



Council

Wednesday, 27 January 2016

2.00 p.m.

**Council Chamber, Town Hall,
Moorgate Street, Rotherham. S60 2TH**

Rotherham
Metropolitan
Borough Council 

WELCOME TO TODAY'S MEETING

GUIDANCE FOR THE PUBLIC

The Council is composed of 63 Councillors, who are democratically accountable to the residents of their ward.

The Council Meeting is chaired by the Mayor, who will ensure that its business can be carried out efficiently and with regard to respecting the rights and responsibilities of Councillors and the interests of the community. The Mayor is the Borough's first citizen and is treated with respect by the whole Council, as should visitors and member of the public.

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints its Leader, Mayor and Deputy Mayor and at its Annual Meeting will appoint Councillors to serve on its committees.

Copies of the agenda and reports are available on the Council's website at www.rotherham.gov.uk. The public can also have access to the reports to be discussed at the meeting by visiting the Reception at the Town Hall. The Reception is open from 8.00 a.m. to 5.30 p.m. each day. You may not be allowed to see some reports because they contain private information and these will be marked accordingly on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings. A member of the public may ask one general question in person which must be received in writing to the Chief Executive by 10.00 a.m. on the Friday preceding a Council meeting on the following Wednesday and must not exceed fifty words in length.

Council meetings are webcast and streamed live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if the meeting is being filmed. You would need to confirm your wish not to be filmed to Democratic Services. Recording of the meeting by members of the public is also allowed.

Council meetings are open to the public, but occasionally the Council may have to discuss an item in private. If this occurs you will be asked to leave. If you would like to attend a meeting please report to the Reception at the Town Hall and you will be directed to the relevant meeting room.

FACILITIES

There are public toilets, one of which is designated disabled with full wheelchair access, with full lift access to all floors. Induction loop facilities are also available in the Council Chamber, John Smith Room and Committee Rooms 1 and 2.

Access for people with mobility difficulties can be obtained via the ramp at the main entrance to the Town Hall.

If you have any queries on this agenda, please contact:-

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Date of Publication:-

19th January, 2016.

COUNCIL

Wednesday, 27 January 2016 at 2.00 p.m.
Council Chamber, Town Hall, Moorgate Street, Rotherham. S60 2TH

THE MAYOR (Councillor Maggi Clark)
DEPUTY MAYOR (Councillor Christopher Middleton)

MANAGING DIRECTOR (Commissioner Stella Manzie)

MEMBERS OF THE COUNCIL

ANSTON AND WOODSETTS

TAYLOR, Robert
BURTON, Josephine A.
JEPSON, Clive R.

KEPPEL

CLARK, Margaret
HAGUE, Paul
CUTTS, Dave

SITWELL

MIDDLETON, Christopher N.
TURNER, Julie
COWLES, Allen

BOSTON CASTLE

ALAM, Saghir
YASSEEN, Taiba
MCNEELY, Rose M.

MALTBY

GODFREY, Margaret
BEAUMONT, Christine
RUSHFORTH, Amy L.

SWINTON

WYATT, Kenneth J.
ROSE, Eve
SANSOME, Stuart

BRINSWORTH AND CATCLIFFE

AHMED, Shabana
RODDISON, Andy
BUCKLEY, Alan

RAWMARSH

WHELBOURN, Glyn
EVANS, Simon
VINES, Caven

VALLEY

CURRIE, Simon
PICKERING, Dave
REEDER, Kathleen

DINNINGTON

TWEED, Simon
FINNIE, Ian
MALLINDER, Jeanette

ROTHER VALE

LELLIOTT, Denise
HUGHES, Darren
REYNOLDS, Gregory

WALES

WATSON, Gordon
WHYSALL, Jennifer
BECK, Dominic

HELLABY

ASTBURY, Lauren
FLEMING, Richard
TURNER, John

ROTHERHAM EAST

WALLIS, Emma
KHAN, Tajamal
ALI, Shaukat

WATH

GOSLING, Alan
ELLIOT, Jayne
ATKIN, Alan

HOLDERNESS

ROBINSON, Christopher B.
PITCHLEY, Lyndsay
SMITH, Gerald

ROTHERHAM WEST

SIMS, Kath
VINES, Maureen
JONES, Ian

WICKERSLEY

HODDINOTT, Emma
READ, Chris
ELLIS, Sue

HOOBER

ROCHE, David J.
HAMILTON, Jane
STEELE, Brian

SILVERWOOD

RUSSELL, Gwendoline A.
ROSLING, Jon
PARKER, Martyn

WINGFIELD

JOHNSTON, Lindsay M. S.
PRICE, Richard
HUNTER, Lee

Council Meeting Agenda

Time and Date:-

Wednesday, 27 January 2016 at 2.00 p.m.

