who want to give their views or just gather information.

Using the results of consultation

2.20 All comments we receive will be recorded, read carefully and relevant planning considerations taken into account in preparing and reviewing planning policy

documents. A summary of comments and our response will be published on our website.

Our timescale

2.21 We will make sure that our Local Plan is kept up to date to support planned development of housing and other priorities within the borough. To keep our Local Plan on target we will aim to carry out all our planning consultations in line with our community involvement policies and the latest timetable set out in our Local Development Scheme (LDS).

Section 3: Getting involved in planning decisions

3.1 The Council deals with approximately 2,000 planning applications each year. These range from simple house extensions to large retail or office developments. We also determine applications requiring conservation area consent, Listed Building consent and for work to protected trees. All these types of applications require similar levels of public consultation.

Pre-application process

3.2 In line with national planning policy we place a strong emphasis on early engagement and aim to work with applicants in a positive and pro-active manner.

3.3 Depending upon the scale, nature and potential impact of the development proposal on the local community, it is advised that developers carry out their own pre-application public consultation. For instance, it is advocated that major planning applications be accompanied by their own Statement of Community Involvement. A major planning application is 10 or more dwellings (or a site larger than 0.5 hectares) or 1,000 or more square metres floorspace (or a site larger than 1 hectare).

3.4 These consultations should be carried out at an early stage in the design process, to enable community views to be incorporated into the submitted proposal. The form of consultation will need to be tailored to suit the particular circumstances of the site, the proposal and location. The Council can provide advice on what level of pre-application consultation would be appropriate, for example through a public meeting, an exhibition, or other forms of community involvement. Further information and advice is available at www.rotherham.gov.uk/planning. To ensure that decisions are taken in a fair and open manner, the Council's planning officers would not normally take part in these public meetings or exhibitions other than to provide background information.

3.5 As a minimum, the consultation statement submitted with the planning application should include:

- the houses, businesses and local community groups consulted,
- the methods and timing of consultation, and
- feedback and information on how the views were addressed in the development proposal.

3.6 To aid potential applicants in this process, the Council offers a pre-application service to help resolve issues at any early stage. Depending on the scale of the proposal there may be a fee for this service.

Planning applications

3.7 The Development Management Team is responsible for assessing all planning applications for development, advising the Council's Planning Board on major and other types of applications, determining certain types of planning applications, providing advice on development proposals and dealing with any unauthorised development in the borough.

3.8 All decisions taken on planning applications must be made in accordance with the adopted development plan unless any other material considerations indicate otherwise, including national planning guidance or site specific matters relevant to a particular case. Please refer to Appendix B to find out what a 'material consideration' is.

Getting involved in planning applications

3.9 The publicity procedures we follow on planning applications are laid down by Government legislation and regulations including Planning Practice Guidance. The council meets all of these minimum statutory requirements and we also publicise on a wider basis than the statutory minimum wherever possible to ensure that we maximise opportunities for community involvement.

3.10 All submitted planning applications must receive some form of publicity by law. We do this in one of the following ways, or by a combination of these methods depending on the type of application or other circumstances (e.g. if an application is later revised):

- an individual letter to adjacent occupiers/residents (neighbour notification)
- posting of a site notice at or near the site
- a local newspaper notice

3.11 Planning applications, including supporting documents and corresponding plans and elevation drawings, can be viewed online at www.rotherham.gov.uk/planning and are also available to view at Riverside House. Planning officers are available at Riverside House to give advice on current or proposed applications (it is a good idea to make an appointment if you wish to speak to a particular officer).

3.12 Comments on planning applications must be made in writing within 21 days from the date of our notification letter or within 21 days from the date of a press notice or site notice appearing. Please note that comments submitted after the 21 day publicity period has expired may not be considered because a decision may have already been made on the planning application.

You can make comments online at: www.rotherham.gov.uk/planning

By e-mail to: development.management@rotherham.gov.uk

By post to: Development Management, RMBC, Riverside House, Main Street,
Rotherham S60 1AE

Decision making and planning board

3.13 Most minor planning applications are determined under delegated powers by the Planning Manager as set out in the Council's Scheme of Delegation. The Council's Planning Board makes decisions on major applications, and in certain other circumstances as detailed in the Council's Constitution. These circumstances include where a large number of written representations (more than five) against a development proposal have been made which conflict with the planning officer's recommendation.

3.14 For those applications determined by Planning Board, the Council allows public speaking at the committee meeting to give the public an opportunity to speak during the decision making process. Guidance on how members of the public can speak at Planning Board is distributed to those who formally request to speak.

3.15 Planning Board agendas are published on our website, five clear working days before the meeting, followed by the publication of the minutes of the meeting.

3.16 As part of the Council's commitment to an open and transparent planning process, the Council's Constitution includes codes of conduct for members and officers. Probity rules accord with the Planning Advisory Service guidance 'Probity in Planning' published in April 2013. Further information is available on the Planning Advisory Service website at <http://www.pas.gov.uk/probity>

Notification after Planning Board

3.17 Anyone making comments will be individually notified of the Council's decision on the application within ten working days of the decision being made, unless a proposal has generated a lot of representations (more than 30). In this case the decision will be publicised in the local press rather than by individual letter.

3.18 The Council also compiles a weekly list of planning decisions and these are also available to view on our website.

Written representations, informal hearings and public inquiries

3.19 Letters are sent direct to those people who were notified on the original application (as well as any other people who submitted comments on the application) giving notice of an appeal being lodged against the Council's decision, and providing them with the opportunity to make representations to the Planning Inspectorate (with the exception of appeals submitted under the householder appeal service). Under the householder appeal service there is no opportunity to make representations to the Planning Inspectorate, however representations submitted in relation to the planning application are forwarded to the Planning Inspectorate by the Council. A site notice will only be posted in the case of a public inquiry.

Other information

3.20 The Development Management Team also investigates alleged breaches of planning control. For further information please see our website at www.rotherham.gov.uk/planning or telephone Planning Enforcement for advice on 01709 823865.

Appendix A: Consultees

The list below outlines the organisations and other bodies that we are legally required to consult and involve in preparing our planning documents. This is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations may change from time to time and this list may be amended.

Barnsley Borough Council
 Bassetlaw District Council
 Bolsover District Council
 Chesterfield Borough Council
 Doncaster Borough Council
 North East Derbyshire District Council
 Sheffield City Council

Barnsley & Rotherham Chamber Of Commerce
 Civil Aviation Authority
 Coal Authority
 Environment Agency
 Highways Agency
 Historic England
 Homes and Communities Agency
 National Grid
 Natural England
 Network Rail Infrastructure Ltd
 Rotherham Clinical Commissioning Group
 Severn Trent (water and sewerage undertaker)
 Sheffield City Region Local Enterprise Partnership
 Sheffield & Rotherham Wildlife Trust
 South Yorkshire Integrated Transport Authority
 Sport England
 Town & Parish Councils within Rotherham
 Western Power Distribution
 Yorkshire Water (water and sewerage undertaker)

Plus other relevant gas, electricity and electronic communications network infrastructure providers.

Other consultation bodies can include the following:

- (a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- (b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- (c) bodies which represent the interests of different religious groups in the local planning authority's area,

- (d) bodies which represent the interests of disabled persons in the local planning authority's area, and
- (e) bodies which represent the interests of persons carrying on business in the local planning authority's area.

In addition to these groups listed above, we will also seek to involve and consult a wide range of other interest groups and organisations, developers and consultants, as well as local residents and businesses. If you would like to be added to our consultation database, or need to amend your existing contacts, please email us at planning.policy@rotherham.gov.uk or call on 01709 823869.

Appendix B: Material Planning Considerations

What is a material consideration?

When a decision is made on a planning application, only certain issues are taken into account; these are often referred to as 'material planning considerations'.

Material considerations can include (but are not limited to):

- Local, strategic, national planning policies and policies in the development plan
- Emerging new plans which have already been through at least one stage of public consultation
- Pre-application planning consultation carried out by, or on behalf of, the applicant
- Government and Planning Inspectorate requirements – circulars, orders, statutory instruments, guidance, and advice
- Previous appeal decisions and planning inquiry reports
- Principles of case law held through the courts
- Loss of sunlight (based on Building Research Establishment guidance)
- Overshadowing/loss of outlook to the detriment of residential amenity (though not loss of view as such)
- Overlooking and loss of privacy
- Highway issues: traffic generation, vehicular access, highway safety
- Noise or disturbance resulting from a use, including proposed hours of operation
- Smells and fumes
- Capacity of physical infrastructure, e.g. in the public drainage or water systems
- Deficiencies in social facilities, e.g. school capacity
- Storage and handling of hazardous materials and development of contaminated land
- Loss or effect on trees
- Adverse impact on nature conservation interests and biodiversity opportunities
- Effect on listed buildings and conservation areas

- Incompatible or unacceptable uses
- Layout and density of building design, visual appearance and finishing materials
- Inadequate or inappropriate landscaping or means of enclosure

The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-taker. However the decision-taker is required to demonstrate that in reaching that decision that they have considered all relevant matters.

Generally, greater weight is attached to issues raised which are supported by evidence rather than solely by assertion. If an identified problem can be dealt with by means of a suitable condition the local planning authority is required to consider this as an alternative to refusing an application.

What is not a material planning consideration?

The following issues are not relevant to the decision (there are further non-material planning considerations not included in this list):

- Matters controlled under building regulations
- Private issues between neighbours
- Opposition to the principle of development when this has been determined by an outline planning permission or appeal
- Applicant's personal circumstances (unless exceptionally and clearly relevant e.g. provision of a facility for someone with a physical disability)
- Previously made objections/representations regarding another site or application
- Factual misrepresentation of the proposal
- Opposition to business competition
- Loss of property value
- Loss of a view

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council
2.	Date:	3rd June 2015
3.	Title:	Changes to Disciplinary Procedures for Senior Officers
4.	Directorate:	Resources

5. Summary

- (a) To inform Council of changes to staff and disciplinary procedures in respect of the Head of Paid Service, the S151 Officer and the Monitoring Officer positions.
- (b) For Council to approve modifications to the Council's Standing Orders to include the provisions referred to above.

6. Recommendations

- a) that Council notes the changes to staff and disciplinary procedures in relation to the statutory officers referred to in paragraph 5 (a) above;
- b) that the Council's Standing Order 31 be removed and replaced with the standing order in the schedule to this report;
- c) that Council names the Independent panel, the 'Senior Officers Independent Disciplinary Panel';
- d) that Council decides whether to establish the Independent Panel as a 'Standing' Committee of the Council; and
- e) that Council determines the size of the Panel to be three members and two Independent Persons.

7. Proposals and Details

The Law

- 7.1 The Local Government and Housing Act 1989 requires local authorities to designate one of their officers as the “head of paid service” and one of their officers as “monitoring officer”. Section 151 of the Local Government Act 1972 requires authorities to have an officer with responsibility for financial administration, commonly known as the “Section 151 Officer”.
- 7.2 Section 28(6) of the Localism Act 2011(the Act) requires local authorities to have in place arrangements under which allegations against any of these three officers can be investigated and decided upon. The authority is currently required by the Act to appoint a Designated Independent Person (DIP) whose views are to be sought and taken into account by the authority before it makes a decision.
- 7.3 The Secretary of State has power under regulations made under the Local Government and Housing Act 1989 to require local authorities to adopt prescribed procedural standing orders. The Secretary of State has now issued new regulations which have the effect of requiring the Council to adopt new standing orders which have the effect of removing the requirement for a DIP.
- 7.4 In place of the requirement for a DIP the decisions in relation to disciplinary processes for the three officers will be taken, transparently by full Council. Council must consider any advice, views or recommendations from the Independent Panel, the conclusions of any investigation into the proposed dismissal and any representations from the officer concerned.
- 7.5 The Council is required to invite Independent Persons who have been appointed to the Standards Committee to form part of the Independent Panel. The Council’s two current Independent Persons, Phil Beavers and David Roper-Newman, have agreed to join the Panel. In light of this it would be appropriate for the total membership of the Panel to be 5 and so an additional 3 members will be required. The Panel will be a committee of the Council, and it is suggested it be named ‘The Senior Officers Independent Disciplinary Panel’.
- 7.6 The regulations also limit the remuneration to be paid to Independent Persons on the Panel to the level of remuneration which they would normally receive as an independent person in the conduct regime. At present in Rotherham this amount is an annual payment of £710. Council resolved, on 22nd May 2015, following considerations of a report by the Independent Remuneration Panel to set the allowance at To be completed following Council’s decision.
- 7.7 These modifications to Standing Orders must be made no later than at the first ordinary Council meeting held after the May 2015 elections. The proposed modified standing orders are contained in the Appendix.

Process

- 7.8 As the Panel has to be constituted as a committee, political proportionality rules will apply. The Council is requested to decide whether a ‘Standing’ Committee should be

established.

7.9 The advantages of establishing such a committee are;

- i. The Panel must be appointed at least twenty days before the Council meeting considering the dismissal. Therefore if there is a 'Standing' committee, this can be established quickly.
- ii. A process for investigating and considering any proposals to dismiss one of the officers will need to be agreed and a 'Standing' committee could decide these issues in advance of any cases arising, and agree terms of reference for the Committee.

7.10 The disadvantage would be that it is highly unlikely that such a 'Standing' Committee would meet on a regular basis.

7.11 In addition the Contracts of Employment for the officers must now be changed to reflect the provisions of the Standing Orders. Failure to do this could result in the Council complying with the regulations but still being found to have breached the officer's contracts. Changing the Contracts of Employment will mean consulting with the officers and agreeing new contracts.

7.12 If a Panel is established it is clear that the regulations do not envisage that the Panel will necessarily carry out any investigation itself. Ultimately therefore, it may be that an external investigator will need to be appointed to advise the panel before they report to the Council meeting.

8. Finance

8.1 The appointment of a Designated Independent Person in cases in Rotherham has not proved to be costly. The requirement for this appointment has now been removed. Payment to an Independent Person on the Independent Panel is limited to the level of remuneration which they would normally receive as an Independent Person in the standards regime. In Rotherham this is presently an annual payment of £710. Council on 22nd May 2015 resolved that the allowances should be...to be completed. However if an investigation into any issues relating to any of the three officers is needed and an independent investigation is required, then this may have financial repercussions.

9. Risks and Uncertainties

9.1 These are statutory provisions which may, in future, be tested in court proceedings.

10. Background Papers and Consultation

(1) Relevant legislative documents

(2) Consultation was carried out by the Government before these provisions were introduced.

- (3) As the regulations were introduced with little notice consultation with the officers involved has not been possible and this will be commenced as soon as possible.

Contact Name: *Simon Cooper, Human Resources Manager, telephone 01709 823745 or e-mail simon.cooper@rotherham.gov.uk*

30 Appointment of chief officers

(1) Subject to standing order 30A, where the Council proposes to appoint a chief officer, and it is not proposed that the appointment be made exclusively from among its existing officers, the Council shall establish a panel of members ("the Appointments Panel") to carry out the steps specified in sub-paragraphs (2) and (3) and appoint the chief officer.

(2) The Appointments Panel shall –

(a) draw up a statement specifying –

- (i) the duties of the officer concerned, and
- (ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

(3) Where a post has been advertised as provided in sub-paragraph (2) (b), the Appointments Panel shall –

(a) interview all qualified applicants for the post; or

(b) select a short list of the qualified applicants and interview those included on the short list; or

(c) make further arrangements for advertisement, in accordance with sub-paragraph (2) (b), where no qualified person has applied for the post.

(4) In this standing order "chief officer" means any of the officers specified in paragraphs (a) to (d) of standing order 30A (2).

30A Appointment, dismissal and disciplinary proceedings against a member of staff

(1) Subject to sub-paragraphs (2) and (7), the function of appointing, dismissing and taking disciplinary action against a member of staff must be discharged on the Council's behalf by the Chief Executive, who is designated under section 4 (1) of the Local Government and Housing Act 1989 (designation and reports of head of paid service) as the head of the authority's paid service, or by an officer nominated by him.

(2) Sub-paragraph (1) shall not apply to the appointment or dismissal of, or disciplinary action against –

(a) the Chief Executive;

(b) a statutory chief officer within the meaning of section 2 (6) of the Local Government and Housing Act 1989 (politically restricted posts);

(c) a non-statutory chief officer within the meaning of section 2 (7) of the 1989 Act;

(d) a deputy chief officer within the meaning of section 2 (8) of the 1989 Act; or

(e) a person appointed in pursuance of section 9 of the 1989 Act (assistants for political groups).

(3) Where a committee, sub-committee or an officer is discharging on the Council's behalf the function of appointing the Chief Executive, the Council must approve that

appointment before an offer of appointment is made to him/her.

(4) Where a committee or a sub-committee is discharging on the Council's behalf the function of appointing any officer referred to in paragraph (a), (b), (c) or (d) of sub-paragraph (2), at least one member of the Cabinet must be a member of that committee or sub-committee.

Where a committee, or sub-committee is discharging on the council's behalf the function of dismissing any officer referred to in paragraph (b) (c) or (d) of sub-paragraph (2), at least one member of the cabinet must be a member of that committee or sub-committee.

(5) An offer of appointment as an officer referred to in paragraph (a), (b), (c) or (d) of sub-paragraph (2) must not be made by the Council, a committee, sub-committee or an officer of the Council ("the appointor") until –

(a) the appointor has notified the proper officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;

(b) the proper officer has notified every member of the Cabinet of –

- (i) the name of the person to whom the appointor wishes to make the offer;
- (ii) any other particulars relevant to the appointment which the appointor has notified to the proper officer;
- (iii) the period within which any objection to the making of the offer is to be made by the Leader on the Cabinet's behalf to the proper officer; and

(c) either –

- (i) the Leader has, within the period specified in the notice under paragraph (b)(iii), notified the appointor that neither he/she nor any other member of the Cabinet has any objection to the making of the offer;
- (ii) the proper officer has notified the appointor that no objection was received by him/her within that period from the Leader; or
- (iii) the appointor is satisfied that any objection received from the Leader within that period is not material or is not well-founded.

(6) Notice of the dismissal of an officer referred to in paragraph (b), (c) or (d) of sub-paragraph (2) must not be given by the Council, a committee, sub-committee or an officer of the Council ("the dismissor") until –

(a) the dismissor has notified the proper officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;

(b) the proper officer has notified every member of the Cabinet of –

- (i) the name of the person whom the dismissor wishes to dismiss;
- (ii) any other particulars relevant to the dismissal which the dismissor has notified to the proper officer;
- (iii) the period within which any objection to the dismissal is to be made by the Leader on the Cabinet's behalf to the proper officer; and

(c) either –

- (i) the Leader has, within the period specified in the notice under paragraph (b)(iii), notified the dismissor that neither he/she nor any other member of the Cabinet has any objection to the dismissal;
- (ii) the proper officer has notified the dismissor that no objection was received by him/her within that period from the Leader; or
- (iii) the dismissor is satisfied that any objection received from the Leader within that

period is not material or is not well-founded.

(7) Nothing in sub-paragraph (1) shall prevent a person from serving as a member of any committee or sub-committee established by the Council to consider an appeal by –

(a) another person against any decision relating to the appointment of that other person as a member of staff of the Council; or

(b) a member of staff of the Council against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

(8) In this standing order –

“disciplinary action” means in relation to a member of staff any action occasioned by alleged misconduct which, if proved, would according to the Council’s usual practice be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Council has undertaken to renew such a contract;

“member of staff” means a person appointed to or holding a paid office or employment under the Council; and

“proper officer” means the officer appointed by the Council for the purposes of this standing order.

31 Disciplinary action against the Chief Executive (Head of Paid Service), the Monitoring Officer or the Chief Finance Officer

Provisions to be incorporated in standing orders in respect of disciplinary action

1. In the following paragraphs—

(a) “the 2011 Act” means the Localism Act 2011(**b**);

(b) “chief finance officer”, “disciplinary action”, “head of the authority’s paid service” and “monitoring officer” have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001(**c**);

(c) “independent person” means a person appointed under section 28(7) of the 2011 Act;

(d) “local government elector” means a person registered as a local government elector in the register of electors in the authority’s area in accordance with the Representation of the People Acts;

(e) “the Panel” means a committee appointed by the authority under section 102(4) of the Local Government Act 1972(**d**) for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;

(f) “relevant meeting” means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and

(g) “relevant officer” means the chief finance officer, head of the authority’s paid service or monitoring officer, as the case may be.

2. A relevant officer may not be dismissed by an authority unless the procedure set out in the following paragraphs is complied with.

3. The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
4. In paragraph 3 “relevant independent person” means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.
5. Subject to paragraph 6, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 3 in accordance with the following priority order—
 - (a) a relevant independent person who has been appointed by the authority and who is a local government elector;
 - (b) any other relevant independent person who has been appointed by the authority;
 - (c) a relevant independent person who has been appointed by another authority or authorities.
6. An authority is not required to appoint more than two relevant independent persons in accordance with paragraph 5 but may do so.
7. The authority must appoint any Panel at least 20 working days before the relevant meeting.
8. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular—
 - (a) any advice, views or recommendations of the Panel;
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
9. Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person’s role as independent person under the 2011 Act.”

**STANDARDS COMMITTEE
12th March, 2015**

Present:- Councillor Gosling (in the Chair); Councillors Finnie, Middleton, Pitchley, Roddison, Sansome, Parish Councillors D. Bates and D. Rowley and also Mr. I. Daines, Ms. A. Dowdall, Mr. P. Edler, Ms. J. Porter and Mrs. C. Saltis (Independent Members).

Also in attendance Mr. D. Roper-Newman and Mr. P. Beavers (Independent Persons).

An apology for absence was received from Parish Councillor Swann.

B20 MINUTES OF THE PREVIOUS MEETING HELD ON 11TH DECEMBER 2014

Resolved:- That the minutes of the previous meeting of the Standards Committee held on 11th December, 2014 be approved as a correct record.

B21 UPDATE FROM THE MONITORING OFFICER ON THE HANDLING OF COMPLAINTS

Consideration was given to a report presented by Jacqueline Collins, Monitoring Officer, which provided the Committee with an update with regard to the handling of complaints of breaches of the Code of Conduct and the steps taken to consider and respond to allegations that the Code of Conduct for Elected Member has been breached. Specific cases referred to were:-

1. A complaint that a member of the public had been assaulted by a Parish Councillor following the conclusion of an Annual Parish Meeting.
2. A complaint that a Borough Councillor had breached the Code of Conduct in a number of ways, including having committed misconduct in public office.
3. A complaint from a member of the public that a Parish Councillor had incorrectly taken the chair at a meeting.
4. A complaint that a Parish Councillor had manipulated the start time of a meeting and used the Member's position to confer an advantage.
5. A complaint that a Parish Councillor had behaved offensively.
6. A complaint that a Borough Councillor inappropriately failed to exercise his discretion at a meeting.

7. A complaint that a Borough Councillor had acted inappropriately with regard to a commercial concern.
8. A complaint that Borough Councillors failed to disclose pecuniary interests, in breach of the Code of Conduct.
9. A complaint that a Borough Councillor acted inappropriately in a Council meeting.
10. A complaint that a Borough Councillor had abused his position in respect of a licensing application.
11. A complaint from a member of the public that a Borough Councillor had failed to disclose an interest in respect of a regulatory matter.
12. A complaint from a member of the public about inappropriate use of Council resources.
13. A complaint from a member of the public about a disclosure of confidential information by a Councillor.
14. A complaint by officers that a Borough Councillor demonstrated inappropriate behaviour to officers.
15. A complaint that a Parish Councillor refused to step down from a position within the Parish Council.
16. A complaint by a Parish Councillor that another Parish Councillor disclosed confidential information
17. A complaint by a Parish Councillor that another Parish Councillor had used her position to confer an advantage.
18. A complaint by a Parish Councillor that another Parish Councillor had acted in breach of the Code of Conduct in that he did not treat fellow Councillors with respect.
19. A complaint by a Parish Councillor that a fellow Parish Councillor abused their position.
20. A complaint by a Parish Councillor that a fellow Parish Councillor breached the Code of Conduct by accusing her of lying in a statement to the Considerations and Hearing Panel.
21. Several complaints were received from Parish Councillors about the behaviour of a fellow Councillor in Council Meetings.