Venue:-

Council Chamber - Town Hall, Moorgate Street, Rotherham. S60 2TH

1. ANNOUNCEMENTS

To consider any announcements by the Mayor or the Leader.

2. APOLOGIES FOR ABSENCE

To receive the apologies of any Member who is unable to attend the meeting.

3. PETITIONS

To report on any petitions received by the Council.

4. COMMUNICATIONS

Any communication received by the Mayor or Managing Director which relates to a recommendation of the Cabinet or a committee which was received after the relevant meeting.

5. DECLARATIONS OF INTEREST

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

6. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 1 - 25)

To receive the record of proceedings of the ordinary meeting of the Council held on 9th December, 2015 and to approve the accuracy thereof.

7. PUBLIC QUESTIONS

To receive questions from members of the public who may wish to ask a general question of the Mayor, Advisory Cabinet Member or the Chairman of a Committee.

8. CALCULATION OF THE COUNCIL TAX BASE FOR 2016/17 (report herewith) (Pages 26 - 35)

To consider and approve the calculation of the Council's proposed Council Tax base for the forthcoming financial year 2016/17.

9. HOUSING RENTS 2016/17 (report herewith) (Pages 36 - 44)

To consider and approve the proposed charges for the setting of the housing rent and non- dwelling rents for 2016-17.

10. DISTRICT HEATING SCHEME CHARGES 2016/17 (report herewith) (Pages 45 - 52)

To consider and approve the proposed charges for the Council's District Heating schemes for 2016-17.

11. MID-YEAR TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING REPORT - 2015/16 (report herewith) (Pages 53 - 72)

To consider and approve the changes to the 2015/16 prudential indicators and the update to the wording of the current Minimum Revenue Provision Policy Statement.

12. SUBMISSION OF THE ROTHERHAM COMMUNITY INFRASTRUCTURE LEVY (report herewith) (Pages 73 - 97)

To consider and approve the submission to Government of Rotherham's Community Infrastructure Levy (CIL).

13. APPOINTMENT OF A HEAD OF PAID SERVICE, RETURNING OFFICER, ELECTORAL REGISTRATION OFFICER AND DEPUTY ELECTORAL REGISTRATION OFFICER (report herewith) (Pages 98 - 103)

To recommend that Council appoints the new Chief Executive, Sharon Kemp, as Head of Paid Service, Returning Officer for Elections and Electoral Registration officer and the incoming Assistant Director of Legal Services as Deputy Electoral Registration Officer

14. CONSTITUTION UPDATE AND REVIEW OF SPECIAL RESPONSIBILITY ALLOWANCE STATUS (report herewith) (Pages 104 - 117)

To update on the Council's constitution to reflect the duties and responsibilities of the Advisory Cabinet Members and payment of a proportion of Special Responsibility Allowances (SRA), approval of the amendments to the constitution in respect of the arrangements for call in of Executive decisions and the amendments to the Executive Procedure Rules as set out in the report, to include arrangements for the public asking questions at Cabinet meetings.

15. AUTHORISATION OF OFFICER TO APPEAR IN COURT PROCEEDINGS (report herewith) (Pages 118 - 122)

To consider and approve authorisation under Section 223 of the Local Government Act 1972, for a newly recruited Technical Officer to the Council's Account Management Team to appear in the Magistrates' Court on behalf of the Council.

16. REVISED MEMBERSHIP ARRANGEMENTS 2015/16

To consider a revision to the following:-

- For Councillor Buckley to replace Councillor Wallis as Vice-Chairman of the Advisory Licensing Board.
- For Councillor Ellis to replace Councillor Alam on the Audit Committee.
- For Councillor Roddison to replace Councillor Wallis on the Improving Places Select Commission.
- For Councillor McNeely to replace Councillor Alam on the Health Select Commission.
- For Councillor McNeely to replace Councillor Alam on the Standards Committee.
- For Councillor Khan to replace Councillor Yasseen on the Planning Board and for Councillor McNeely to be named as substitute.
- For Councillor Sansome to replace Councillor Roche on the Planning Board and for Councillor Roche to be named as substitute.