The Standards Committee considered the complaints as submitted.

Clarification was sought on the closure of case files when further information requested was not received and whether an alternative approach had been considered.

It was also noted that some of the complaints related to matters that could be dealt with by each Parish Council's Standing Orders.

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

(2) That the actions that have been taken to resolve the complaints be noted.

B22 REPORT OF THE MONITORING OFFICER IN RESPECT OF ISSUES ARISING AT ANSTON PARISH COUNCIL

Consideration was given to a report presented by Jacqueline Collins, Monitoring Officer, which provided an update about issues arising at Anston Parish Council.

Over the last few years concerns have been increasing regarding the behaviour of Anston Parish Council Councillors. The Monitoring Officer had, in the last two and a half years, received over thirty-five complaints in relation to alleged breaches of the Code of Conduct.

A huge amount of work has been undertaken by the Independent Members, the Monitoring Officer and Councillors in order to resolve the situation, but all efforts have had little effect.

There has been one formal investigation which had led to a meeting of the Considerations and Hearing Panel. The Panel concluded that the behaviour in that case amounted to breaches of the Code of Conduct.

The Monitoring Officer expressed concern that relationships were not improving with the Parish Council being hindered in considering its proper business. It was, therefore, suggested that the Committee consider two options to deal with the problem:-

- **Offer dispute resolution "intervention"**

Use of a consultancy firm led by a former senior officer at the Standards Board for England working on five phased areas of work.

The indicative cost of this intervention was £8,000 and this cost would be covered by the Parish Council.

The Monitoring Officer recommended that this intervention be offered to the Parish Council

- **Abolish or merge the Parish Council with another Parish Council**

In order to abolish or merge a Parish Council the Borough Council must undertake a community governance review and in order to abolish an existing Parish the Borough Council must show that community governance review was in response to “justified, clear and sustained local support” from the area inhabitants.

This would be an option of last resort.

In addition, it was noted that Phil Beavers, Independent Person, who had been working with Anston Parish Council had agreed to attend the next meeting. He outlined the current situation and the problems that were continuing. Whilst the option to offer dispute resolution intervention would be welcomed by some, the problems were caused by a small minority.

Despite all the work that had been done so far the complaints against certain members of the Parish Council continued. It was now up to the electorate of Anston to make any changes to the Parish Council membership at the forthcoming elections in May. It was, therefore, suggested that Phil Beavers, Independent Person, attend the first meeting of the Parish Council after the election and report back to the Standards Committee on the outcome.

The Committee considered the two options on the table and considered them both in detail.

The Committee noted the position with the Yorkshire Branch of the National Association of Local Councils who had been asked to lobby the Government about the sanctions that could be imposed against Parish Councillors.

The Committee suggested that any further work with Anston Parish Council be delayed until the outcome of the May elections was known.

Resolved:- (1) That the options to resolve issues arising at Anston Parish Council be placed on hold until the results from the May election were known.

(2) That Phil Beavers, Independent Person, attend the next meeting and first meeting of the newly elected Anston Parish Council and report his findings back to the Standards Committee in due course.

B23**OUTCOME OF STANDARDS HEARING REGARDING THE ALLEGED BREACH OF THE CODE OF CONDUCT**

Consideration was given to a report presented by Stuart Fletcher, Investigating Officer, which detailed the outcome of the Standards Hearing which took place on the 23rd February 2015, in relation to an

alleged Breach of the Code of Conduct by a Parish Councillor at Anston Parish Council, where it was alleged he assaulted a member of the public by slapping him across the face, after the Annual Parish Meeting held on 29th April, 2013.

The original hearing was adjourned on the 20th November, 2014 to allow the Parish Councillor the opportunity to obtain legal representation, to have an independent observer present (not being a person who attended the Annual Parish Meeting on 29th April 2013) and the opportunity to discuss the case with the Independent Person, David Waxman.

As such the final hearing of this matter took place on 23rd February, 2015 the Parish Councillor chose not to attend the hearing

The Panel concluded that the Parish Councillor's conduct at the Annual Parish Meeting was within the scope of the Code of Conduct.

As the Panel found that the Code of Conduct did apply to the Parish Councillor in those circumstances, it then considered whether his actions were in breach of the Code of Conduct. Having heard and considered the evidence, the Panel was satisfied that on 29th April 2013 the Parish Councillor did assault a member of the public and, thereby, was in breach of the Code of Conduct.

The Panel was satisfied that in assaulting a member of the public, the Parish Councillor did not treat that person with respect and was seeking to bully him, which was in direct contravention of the Code.

The Panel was also satisfied that the Parish Councillor's aggressive behaviour at the Annual Parish Meeting brought both the office of the Parish Councillor and Anston Parish Council into disrepute.

The Panel considered the sanctions that would be appropriate in this case which they unanimously agreed.

The Committee were asked to consider the possibility of publicising the decision and were in agreement that the notice of this hearing should be published in some form.

(1) Resolved:- (a) That the sanctions imposed by the Panel at the hearing be noted.

(b) That the appropriate action be taken to ensure these sanctions were implemented.

(2) Recommended:- That Council approves that details of the decision and the surrounding circumstances be published.

B24 REPORT ON THE GOVERNMENT INTERVENTION

Consideration was given to the report presented by Jacqueline Collins, Monitoring Officer, which set the details of the Secretary of State for Communities and Local Government and the Secretary of State for Education's Directions under Section 15(5) and (6) of the Local Government Act 1999 and Section 497A(4B) of the Education Act 1996 in relation to Rotherham Metropolitan Borough Council to secure its compliance with the best value duty and to secure that the Authority's children's social care functions were performed to the required standard.

The report set out in detail the nature of the Directions, introduced the Commissioners, their roles, powers to be exercised and the decision-making and accountability of the Commissioners, roles of the Leader, Cabinet and Members, appointment of statutory officers, appointment to other bodies, Directions to the Authority, duration of the intervention and order moving Rotherham Council to all out elections from 2016.

The representations made by the Council requested further information from the Department for Communities and Local Government relating to the constitutional implications and practical operation of the proposed intervention.

The Committee asked a number of questions relating to the roles of the Commissioners, the current status of the Council's Confidential Reporting Policy or "whistleblowing", which had been picked up in the Jay and Casey reports and which was also raised at the Joint Consultative Committee with the Trades Unions.

Resolved:- (1) That the contents and effects of the Directions dated 26th February, 2015 be noted.

(2) That the appointed Commissioners in the exercise of their functions as described in the Directions dated 26th February 2015 be fully supported.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING URGENT ITEM IN ORDER TO SHARE THE DETAILS AND RECOMMENDATIONS FROM AN ADVISORY PANEL OF INDEPENDENT MEMBERS)

B25 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 1 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relates to an individual).

B26 STANDARDS COMMITTEE ADVISORY PANEL OF INDEPENDENT MEMBERS

Jacqueline Collins, Monitoring Officer, reported on the Advisory Panel of Independent Members which had met earlier today to consider whether two separate complaints relating to breaches of the Code of Conduct should be investigated further.

The Chair of the Advisory Panel, Peter Edler, explained how the Panel had considered the details of the complaints.

The Panel were unanimous in their decision on whether to refer the allegations to the Standards Committee for further investigation.

Resolved:- That the recommendation to the Standards Committee to investigate the allegations about the behaviour and use of language and the disclosure of confidential information be noted.

B27 DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards Committee take place at the Town Hall, Rotherham on Thursday, 11th June, 2015, commencing at 2.00 p.m.

**AUDIT COMMITTEE
11th March, 2015**

Present:- Councillor Sangster (in the Chair); Councillors Cowles, Kaye and Sharman.

Apologies for absence:- Apologies were received from Councillor Rushforth.

N34. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH FEBRUARY, 2015

The minutes of the previous meeting of the Audit Committee held on 18th February, 2015, were discussed.

Resolved:- That the minutes of the previous meeting be accepted as a correct record.

N35. EXTERNAL AUDITOR'S VALUE FOR MONEY CONCLUSION 2013/14

Further to Minute No. 22 of 19th November, 2014, Stuart Booth, Interim Strategic Director, Resources and Transformation, reported that KPMG had now considered the findings of the OFSTED inspection into Children's Services, the Independent Inquiry into Child Sexual Exploitation and the recently published Corporate Governance Inspection.

They had concluded that the Council had not made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31st March, 2014 and, therefore, issued an adverse Value For Money Conclusion.

Rashpal Khangura, KPMG, reported that, having considered the findings and conclusions of the 3 inspections together with their audit evidence, they were satisfied that it provided evidence that key elements of the Authority's corporate governance arrangements were not operating to challenge how it secured economy, efficiency and effectiveness in its use of resources.

In terms of implications going forward, KPMG would now complete the initial risk assessment for the 2014/15 Value for Money. The governance issues identified in the DCLG report would be taken into consideration and whether those arrangements had changed. KPMG would then need to be satisfied that there were effective arrangements in place to provide an unqualified conclusion.

The deadline to informally produce the Value For Money conclusion was September. Planning work would be undertaken in April with key officers and the Commissioners to understand what the processes were in terms of how the organisation had changed, develop Key Lines of Enquiry etc..

Discussion ensued with the following issues raised/highlighted:-

- The work of Internal Audit
- Interim Audit Letter
- Inspections going forward and the progress against the Improvement Plan

The Committee also considered a report setting out the statutory responsibilities of KPMG in their capacity as External Auditors and identifying what their approach was to issues raised that fell outside their responsibilities.

Resolved:- That the Value For Money conclusion reached by KPMG in respect of 2013/14 be noted.

N36. CLOSURE OF ACCOUNTS 2014-15

Simon Tompkins, Finance Manager, reported on the changes to accounting standards and disclosure requirements that had taken place during 2014/15 together with their effect on the Council's accounting policies. It also highlighted the steps being taken to achieve earlier closure in response to the Government's stated intention of bringing forward the Local Government Reporting Timetable in 2017/18 whilst still maintaining high quality Financial Statements that were fully compliant with the Code of Practice on Local Authority Accounting (the Code).

Local Authority accounting operated in a dynamic environment which was subject to ongoing changes to accounting standards and legislative requirements which impacted on local government financial reporting. It was important that the Council continued to respond to the changes promptly and effectively to ensure that the financial information used by management and stakeholders represented the Council's true financial position.

The Government had signalled its intention to bring forward the date by which the Council's annual Statement of Accounts must be prepared and published. Current Regulations required unaudited accounts to be prepared by 30th June and audited accounts to be published by 30th September. New regulations which were likely to be laid in 2015 were expected to bring the dates forward to 31st May and 31st July respectively. The new Regulations were expected to come into effect for the 2017/18 financial year but authorities were being strongly encouraged to bring about the transition earlier so they were fully geared up in advance of the change.

Accordingly, the 2014/15 closedown timetable had been designed to carry out procedures, previously undertaken at year-end, in -year wherever possible and to review and re-engineer year end processes where necessary to achieve a quicker closedown.

The other key changes in 2014/15 and action taken to address them were set out in Appendices 1 and 2 of the report submitted.

Prior to 2010/11 the Accounts and Audit Regulations had required that the unaudited Financial Statements be approved by Members by 30th June and the audited Financial Statements by 30th September. The Accounts and Audit Regulations 2011 removed the requirement for Members to formally approve the unaudited Financial Statements. The Audit Committee had agreed that, in order to maintain strong governance over financial reporting, it would receive the unaudited Financial Statements for information after they had been authorised and release for publication. Accordingly, the unaudited Financial Statement must be authorised for publication by the Interim Strategic Director of Resources and Transformation by 30th June, 2014, presented to the July Audit Committee and the audited 2014/15 Financial Statements submitted to the September meeting for formal approval following presentation of KPMG's ISA 260 report.

Discussion ensued on the new Regulations and the implications of bringing forward the requirement to produced unaudited accounts by 31st May with the following raised/highlighted:-

- The Authority was currently on course to achieve the new deadline
- Earlier closure was being achieved by bringing work forward in-year and by greater use of estimation techniques. This has required cultural change as well as procedural
- The increased use of estimation had introduced a greater element of risk of misstatement but this was being mitigated through quality assurance being undertaken by Finance teams on information before it was provided to the Central Team and further checks by the Central Team on its receipt. This should ensure the high standard of previous years was maintained and prevent material misstatements occurring in the accounts presented for audit
- Any errors identified by KPMG above a certain level that did arise would be submitted to the Committee for consideration

Resolved:- (1) That the changes to the Council's accounting policies be noted.

(2) That the requirement for the Audit Committee to formally approve the audited 2014/15 Financial Statements at the September meeting be noted.

(3) That the unaudited Financial Statements be submitted to the July meeting.

N37. ANNUAL REVIEW - INSURANCE AND RISK MANAGEMENT PERFORMANCE

Further to Minute No. 20 of the meeting of the Audit Committee held on 18th December, 2013, consideration was given to a report presented by Colin Earl, Director of Transformation, which set out details of the numbers and cost of insurance claims made against the Council.

It was noted that the Council continued to have a very good and improving record in most areas. Proactive Risk Management measures were helping to reduce the number of claims made against the Council and effective monitoring and inspection systems were enabling the Council to successfully defend many claims that were received.

The report highlighted areas where risk management action was helping to achieve the greatest savings in support of the Council's Medium Term Financial Strategy.

Reference was made to the summary of claims received by the Council over the past ten years, relating to the five main areas of insurance risk

On average, the Council had paid £1.52m per year on insurance claims over the last ten years. The need to continue to invest in reducing the costs of accidents via improved management systems, work environment and training could not be overstated.

Following discussions, which commenced in 2012, agreement was reached with the South Yorkshire Passenger Transport Executive that with effect from 1st April, 2015, their insurance claims would be handed by the Governance Section. Whilst the income generated was comparatively modest it illustrated that the Governance Section was capable of leading services for other organisations and of the confidence of others in the Authority's service.

The Committee welcomed this report and the work taking place to improve performance. It was also noted that consideration was being given to promoting the work of the Governance Section to outside bodies.

Resolved:- (1) That the generally very good performance in relation to the management of risk and minimisation of insurance claims costs be noted.

(2) That the premium savings achieved for 2015/16 across various insurance policies and claims handling charges be noted.

AUDIT COMMITTEE
Tuesday, 5th May, 2015

Present:- Councillor Sangster (in the Chair); Councillors Cowles and Kaye.

Apologies for absence:- Apologies were received from Councillors Rushforth and Sharman.

C38. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH MARCH, 2015

Consideration was given to the minutes of the previous meeting of the Audit Committee held on 11th March, 2015.

Reference was made to Minute No. N35, Third Paragraph (External Auditor's Value for Money Conclusion 2013/14) indicating findings and conclusions of three inspections. This should refer to two inspections only – Professor Jay and Ofsted.

Paragraph 5 of the same minute also referred to a “deadline to informally produce the Value for Money conclusion”. The word “informally” should be deleted.

In terms of Minute No. N36 (Closure of Accounts 2014-15) Simon Tompkins, Finance Manager, suggested an addition to the minute as the change gave added emphasis in view of the fact that the Council's Treasury Strategy, which included the approach to determining Minimum Revenue Provision, be a matter reserved for full Council. This was at KPMG's request and would include the inclusion of the following text after the fifth paragraph:-

“Members were asked in approving the minutes to have particular regard to the amendment to accounting Policy 15 in Appendix 2 to the report which set out the basis on which charges were to be made to revenue for the repayment of debt which had been used to finance capital expenditure. This was known as the Minimum Revenue Provision or MRP.

Capital financing regulations and related statutory guidance allowed a range of options for determining Minimum Revenue Provision. The broad aim was that a prudent provision should be made which mirrors the benefit the Council gets from using the asset to deliver services over the life of the asset.

The accounting policy had been clarified in 2014/15 to simply state that prudent provision was made having regard to relevant statutory requirements and related guidance on MRP issued by DCLG. It no longer prescribed which options were to be employed to different types of debt in any given year. This afforded flexibility in how the policy was applied in practice in the face of changing circumstances.

The amendment to Accounting Policy 15 was being emphasised to Members in view of the fact that approval of the Council's Treasury Strategy, which includes the approach to determining Minimum Revenue Provision, was a matter reserved for full Council."

Resolved:- That the minutes of the previous meeting be approved as a correct record for signature by the Chairman, subject to the alterations/inclusions referred to above.

C39. INTERNAL AUDIT ANNUAL REPORT 2014/15

Consideration was given to a report presented by Colin Earl, Director of Transformation, which provided information on the role of Internal Audit, the work undertaken by the Service during the 2014/15 financial year and his overall opinion, as Director of Transformation, on the Council's control environment.

Based upon the audit work undertaken during 2014/15 and taking into account the findings of key external reviews: KPMG, Professor Jay Report, Corporate Governance Inspection and Ofsted Inspection, the Director of Transformation concluded that the Council's control environment for 2014/15 was inadequate and did not operate satisfactorily during the year.

Particular reference was made to the basis of the opinion, which was affected by a number of factors, some of which were exceptional. However, sufficient work was undertaken to enable a view on the Council's control environment to be formed, which also took account of other assessments of the Council's performance and its controls.

The control environment was found to be inadequate in six areas:

- Contract for School Improvement Activity.
- Children's Home.
- Transport for Looked After Children.
- Highways Contracts.
- Blue Badge Scheme.
- Taxi Licensing.

A summary of the audit work undertaken during the year was set out in the report submitted.

In addition, Internal Audit also provided audit services on a fee earning basis to five academy schools; since these are separate legal entities to the Council, there is no impact on the overall opinion of the Council's control environment.

Clarification was sought on control improvements to the blue badge scheme and the work taking place with management on applicant assessments. A further report on progress would be reported to the July

2015 meeting of the Audit Committee.

In terms of highways contracts, it was noted that a more robust process for the checking of costs incurred during the currency of contracts and at final account stage was being implemented to avoid errors in the future.

With regards to transport for looked after children a number of recommendations had been made to strengthen the arrangements, all of which had been accepted by management.

A further period of consultation had also been launched on the Licensing Policy in relation to taxi licensing, with a view to a more robust process being implemented. Implementation of the new Policy would have a phased approach for existing taxi drivers and operators.

It was suggested that a robust approach to taxi licensing should be adopted nationally and discussions had taken place with representatives from the Home Office for this to be considered further. Considerable interest had also been shown by Chief Executives of the other South Yorkshire Local Authorities and it was envisaged that some seminar with colleagues would be devised to share information once the Policy had been agreed.

Resolved:- That the Internal Audit Annual Report for 2014/15, including the opinion that the Council's control environment was inadequate and did not operate satisfactorily during the year, be noted.

C40. EXTERNAL AUDITOR'S FINAL ANNUAL AUDIT LETTER 2013/14

Consideration was given to a report presented by Stuart Booth, Strategic Director of Resources and Transformation, which reported receipt of the final annual audit letter from KPMG.

The Interim Annual Audit Letter 2013/14 presented to Audit Committee on 19th November, 2014 informed Members that KPMG had not been able to issue their Value for Money Conclusion pending consideration of the scope and outcomes from the inspection work commissioned following the independent inquiry into child sexual exploitation.

Subsequent to this, KPMG have completed their work and reported their Value for Money Conclusion to Audit Committee on 11th March, 2015.

The adverse conclusion they reached that the Council has not made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31st March, 2014 was reflected in the Final Annual Audit Letter.

The remaining headline messages contained in the Final Annual Audit Letter were unchanged from the Interim.

It was worth noting that, although an adverse Value for Money Conclusion had been issued, KPMG have not felt it necessary to issue any high priority recommendations relating to Value for Money as the Council was in the process of developing an improvement plan to address the weaknesses identified in the corporate governance inspection.

Representatives from KPMG confirmed the initial audit planning process identified two significant risks to the Value for Money conclusion, the closure of Digital Region Limited and the Authority's savings plans for reductions in savings.

In addition, in November, 2014, OFSTED published its judgement that Children's Services were overall inadequate. This, therefore, questioned the Authority's arrangements to deliver quality services for children. In February, 2015, the Report of the Inspection of Rotherham Metropolitan Borough Council was published and highlighted significant governance weaknesses. Specifically it reported the Authority was not fit for purpose and failing in its legal obligation to secure continuous improvement in the way in which it exercises its functions.

In the context of KPMG's Value for Money conclusion, the significant weaknesses identified in the Authority's arrangements meant they were unable to be satisfied the Authority had arrangements to secure economic, efficient and effective use of resources and, therefore, issued an adverse conclusion on 26th March, 2015.

Commissioner Manzie confirmed that strategic arrangements were now in place to look at the conclusions in more detail and would form part of the overall framework in the Improvement Plan.

Resolved:- That the Final Annual Audit Letter 2013/14 be approved for publication on the Council's website.

C41. INTERNAL AUDIT PLAN 2015/16

Consideration was given to a report presented by Marc Bicknell, Chief Internal Auditor, which outlined the Council's Internal Audit Plan for 2015/16.

Significant changes had been made in the approach to audit planning. These have been reflected in the resulting audit plan, which now more fully reflects a risk based assessment using the Council's risk registers, budget documentation and other key plans. The Plan also reflects discussions with Directors and the Strategic Leadership Team on their views of key risks and areas for audit coverage.

The programme also included coverage in many areas criticised in the Professor Jay, Ofsted and Corporate Governance Inspection reports.

As well as a full refresh of the 'audit universe' and a thorough risk

assessment of the Council's activities, the Audit Plan had also taken into account:-

- Financial information from budgets and key financial systems
- Review of key plans and policies
- Consultation with the Council's Directors and Strategic Leadership Team
- Known major upcoming changes in keys systems and governance arrangements
- Views on the risk of fraud and error
- Cumulative audit knowledge and experience
- External requirements (including requirements to audit and sign off grant claims for the Government)

A summary of the approach to the development of the Audit Plan for 2015/16 was provided, which would be delivered in accordance with the Internal Audit Charter. The Internal Audit Plan was focused on the achievement of the Council's key objectives and priorities and the risks that may hinder the Council from meeting these.

As well as identifying all of the proposed pieces of work to be carried out during the year, the Plan:-

- Explained the statutory requirement for Internal Audit
- Described the approach and methodology adopted in producing the Plan
- Showed the level of resources available to deliver the Plan was 1,405 days based on an establishment of 8.4 full time equivalents
- Identified the Audit Universe for the Council
- Included high level risk assessments for each Council service
- Included a contingency to use in responding to requests for advice/assistance that arose throughout the year. Client feedback told us that Internal Audit's ability to respond promptly to unforeseen issues of the nature was highly valued. With finite resources though, we would need to carefully review involvement in any issues presented

In line with the new UK Public Sector Internal Audit Standards, the Plan did not become fixed when it was approved. It remained flexible and would be revised to take into account any significant emerging risks facing the Authority.

The scale of change in audit approach and resulting audit plan would be challenging for Internal Audit to deliver. Resources would need to be revised and invested within the service as necessary to enable it to successfully deliver the audit plan.

Consideration was given to a number of issues specifically around the external reviews, the "missing" reports and the flow of information

throughout the Authority. The Chief Internal Auditor confirmed this will be reviewed as part of a wider discussion on information governance and the management of Freedom of Information and Data Subject Access requests.

A series of quality assurance checks have been introduced in Children's Services and Internal Audit will examine these.

A new IT system is to be introduced for Children's Services and Adult Services and Internal Audit will examine this in due course.

One of the major areas of audit work would specifically focus on concerns raised by the Professor Jay and Casey reports and the serious weaknesses in children's social care in Rotherham and the quality assurance function with a view to making sure proper management arrangements and assessment timescales were in place.

Through careful management of our resources, we will continue to undertake the necessary work on fundamental financial systems to support the Section 151 officer to fulfil his statutory responsibilities.

Given the limited audit resources and the challenges to delivery of the Audit Plan, we will need to keep our practice of providing audit services to academies under review.

The audit plan will be kept under review on an ongoing basis, any significant changes to it will be reported to the Audit Committee for consideration and approval.

The Strategic Director of Resources and Transformation welcomed the shift in risk based focus, which was recognised in the report and which gave assurances as to how business was being managed from a governance perspective.

Resolved:- That the Internal Audit Plan for 2015/16 be approved.

**HEALTH AND WELLBEING BOARD
19th March, 2015**

Present:-

Commissioner Manzie	in the Chair
Tony Baxter	Interim Director of Public Health
Chris Edwards	Chief Officer, Rotherham Clinical Commissioning Group
Jason Harwin	District Commander, South Yorkshire Police
Shona McFarlane	Director of Adult Social Care, RMBC
David McWilliams	Director of Commissioning and Performance Management, RMBC

Also Present:-

Jo Abbot	Public Health
Steve Ashley	Chair, Rotherham Safeguarding Young People Board
Tony Clabby	Healthwatch Rotherham
Tracey Clarke	RDaSH (representing Chris Bain)
Anne Crompton	Rotherham Foundation Trust
Michael Holmes	Policy Officer, RMBC
Catherine Homer	Public Health
Justin Homer	Head of Policy and Partnerships, RMBC
Tracy McErlain-Burns	Rotherham Foundation Trust (representing Louise Barnett)
Councillor Roche	Advisory Cabinet Member, Health and Adult Social Care
Janet Wheatley	Voluntary Action Rotherham
Sarah Whittle	Rotherham Clinical Commissioning Group

Apologies for absence were submitted by Chris Bain, Louise Barnett, Dr. David Clitherow, Naveen Judah, Dr. Julie Kitlowski and Chrissy Wright.

S65. QUESTIONS FROM MEMBERS OF THE PRESS AND PUBLIC

There were no questions from the member of the public present at the meeting.

S66. UPDATE ON RMBC GOVERNANCE ARRANGEMENTS

Commissioner Manzie welcomed attendees to the formal Board meeting.

She explained that the 5 Commissioners had been appointed by the Secretary of State for Communities and Local Government and the Secretary of State for Education. A primary part of their role was, for as the Secretary of State felt fit and/or until the Commissioners made recommendations otherwise, to take some of the Executive decisions that would ultimately have been made by Members of the Council. It was not the intention to ignore Elected Members or not involve them. The Commissioners would work with the Councillors in an advisory role, however, there were some Local Government functions that had to be taken by the Council i.e. setting the budget.

The various themes had been divided between the Commissioners with Commissioner Manzie having the responsibility for the decision making functions for Adult Services, Public Health and Education. She also had the role of being the full-time Managing Director and performing most of the Chief Executive functions.

Resolved:- That the Statement of Rotherham Commissioners' mission be circulated to all Board members.

S67. COMMUNICATIONS

Joint commitment to share information effectively for the protection of children

Correspondence had been sent to all local authority Chief Executives, Directors of Children's Services, Police and Crime Commissioners, Local Safeguarding Children's Boards, Health and Wellbeing Boards and GPs setting out how and when personal information should be shared in light of the Alexia Jay and Louise Casey reports.

An overview of the existing Legislation and guidance on information sharing was annexed to the letter together with a summary of the package of cross-Government information sharing guidance which would be published by the end of March, 2015.

Nothing should stand in the way of sharing information relating to child sexual abuse even where there were issues with consent. Failures to share information were not just due to legal barriers and there was a need for genuine integrated multi-agency approaches to underpin information sharing. Local processes or model must ensure that the right input from the right agencies was reflected and considered as part of risk assessments at the right time and in the right way with jointly agreed and executed actions.

It was noted that the Board had signed up to an Information Sharing Protocol in 2014. However, it may be timely to revisit the protocol to ascertain if any changes were required.

Resolved:- That an item on the Information Sharing Protocol be included on the April Board meeting setting out what the current position was and if any changes were required.

S68. BETTER CARE FUND SECTION 75 AGREEMENT

Following the informal meeting held on 18th February, 2015, Chris Edwards (Rotherham Clinical Commissioning Group) and Jan Ormondroyd (Interim Chief Executive) had had discussions regarding the Better Care Fund and the £23M pooled budget. Work had taken place on looking at how other areas had worked with the budget and the legal options available.

The current line of thinking was that there would be 1 Section 75 Agreement with 2 pools of funding beneath, 1 hosted by the Council and 1 hosted by the Clinical Commissioning Group. However, the precise legal details were still being worked on.

Board members were reassured that, in terms of the content of the Better Care Fund, there had been no material change to either the scheme or investments.

Resolved:- That the proposed arrangements for the Section 75 Agreement be approved subject to Chris Edwards (Clinical Commissioning Group) and Shona McFarlane (Director of Adult Social Care), finalising the legal details.

S69. CSE STRATEGY UPDATE

Steve Ashley (Chair, Local Safeguarding Children's Board) reported that the Board had revised its Strategy which was currently out for consultation with the Commissioners and would then go out to partners.

Commissioner Manzie reported that some changes had been made to the document and, as a result of discussions with Ian Thomas (Interim Strategic Director, Children and Young People's Services) an event was to be held on 2nd April 9.00 a.m.-12.00 Noon. It would be a partnership session with a framework based on some of the work the Safeguarding Board had been doing and enable discussion/brainstorming. It was essential that the Board had a robust Strategy that all partners played a part in.

A future agenda item for the Health and Wellbeing Board to consider was with regard to the issue of victims and survivors. The Board needed to ensure that the proper support was available for victims many of whom may have their own children now. It may involve joint commissioning/pooling of money including the potential funding as stated in the Direction by the Secretary of State for Communities and Local Government

Discussion ensued with the following issues raised:-

- Information arising from the recent Health-led CSE event would be available for the 2nd April event – Chris Edwards to liaise with Ian Thomas
- Work was already underway on the Needs Assessment i.e. the need not to separately commission the same work – also needed to be fed into the event
- There was a combined bid into the Home Office by the voluntary sector around the needs of victims and survivors – 1 year funding of £500,000 to set up a series of bases across the Borough. There were 2 bids submitted from Rotherham, 1 by the Rotherham Women's

Counselling Service (£160,000) and the consortia bid under 2 themes. The outcome would be known by the end of March

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

(2) That Commissioner Manzie ascertain who was to be invited to the 2nd April event.

S70. SELF-HARM PRACTICE GUIDELINES

Ruth Fletcher-Brown, Public Health Specialist (Mental Health) presented the Self-Harm Practice Guidance for approval and adoption by the Board.

The Rotherham Youth Cabinet had looked at the subject of self-harm as part of its 2013/14 Manifesto and recognised that, as well as local, it was a national issue.

In conjunction with this work, partner organisations had begun work drafting self-harm guidance for all staff working with children and young people recognising that it was an emotive issue for those staff supporting young people.

The purpose of the Guidance was to promote a safe, timely and effective response to children and young people who harmed themselves or were at risk of harming themselves. It was intended for use with children and young people up to the age of 25 years and did not supersede Safeguarding procedures. It had been written to reflect the development of the self-harm pathway and would appear on the CAMHS website once developed.

The Guidance incorporated the findings from the work of the Rotherham Youth Cabinet, including the voice of young people who self-harmed in Rotherham, and expertise from partners.

Adoption of the Guidance needed to be supported by a robust training programme to ensure that workers felt confident and able to support young people and referring on when appropriate.

If approved, the Guidance would be launched and rolled out to all organisations that worked with young people.

Discussion ensued with the following issues raised/clarified:-

- Some organisations would require the Guidance in hardcopy form but it was the intention for it to be included on all organisations' websites
- Suggestion that the paragraphs be numbered to enable quicker reference and that the "How to Help" be grouped under related headings to allow easier access
- A meeting had been held with all Safeguarding leads to publicise the document and it was hoped to meet similarly with all Head Teachers

- Capacity to deliver the robust training and that of CAMHS' capacity to respond to the inevitable surge of demands for support

The Clinical Commissioning Group supported the document and had circulated it to GPs who were similarly in support but had raised the issue of faith.

Tony Clabby, Healthwatch Rotherham, reported that they were in discussion with the Clinical Commissioning Group with regard to developing a Young Healthwatch Ambassadors pilot, which was hoped would lead to peer-to-peer support, for young people who did not feel comfortable talking to adults. This was in development with the schools.

Ruth acknowledged that there was a great demand for support and training around mental health. It was hoped that the Guidance would also reassure frontline workers that they did not necessarily need to refer everyone through to CAMHS. Professionals needed to carry out a risk assessment as not all young people who self-harmed would need a referral.

CAMHS had worked very closely with the production of the Guidance.

A further issue for consideration was the wellbeing of staff in schools whom were increasingly dealing with contentious issues and needed support.

Resolved:- (1) That the Self-Harm Practice Guidance be approved and adopted for use across all Services who worked with children and young people both within the statutory and voluntary sector.

(2) That the Youth Cabinet and other partners involved in the production of the Guidance be thanked for their work.

(3) That the Board be informed when the Guidance was to be launched.

(4) That further work take place with regard to training and that the Board consider the financial implications of a robust training programme.

S71. DATE OF NEXT MEETING

Resolved:- That a meeting of the Health and Wellbeing Board be held on Wednesday, 22nd April, 2015, commencing at 9.00 a.m.

HEALTH AND WELLBEING BOARD
22nd April, 2015

Present:-

Councillor Roche	Advisory Cabinet Member, Adult Social Care and Health (in the Chair)
Graeme Betts	Interim Director of Adult Social Services
Tony Clabby	Healthwatch Rotherham
Tracey Clarke	RDaSH
David Clitheroe	SCE Executive GP, lead for Children's and Urgent Care
Chris Edwards	Chief Officer, Rotherham Clinical Commissioning Group
Jason Harwin	South Yorkshire Police
Michael Holmes	Policy and Partnerships, RMBC
Justin Homer	Head of Policy and Partnerships
Julie Kitlowski	Chair, Rotherham Clinical commissioning Group
Carol Levelle	NHS England
Stella Manzie	Managing Director Commissioner
Tracey McErlain-Burns	Chief Nurse, Rotherham Foundation Trust
David McWilliams	Director of Commissioning and Performance Management
Terri Roche	Incoming Director of Public Health
Joanna Saunders	Public Health
Janet Wheatley	Voluntary Action Rotherham

Apologies for absence were submitted by Ian Thomas.

S81. QUESTIONS FROM MEMBERS OF THE PRESS AND PUBLIC

There were no questions from the member of the public present at the meeting.

S72. QUESTIONS FROM MEMBERS OF THE PRESS AND PUBLIC

There were no questions from the member of the public present at the meeting.

S73. MINUTES OF PREVIOUS MEETING

Resolved:- That the minutes of the meeting held on 19th March, 2015, be approved as a correct record.

Arising from Minute No. S76 (Joint Commitment to share information effectively for the Protection of Children), it was noted that the overarching information sharing protocol was in the process of development taking into account Government guidance issued in March.

Once a draft was ready to be shared, it would be sent to partners, highlighting key changes, for comment prior to submission to the Board for approval.

Arising from Minute No. 78 (CSE Strategy Update), it was noted that the Strategy was almost complete subject to input from Commissioner Newsam and Ian Thomas (Strategic Director Children and Young People's Services). The document would be circulated for discussion and comment.

Janet Wheatley reported that second element of the combined funding bid had been successful. The 1 year funding of £262,000 was to be used to set up a series of bases across the Borough and, although the official letter awarding the funding had not been received as yet, the recruitment of staff had commenced.

S74. COMMUNICATIONS

Attention was drawn to the "Weigh Up Event" which was the launch of the newly commissioned Weight Management Services on 24th April, 2015.

S75. CONSULTATION ON DRUGS AND ALCOHOL PUBLIC HEALTH EXPENDITURE

Joanna Saunders, Public Health, presented a report on proposals to commence consultation with partners on the proposed changes to the Drugs and Alcohol Services from 1st October, 2015.

As part of its budget review exercises during 2014/15, the Council had identified the potential for efficiency savings through the Drugs and Alcohol Public Health Programme Area. The former Cabinet had agreed the outline proposals in principle and it was now proposed that a wider consultation process commence in May.

The local voluntary sector alcohol provider, Lifeline, had been successful together with Public Health Commissioning, in obtaining a large Department of Health capital grant for the development of a local Recovery Hub. This had provided an opportunity to develop the proposed amalgamation of some services.

Creation of such a Hub would include peer support work being delivered in a different way, therefore, it would be proposed to increase the amount of group work delivery and decrease the amount of individual one-to-one client work undertaken by the existing service provider. If agreed this may require changes to the staffing structure within RDaSH in order to reshape service delivery in line with the new recovery agenda whilst retaining a clinically safe and effective service which prioritised those at the highest risk both to themselves and to the community.

Discussion ensued on the proposals with the following points raised:-

- Consultation with users, carers, providers and partners to ensure good feedback with regard to improving the Service. It would also attempt to provide reassurance that there was recognition that the

Service was valued and that any new provision would be an improvement on the existing

- It had to be made clear to those organisations that provided the Services that a decision had not been made as yet
- Concern of the workers that the suggested proposals would result in job losses - already some were looking for alternative employment
- Historically there had been excellent take up of the Service delivered by Primary Care to the sector and fear that the proposals would be catastrophic for the patients of Rotherham – a good evidence base was required to justify the change
- At a recent meeting of the Local Medical Council GPs had expressed concern about the possible loss of their Workers. There had been a consensus that they would consider withdrawing from the shared provision
- The proposed consultation would take place during the middle of May. The documents would set out the evidence base and best practice used elsewhere
- The DAT and DAT Management Board had thought the decision had already been made so would welcome consultation. A reduction in provision would result in more people being vulnerable
- RDaSH had commenced consultation with staff
- The outcome of the consultation will be considered by the Board

Resolved:- (1) That a detailed formal consultation process with users and carers, partners in care and Health and Community Safety and providers, be launched in mid-May for 3 months.

(2) That, in light of the concern being expressed by Service users and Workers, a letter be sent by Commissioner Manzie and the Director of Adult Social Care, in consultation with the Clinical Commissioning Group, explaining the purpose of the consultation.

S76. HEALTH AND WELLBEING BOARD GOVERNANCE

Commissioner Manzie presented a report incorporating the actions and updates thereon agreed at the workshop held on 19th March and subsequent discussions held with Chris Edwards, Clinical Commissioning Group.

There had been discussions with the Leader of the Council regarding Councillor Roche, Advisory Cabinet Member for Health and Wellbeing, becoming the Chairman of the Board and Julie Kitlowski, Chair of the

Clinical Commissioning Group to act as Vice-Chair. Role descriptions and protocols would be developed.

The proposed changes were welcomed by Board members and, although a standing Committee of the Council, it now felt that it was a true partnership Board.

Discussion ensued on the membership of the Board. When the Board had been set up originally, the membership had been very prescriptive with some partners being “full” members and others not. It was felt that providers should be “full” members but declare an interest wherever appropriate. The Board needed to focus on its priorities and required proper representation.

The Board also needed to align with the Children and Young People’s and Adult Safeguarding Boards as per the national guidance. This would be discussed further in the next item.

Resolved:- (1) That meetings of the Board move locations from the Council Chamber.

(2) That Board meetings be held every 2 months (6 core meetings a year), the format to be agreed depending upon issues at the time, but with the opportunity to call special meetings in the month inbetween.

(3) That agendas for the meeting be contributed to by any partner with the Council’s Managing Director and Clinical Commissioning Group Chief Officer to sign off.

(4) That further work be carried out on the secretariat arrangements between the Council’s Democratic Services, Resources and Public Health Teams.

(5) That more formal agenda setting discussions take place with planned single issue meetings on items of major importance.

(6) That the Council report back to the Board on possible Vice-Chairing or Co-Chairing of the Board by the Chair of the Clinical Commissioning Group working with the Advisory Cabinet Member for Health and Wellbeing.

(7) That the future format of the Health and Wellbeing Board items be discussed with the Secretariat.

(8) That consideration be given to the membership taking into account the Statute setting up Health and Wellbeing Boards.

(9) That Declarations of Interest be included on future agendas.

S77. UPDATE ON THE NEW HEALTH AND WELLBEING STRATEGY

Michael Holmes, Policy Officer, gave the following presentation:-

Strategic Framework – Where does it fit?

- Rotherham Vision and Community Strategy
- Health and Wellbeing Strategy
- Economic Growth Plan
- Safer Rotherham Partnership Plan

Strategy in Action

- Children and Young People's Improvement Board
- Safer Rotherham Partnership
- Rotherham Local Safeguarding Children Board
- Schools Forum
- Children and Young People's Strategic Partnership
- Rotherham Partnership
- Health and Wellbeing Board
- Economy Board
- Rotherham Safeguarding Adults Board
- Adult and Social Care Partnership Arrangements

Timetable

- Develop and agree draft structure for new Strategy – April
- Initial consultation – May-June
- Produce first draft of Strategy – end June
- Follow up Partner Workshop – July
- Final drafting of Strategy – August/September
- Approve Strategy – September
- Launch of Strategy – October

Joint Strategic Needs Assessment (JSNA) - used to inform Strategy but needs to be more user friendly

- Short summary of key issues
- Increased emphasis on children and young people
- Understand when key statistics are updated
- Review content to ensure consistent focus on needs
- Annual report to Health and Wellbeing Board

National NHS Context

- NHS Forward View
 - Health and Wellbeing: need a radical upgrade in prevention to maintain progress on healthy life expectancy and reduce inequalities
 - Empower patients and engage communities
 - Care and quality: a menu of care models for local areas to consider – integrate services around the patient

- Funding gap – focus on demand and prevention, efficiency gains from new care models, additional funding from Government
- NHS Mandate
 - Preventing premature death and enhancing quality of life for people with long term conditions
 - Helping people to recover from episodes of ill health or following injury
 - Ensuring people have a positive experience of care in a safe environment
 - Freeing the NHS to innovate
- Change of Government

Key Questions

- What are our aspirations for Health and Wellbeing in Rotherham?
- How do we fully understand children's issues and ensure they are at the centre of the Strategy whilst recognising other priorities e.g. older people?
- How will the Strategy add value and complement the efforts of other strategic boards?
- How will it drive system change e.g. prevention and early intervention, dependence to independence, integration?
- What does meaningful community engagement look like?
- Measuring performance – ready to strike a balance between affecting long term trends and assessing short term progress

In September, 2015

- Health and Wellbeing Board approve Strategy including the long term strategic outcomes
- In context of Rotherham Partnership renewal and fresh vision for the Borough
- Performance management arrangements agreed

After September

- Annual delivery plan informed by outcomes and indicators with associated performance measures
- Detailed delivery plans for specific themes/programmes, linked to wider partnership delivery structures (clear accountability and oversight)

Discussion ensued:-

- The Strategy had to be based on the JSNA, but also look ahead to future issues e.g. ageing population. Community engagement critical and this needs to be part of an overarching strategy, not just for health and wellbeing. Mental health and alcohol and drugs are other key issues
- The Police would be happy to be involved in the strategy task group

- Was the timing right for the consultation? Should it be at the beginning with a blank sheet of paper asking for submissions or work on a draft first then consult on it?
 - Look at the JSNA and select a small number of priorities and metrics on which to focus. This should include metrics for obesity, smoking and premature death / healthy years of life. Outcomes had to be evidence-based and measurable
 - Look at what other parts of the country are doing
 - Rather than one-off consultation, it should be seen as ongoing engagement with communities and built into everything the Board does going forward
 - JSNA helps us understand what the challenges are, but now need input from and co-production with communities to address them. Theme of building resilience should be built into everything we do.
 - Early engagement important – run a workshop with members of the community and partners
 - Start with what the data and evidence tells us, but supplement this by talking to communities/service users and make a commitment to follow up and keep people informed
 - Use the assets already in the community
- Don't duplicate consultation that has already been carried out e.g. speak to existing forums such as Rotherham Older People's Forum and Disability Forum
- RDaSH are conducting some work with the CCG at their AGM in June. Healthwatch could facilitate consultation on the Strategy.
- Careful consideration to be given to what the document should look like with sufficient time giving to the writing of the Strategy as well as the consultation. Possibly a lengthy document, but with a summarised version for public consultation.
- Clarification of the membership of the Task and Finish Group required

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

(2) That the Task and Finish Group membership be:-

Dr. Robin Carlisle, Rotherham CCG
 Joanna Saunders, Public Health
 Graeme Betts, Adult Social Care
 David McWilliams, Children and Young People's Services
 Carol Haywood, Policy and Partnerships Manager
 Janet Wheatley, Voluntary Action Rotherham
 Healthwatch Rotherham

(3) That the Task and Finish Group produce a programme of which user groups, data sources and other sources were going to be drawn upon, which were being written to and which were to be visited, along with a project plan for draft production by 22nd May.

(4) That the presentation be circulated to members of the Board.

S78. BETTER CARE FUND - OPERATIONAL GUIDANCE AND SECTION 75 AGREEMENT

Partnership Agreement

Lynda Bowan presented a report outlining progress made on the development of the Section 75 (of the NHS Act 2006) Partnership Framework Agreement.

The Section 75 Agreement had established 2 pooled budgets with each authority hosting 1 fund (CCG - £13,245M and the Council - £10,071M). A performance management programme had been developed which would allow a close focus on each of the 15 schemes. The schemes had been mapped into 2 pools to allow similar services to explore opportunities for further integrated working and to collect and monitor data ensuring double counting was avoided.

A revised Terms of Reference for the Better Care Fund governance had been included within the Section 75 Agreement. The existing governance had been updated to move on from the development of the plan into arrangements focussing on the implementation. There would be a BCF Operational Group which would meet, review and interpret performance data and ensure targets were monitored and met. A second group, the BCF Executive Group, would be the body which would have strategic oversight of the whole BCF plan. Terms of Reference for each of the groups were set out in Schedule 2 of the Section 75 Agreement.

The model would ensure that there was maximum focus on reducing the number of non-elective admissions and, therefore, meet the pay for performance element of the Fund. In 2015/16 £0.4M of the £23M BCF funding was paid only if Rotherham reduced its current rate of non-elective admissions. The CCG and Council had agreed a risk fund, spread across the 2 pooled budgets, which would be used to fund any shortfall due to targets being missed or unexpected overspends. The risk pool would be overseen by the BCF Executive Group and attributed on a 50/50 basis.

There were no material changes in the workstreams.

It was a 1 year Agreement only should there be any further Guidance beyond 2015/16 as well as progress of the schemes.

The Board agreed that there had been a lot of good collaborative work to get to where it was now and a sound base for moving forward and developing services/improvements and achieving the goals desired for the people of Rotherham. The challenge would be the “so what” test.

It was felt that there should be a 6 monthly review but in practice there may be individual reports on services due to developments that required reporting.

There were certain schemes where there were opportunities for commissioning and the Social Value Act would have full effect.

Resolved:- (1) That the Better Care Fund Section 75 Agreement be approved in principle subject to minor amendments being signed off by Chris Edwards and Graeme Betts.

(2) That the Interim Better Care Fund Executive and Operational Groups' Terms of Reference, as outlined in Schedule 2 of the above Plan, be approved.

Operational Guidance

Lynda Bowan presented an update on the publication by NHS England “The Operationalisation of the Better Care Fund in 2015/16” and the implications for Health and Wellbeing Boards.

The Guidance set out NHSE's expectations for how localities would measure, manage and report performance and the reporting timeframe. It particularly clarified the pay for performance element of the Better Care Fund.

NHSE had developed a quarterly reporting template which included income and expenditure, payment for performance, the supporting metrics and the national conditions. An annual report would also be required but as yet the draft format had not been devised. The Guidance suggested that the reports were discussed and signed off by Health and Wellbeing Boards.

Quarterly reports were due as follows:-

- 29th May, 2015 – for the period January to March, 2015
- 28th August, 2015 – for the period April to June, 2015
- 27th November, 2015 – for the period July to September, 2015
- 26th February, 2016 – for the period October to December, 2015
- 27th March, 2016 – for the period January to March, 2016

Resolved:- (1) That the NHSE document Better Care Fund: Guidance for the Operationalisation of the Better Care Fund in 2015/15, published on 26th March, 2015, be noted.

- (2) That the requirement to send quarterly reports and an annual report to NHSE be noted.
- (3) That the Better Care Fund Operating Group consider the performance of schemes and be signed off by the Executive Group with any major strategic issues being submitted to the Board for consideration.
- (4) That the suggested format for the Better Care Fund quarterly report be approved and officers develop an appropriate report format for Rotherham ensuring the NHSE requirements were fully met.
- (5) That the BCF Operational Executive be approved to sign off the first quarterly Better Care Fund return, due for submission to NHSE in May, 2015, and receive a report at the next Health and Wellbeing Board thereon.

S79. SUPPORT FOR CHILD SEXUAL EXPLOITATION VICTIMS AND SURVIVORS

Commissioner Manzie gave a verbal report on the interim solutions that had been put into place, the various groups that had received Council commissioned funding or other funding and the NSPCC telephone line.

There was now a formal governance structure with Commissioner Newsam being the designated lead.

There would need to be some elements of potential joint commissioning or partner activity, a governance structure for which was being set up in Commissioning to pull together. Initially it would be supported by Graeme Betts until Terri Roche took up position as Director of Public Health on 29th June.

The first Improvement Board meeting would be held shortly but the invitees would be kept tight so as to make progress. It would have a clear commissioning role in terms of projects to improve the position for survivors. There would also be a broader group of people from groups/organisations that it was important to engage with.

Information had been pushed out into the community as to what was happening with information on the website and newsletters but it was really important that thought was given to how everybody was reached who needed to be.

There was need to ensure that the Strategies were in place as soon as possible and that the Board did not delay things happening.

David McWilliams reported that it was the intention to award the Post-Abuse Support contract on 1st July, 2015 and was ready to go out to invitation to tender. Public Health had conducted an excellence piece of work and there was a very strong evidence base.

S80. DATE OF SPECIAL MEETING

Resolved:- That a special meeting be held on Monday, 18th May, 2015, commencing at 2.30 p.m.

**PLANNING BOARD
12th March, 2015**

Present:- Councillor Atkin (in the Chair); Councillors N. Hamilton, Kaye, Middleton, Pitchley, Roche, Rushforth, Turner, M. Vines, Wallis and Whysall.

Apologies for absence:- Apologies were received from Councillors Astbury, Godfrey and Roddison.

T75. DECLARATIONS OF INTEREST

Councillor Pitchley declared a personal interest in application RB2014/1651 (erection of four bungalows at land at Catherine Avenue, Swallownest for Arches Housing Association Ltd.) as a Ward Member and as a result of the application being considered at Aston Parish Council which she was not party to.

T76. MINUTES OF THE PREVIOUS MEETING HELD ON 19TH FEBRUARY, 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on 19th February, 2015, be approved as a correct record for signature by the Chairman.

T77. DEFERMENTS/SITE VISITS

There were no deferments nor site visits recommended.

T78. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following people attended the meeting and spoken about the applications listed below:-

- Installation of 2 No. turbines (24.8 m hub height and 34.5 m tip height) at land at Parkcliffe Farm, Morthen Road, Wickersley for D. and P. Parkes (RB2014/0727)

Mr. R. Parkes (Applicant)
Mr. M. Weaver (Objector)
Mr. J. Cooke (Objector)
Mr. M. Buxton (Objector)
Mr. P. Thirlwall, Wickersley Parish Council (Objector)

- Erection of 4 No. bungalows at land at Catherine Avenue, Swallownest for Arches Housing Association Ltd. (RB2014/1651)

Mr. F. Knight (Objector)
 Mrs. S. Smith (Objector)
 Mr. Lacey (Objector)
 Mr. M. Tideswell (Objector)

- Erection of 2 No. bungalows with carport link at land adjacent No. 72 Wadsworth Road, Bramley, for Rotherham Borough Council (RB2014/1665)

Ms. K. Holford (Supporter)
 Mrs. L. Townsend (Objector)

(2) That applications RB2014/0727, RB2014/1651 and RB2014/1665 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3) That application RB2015/0071 be refused for the reasons adopted by Members at the meeting and as set out in the submitted report.

T79. APPEAL DECISION - CRANWORTH HOTEL, FITZWILLIAM ROAD, ROTHERHAM (RB2014/0915)

Further to Minute No. T30 of the meeting of the Planning Board held on 18th September, 2014, consideration was given to a report of the Director of Planning and Regeneration Service concerning the appeal against the refusal of the application for planning permission, under Section 78 of the Town and Country Planning Act 1990, for the proposed alternation of front elevation which included installation of new entrance doors, enlargement of windows and improvements to car park at Cranworth Hotel, Fitzwilliam Road, Rotherham (RB014/0915).

The Inspector dealing with this appeal noted that the building was currently in use as a public house but recognised that there were fears by the landlady and many local residents that the property would be changed to a small express style supermarket if the appeal was allowed. However, he stated that the change of use of the building was not a matter for consideration in the application and the change of use of a public house to a shop could take place without the need for planning permission.

As such the Inspector considered that the main issue to be determined in the appeal was the effect of the proposed changes to the front elevation of the building on its character and appearance. He considered that the proposed changes to the front elevation would preserve the character and appearance of the host building. As such, the proposal would accord with Policy CS28 of the adopted Rotherham Local Plan Core Strategy which promoted sustainable design.

In recognition that the proposals would not harm the character of the pub and that the changes to the car park would make it more useable, the Inspector allowed the appeal.

The Inspector allowed the appeal with the following conditions:-

(1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: S1904/PL/03-01 A, S1904/PL/02-02 B, S1904/PL/03-02 B, S1905/PL/02-04 D and S1904/PL/02-06 A.

(3) No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Resolved:- That the decision to allow the appeal be noted.

T80. DRAFT DEVELOPMENT MANAGEMENT POLICIES

The Chairman welcomed Ryan Shepherd, Senior Planning Officer, to the meeting who gave an update and presentation on the Rotherham's Local Plan, which consisted of:-

- The Adopted Barnsley, Doncaster and Rotherham Joint Waste Plan
- The Adopted Core Strategy
- Saved UDP policies compliant with the National Planning Policy Framework and not superseded by the Waste Plan or Core Strategy.

Whilst it was noted that the Joint Waste Plan sets out policies specific to waste management, for all other matters the Core Strategy set out overarching strategic policies and in some areas provides detailed policy guidance. With the exception of the Bassingthorpe Farm Strategic Allocation it did not establish how individual site allocations may be implemented. This, along with more detailed "development management" policies were delegated to the Sites and Policies document.

The detailed policies, therefore, covered a range of topics and were in draft form. However, there were a number of the policies which were likely to be frequently used when determining planning applications. These were highlighted as part of the presentation and were namely:-

Policy SP8 – Previously Developed Sites within the Green Belt.
 Policy SP11 – Development in Housing Areas.
 Policy SP16 – Other Uses within Business and Industrial and Business Areas.
 Policy SP25 – Hot Food Takeaways.
 Policy SP27 – Sustainable Transport for Development.
 Policy SP34 Conserving the Natural Environment.
 Policy SP39 – Protecting Green Space.
 Policy SP48 – Understanding and Managing Flood Risk and Drainage.
 Policy SP63 – Access to Community Facilities.
 Policy SP55 – Design Principles.

A discussion and answer session ensued and clarification was sought by the Planning Board on:-

- The decisions makers on the Local Plan.
- Definitions for hot food takeaways.
- Definition of a defined town or district centre for takeaways.
- Impact on existing takeaways consolidated into a particular area.
- Ability to defend decisions once policies have been agreed.
- Differences between “exceptional” circumstances for Green Belt and Green Spaces.
- Design principles and room sizes.
- Increased toilet facilities for women in new commercial developments.
- Wording adjustment for breast feeding and baby changing.
- Land banking.

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

(2) That Ryan Shepherd be thanked for his informative presentation.

T81. UPDATES

There were no updates to report.

**PLANNING BOARD
2nd April, 2015**

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Godfrey, Kaye, Middleton, Pitchley, Roche, Roddison, Rushforth, Turner, M. Vines, Wallis and Whysall.

Apologies for absence were received from Councillors N. Hamilton and Tweed.

T82. DECLARATIONS OF INTEREST

Councillor Atkin declared his personal interest in application RB2014/1654 (Erection of 25 No. dwellinghouses with formation of new means of access at land at Brameld Road, Swinton for Arches Housing Association Ltd.), because as a Ward Councillor he has previously, in public, declared his support for the proposed development. During the Planning Board's consideration of this matter, Councillor Atkin vacated the Chair, left the room, did not participate in the discussion on this application and did not vote. (In the absence of the Vice-Chair, Councillor Godfrey was appointed Chair of the meeting, only for consideration of this application, in Councillor Atkin's absence).

T83. MINUTES OF THE PREVIOUS MEETING HELD ON 12TH MARCH, 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday 12th March, 2015, be approved as a correct record for signature by the Chairman.

T84. DEFERMENTS/SITE VISITS

The Planning Board agreed to undertake a site inspection, prior to the next meeting, in respect of the application for planning permission for the erection of a building for use as soft play area (Use Class D2) and ancillary café and toilets at Aston Springs Farm, Mansfield Road, Aston (RB2015/0237), as requested by Ward Councillor Pitchley, in order to familiarise Members with the overall layout of the site and the likely impact of the proposed development upon the surrounding environment, because this application is for development within the Green Belt.

T85. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the application listed below:-

Erection of 19 No. dwellinghouses with associated garages at land off Hall Croft and Lindum Drive, Wickersley for Redrow Homes Ltd. (RB2014/1585)

Mr. J. Lomas (agent on behalf of the applicant Company)

Mr. D. Guest (objector)

Mr. D. Bowser (objector)

(2) That applications RB2014/1227, RB2014/1654 and RB2015/0185 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3)(a) That, with regard to application RB2014/1499, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing:-

- a commuted sum of £204,769 towards affordable housing provision;

- the provision of Travel Master cards for the first occupier of each dwelling; and

- a schedule for the future maintenance of the building and of the accommodation within it;

(b) That, subject to the signing of the Section 106 Legal Agreement, planning permission be granted subject to the conditions set out in the submitted report.

(4)(a) That, with regard to application RB2014/1585, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the contribution of the sum of £128,000 towards the provision of affordable housing within the Wickersley and Hellaby areas;

(b) That, subject to the signing of the Section 106 Legal Agreement, planning permission be granted subject to the conditions set out in the submitted report and including an amendment to Condition 2, in that Drawing No. 4839-16-02-05B, received on 16th March, 2015, is replaced by Drawing No. 4839-16-02-05C, received by the Planning Authority on 26th March, 2015.

(Councillor Atkin declared his personal interest in application RB2014/1654 (Erection of 25 No. dwellinghouses with formation of new means of access at land at Brameld Road, Swinton for Arches Housing Association Ltd.), because as a Ward Councillor he has previously, in public, declared his support for the proposed development. During the Planning Board's consideration of this matter, Councillor Atkin vacated the

Chair, left the room, did not participate in the discussion on this application and did not vote. (In the absence of the Vice-Chair, Councillor Godfrey was appointed Chair of the meeting, only for consideration of this application, in Councillor Atkin's absence))

T86. PROPOSED TREE PRESERVATION ORDER NO. 6 (2014) - FORMER SCHOOL HOUSE, CHURCH STREET, GREASBROUGH

Consideration was given to a report of the Director of Planning and Regeneration Service concerning the proposal to make a Tree Preservation Order in respect of ten trees situated within the development the subject of planning permission RB2014/1176 (Conversion of building to form 2 No. dwellinghouses at former School House, Church House, Greasbrough).

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

(2) That the Planning Board confirms the serving of Tree Preservation Order No. 6 (2014) with regard to ten Lime Trees, as detailed within the submitted report and which are situated within the curtilage of the former School House, Church Street, Greasbrough, under Sections 198 and 201 of the Town and Country Planning Act 1990.

T87. UPDATES

(1) The Planning Board was informed that training on planning matters will be provided for existing and any new Members of the Board, after the Borough Council elections on 7th May, 2015.

(2) Webcasting and recording of meetings of the Planning Board – there was general discussion about the impact of the webcasting of meetings on Members' debate and decision-making during the Board's meetings. It was noted that the Government-appointed Commissioners to the Council are considering the contents of a proposed additional protocol relating to the overall conduct of Elected Members.

**PLANNING BOARD
23rd April, 2015**

Present:- Councillor Atkin (in the Chair); Councillors Godfrey, Kaye, Middleton, Turner, M. Vines, Wallis and Sansome (as substitute for Councillor Roche).

Apologies for absence were received from Councillors Astbury, N. Hamilton, Pitchley, Roche, Tweed and Whysall.

T88. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

T89. MINUTES OF THE PREVIOUS MEETING HELD ON 2ND APRIL, 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday 2nd April, 2015, be approved as a correct record for signature by the Chairman.

T90. DEFERMENTS/SITE VISITS

The Planning Board agreed to undertake a site inspection, prior to the next meeting, in respect of the application for planning permission for a two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham (RB2015/0049), as determined by the Board, in order to familiarise Members with the overall layout of the site, the likely impact of the proposed development upon neighbouring properties and the space available for the on-street parking of vehicles.

T91. VISITS OF INSPECTION - ERECTION OF A BUILDING FOR USE AS SOFT PLAY AREA (USE CLASS D2) AND ANCILLARY CAFÉ AND TOILETS AT ASTON SPRINGS FARM, ASTON FOR MR SWAIN (RB2015/0237)

Further to Minute No. T84 of the meeting of the Planning Board held on 2nd April, 2015, before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site (Ward representative Councillor Smith was also in attendance).

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application for planning permission for the erection of a building for use as soft play area (use class D2) and ancillary café and toilets at Aston Springs Farm, Aston for Mr. K. Swain (RB2015/0237).

In accordance with the right to speak procedure, the following people attended the meeting and spoke about this application:-

Mrs. L. Trollope (agent, on behalf of the applicant)
Mr. K. Swain (applicant)

Resolved:- That application RB2015/0237 be refused for the reasons set out in the submitted report.

T92. DEVELOPMENT PROPOSALS

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the application listed below:-

Two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham for Mr. M. Younis (RB2015/0049)

Mrs. S. Sarvar (on behalf of the applicant)
Mr. G. Horsfield (objector)
Mr. G. H. Sowden (objector)

Resolved:- That consideration of application RB2015/0049 be deferred and, prior to the next meeting, the Planning Board shall undertake a site inspection in order to familiarise Members with the overall layout of the site, the likely impact of the proposed development upon neighbouring properties and the space available for the on-street parking of vehicles.

T93. UPDATES

There were no items to report.

**PLANNING BOARD
14th May, 2015**

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Godfrey, Middleton, Pitchley, Roche, Turner, M. Vines, Wallis and Whysall.

Apologies for absence received from Councillors Roddison and Tweed.

E94. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

E95. MINUTES OF THE PREVIOUS MEETING HELD ON 23RD APRIL, 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday 23rd April, 2015, be approved as a correct record for signature by the Chairman.

E96. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

E97. VISIT OF INSPECTION - TWO STOREY SIDE AND REAR AND FIRST FLOOR REAR EXTENSION AT 34 QUEENSWAY, MOORGATE, ROTHERHAM FOR MR. M. YOUNIS (RB2015/0049)

Further to Minute No. T92 of the meeting of the Planning Board held on 23rd April, 2015, before the formal meeting of the Planning Board, Members of the Board made a visit of inspection to the above site.

Consideration was given to the report of the Director of Planning and Regeneration Service concerning the application for planning permission for a two storey side and rear and first floor rear extension at 34 Queensway, Moorgate, Rotherham for Mr. M. Younis (RB2015/0049).

In accordance with the right to speak procedure, the following people attended the meeting and spoke about this application:-

Mr. M. Younis (applicant)
Mrs. S. Sarvar (supporter of the applicant)
Mrs. Horsfield (objector)
Mr. G. H. Sowden (objector)
Mr. Waring (objector)

Resolved:- (1) That application RB2015/0049 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(2) That the granting of planning permission for this development, referred to at (1) above, shall include reference to the additional, revised plans submitted on 13th May 2015 and amended in condition 3 to read:-

Before the extension is brought into use, the hard surfaced area to the front of the dwelling, as shown on plan A1 submitted on 13th May 2015, shall be provided and thereafter retained.

E98. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

(2) That application RB2015/0320 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

E99. PROPOSED TREE PRESERVATION ORDER NO. 4 (2014) - LAND ADJACENT TO RAYLS RISE/MANOR WAY, TODWICK

Consideration was given to a report of the Director of Planning and Regeneration Service stating that an Order was made on 13th November 2014 (Tree Preservation Order No. 3, 2014) as a result of concerns expressed by local residents that existing mature Oak trees on the land adjacent to Rayls Rise/Manor Way, Todwick, were at risk of removal. The Order was made using the 'Area' designation as a holding measure, until a more detailed site inspection could be made. The report stated that the original Order was revoked and a second Tree Preservation Order was served on 17 November 2014, to include one Weeping Willow and a smaller 'Area' designation to protect seven remaining Oak trees. It was noted that a number of trees had been uprooted before the Order had been served. The boundary of the revised 'Area' still overlapped land belonging to the objector to the original Order, because trees were no longer present on that part of the land.

Members noted that if the Order is confirmed with modification, in accordance with amended site location plan and schedule of trees, the objection to the Order will be overcome. The modification to the Order plotted the positions of the eight remaining trees within the original designated area of land.

In accordance with the right to speak procedure, the following person attended the meeting and spoke about the proposed making of this Order:-

Mr. I. Hewitt (agent for the owner of land upon which some of the subject trees are situated).

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

(2) That the Planning Board confirms the serving of Tree Preservation Order No. 4 (2014) with regard to seven Oak trees and one Weeping Willow, as detailed within the submitted report and which are situated on land adjacent to Rayls Rise/Manor Way, Todwick, under Sections 198 and 201 of the Town and Country Planning Act 1990.

E100. UPDATES

The Planning Board was informed that training on planning matters will be provided for existing and any new Members of the Board, at a meeting to be held at the Town Hall, Rotherham on Tuesday, 16th June, 2015.

STAFFING COMMITTEE
10th April, 2015

Present:- Councillor Watson (in the Chair); Commissioner Manzie and Councillor C. Vines.

U9 ANNUAL PAY POLICY STATEMENT

Consideration was given to the report presented by Simon Cooper, Human Resources Manager, and Phil Howe, Director of Human Resources, which provided details of the Annual Pay Policy Statement for 2015-16 that the Council was obliged to publish under Chapter 8 of the Localism Act 2011. In accordance with the Pay Policy Statement, and the situation where the Council was likely to undertake a recruitment process for a permanent position, the Staffing Committee was asked to confirm their support for a continuation of the proposed salary for a new Chief Executive and that the remuneration for Strategic Director current management level be continued.

Discussion took place on the use of market supplements in relation to recruitment and it was confirmed that such supplements would only be paid exceptionally if it was proven that market conditions and shortage of appropriately skilled, experienced and qualified candidates merited such a supplement. Market Supplements are temporary in nature and reviewable on an annual basis and if there was definite evidence of difficulty in recruiting. These would not be as standard payment

In terms of the Annual Pay Policy Statement, the salary levels of the Chief Executive and Strategic Directors, the Staffing Committee were content with the details and were happy to recommend that the Statement be published and the salary levels as indicated be maintained at their current rates.

With regards to the Local Living Wage increase, agreement had been reached to implement a local living wage from 1st October, 2014 and, in an attempt to maintain the new differentials in the pay structure, included the condition that the rate would be reviewed each year in line with any percentage pay award increase agreed by the National Joint Council (NJC) for Local Government Services.

The recent 2.2% NJC pay award effective from the 1st January, 2015 covered a longer period than normal, up to 31st March 2016. This percentage uplift when applied to the current rate of £7.65 would increase to £7.82 from 1st April, 2015.

If this new rate were applied it would be 3p less than the new national living wage rate of £7.85 announced by the Living Wage Foundation in November, 2014. To increase Rotherham's local rate to the national rate for 2015-16 using a supplement would cost an additional £28k (inclusive of on-costs).

In addition, if the rate was increased to the new national living wage rate, in order to maintain differentials for supervisory posts, it was proposed to increase the hourly rate for these supervisory employees (105) from £7.88 to £7.96. This would incur a further £10k cost (inclusive of on costs).

The Staffing Committee were in agreement with increasing to the full national living wage rate of £7.85 per hour with the implementation of the associated change for supervisory posts for 2015-16.

Recommended:-

- (1) That the Annual Pay Policy Statement be approved.**
- (2) That the current salary levels of the Chief Executive and Strategic Directors posts remain.**
- (3) That the ability to use temporary market supplements in recruitment of senior management posts be available but should only take place once the business case for their application in terms of market conditions, shortage of suitably skilled, experienced and qualified candidates and difficulty in recruiting, was proven.**
- (4) That the Council's local living wage be increased in line with the national living wage rate to £7.85 per hour along with the implementation of the associated change for supervisory posts for 2015-16 with effect from 1st April, 2015.**

U10

PENSION ARRANGEMENTS FOR SUPPORT STAFF AT WATH VICTORIA SCHOOL - TRUST STATUS

Consideration was given to the report presented by Simon Cooper, Human Resources Manager, and Phil Howe, Director of Human Resources, which detailed how Wath Victoria Primary School was seeking to become a Foundation Trust School with effect from 13th April, 2015. A feature of this change of status was that the Governing Body rather than the Local Authority would become the employer of the staff at the School. In order for non-teaching staff to retain membership of the Local Government Pension Scheme (LGPS) the South Yorkshire Pensions Authority were asking the Council to make a formal decision to agree to support continued membership of the Local Government Pension Scheme for the staff concerned.

Further information was provided on how Foundation Trust schools remained Local Authority maintained schools and were funded on the same basis as all other Local Authority schools.

Resolved:- (1) That approval be given to the support staff employed in Wath Victoria Primary School remaining in the Local Government Pension Scheme when it changed its status to become a Foundation Trust School on 15th April, 2015.

(2) That retrospective approval be given for the retention of the Local Government Pension Scheme membership for staff in Wath Comprehensive, Wath Central Primary, West Melton Primary and Cortonwood Infants Schools.