17. NOTICE OF MOTION - TRADES UNION BILL

This Council notes:-

As a major employer in the local area, this Council welcomes the positive benefits that arise from the relationship that we have with recognised trade unions and believes that the relationship between employers and their employees through their collective representatives would be damaged by removing the autonomy of local authorities with regards to facility time and the continuing use of check-off (where union members pay union dues direct from wages).

This Council believes that the Trade Union Bill, far from assisting employer-employee relations or improving workplace democracy, is an ideologically driven attack on the fundamental rights and freedoms of workers to organise or take strike action. The Council notes that the Bill and associated secondary legislation will:-

- Allow agency labour to be used to break strikes. This is currently allowed and would be deeply divisive, and with agency workers often doing unfamiliar jobs, could pose a serious health and safety risk to themselves and others.
- Massively limit the right to strike by introducing very high thresholds for industrial ballots, with an extra threshold in certain public services, without doing anything to improve the ability of workers to participate in ballots.
- Severely restrict the right to picket and peacefully protest, including organising campaigns through social media.
- Irrespective of the wishes of the employer; it will significantly reduce trade

union facility time and withdraw check off union contributions in the public sector.

This Council, therefore, resolves to:-

- Call on the Government to scrap the Trade Union Bill and all associated regulation/secondary legislation.
- Commits to promote the positive role that trade unions bring to society.
- Write to the Secretary of State for Business Innovation and Science confirming the Council's unequivocal opposition to the Bill.
- Support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.
- Seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.

Proposer:- Councillor Richard Price Second:- Councillor Robert Taylor

18. NOTICE OF MOTION - HOUSING AND PLANNING BILL

This Council notes:-

- That the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy through:
 - forcing 'high-value' council homes to be sold on the open market;
 - extending the right-to-buy to housing association tenants; and
 - undermining section 106 requirements on private developers to provide affordable homes.
- That there is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area.
- That whilst measures to help first time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country. They should be built in addition to, and not in place of, genuinely affordable homes.
- That the Bill undermines localism by taking 32 new wide and open-ended powers for the Secretary over councils and local communities, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.
- That the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11m private renters – including one in four families with children – and does nothing to help arrest the recent rise in homelessness.

This Council resolves:-

- To analyse and report on the likely impact of the forced sale of council homes, the extension of right-to-buy and the 'starter homes' requirement on the local availability of affordable homes.
- To analyse and report on any further likely impacts of the Bill on the local area.
- To use this information to:-
 - support the Leader of the Council in writing to the Secretary of State with our concerns about the Bill;
 - set up an urgent meeting between the Leader of the Council and the Chief Executive with the local Members of Parliament to raise our concerns;
 - make public our concerns, including by publishing the above information on the council's website and promoting through the local press.

Mover:- Councillor Emma Wallis

Seconder:- Councillor Maggie Godfrey

19. HEALTH AND WELLBEING BOARD (Pages 123 - 133)

To receive and consider reports, minutes and recommendations of the Health and Wellbeing Board held on 25th November, 2015.

To confirm the minutes as a true record.

20. PLANNING BOARD (Pages 134 - 141)

To receive and consider reports, minutes and recommendations of the Planning Board held on 10th December, 2015 and 7th January, 2016.

To confirm the minutes as a true record.

21. STAFFING COMMITTEE (Pages 142 - 143)

To receive and consider reports, minutes and recommendations of the Staffing Committee held on 18th January, 2016.

See Minute No. 17 – Children and Young People's Services Senior Management.

To confirm the minutes as a true record.

22. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

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).

23. MEMBERS' QUESTIONS TO ADVISORY CABINET MEMBERS AND CHAIRMEN

To put questions, if any, to Advisory Cabinet Members and Chairmen (or their representatives) under Standing Order No. 7(1) and 7(3).

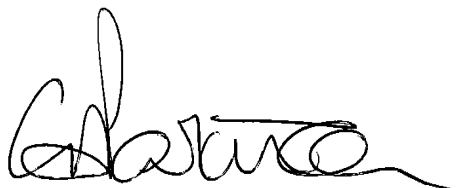
24. URGENT ITEMS

Any other public items which the Mayor determines are urgent.

25. EXCLUSION OF THE PRESS AND PUBLIC

Should it be necessary, in the opinion of the Mayor, to consider excluding the press and public from the meeting in relation to any items of urgent business on the grounds that private information is likely to be divulged.

There are no such items at the time of preparing this agenda.

A handwritten signature in black ink, appearing to read 'C. Parkinson', with a long horizontal flourish extending to the right.

CATHERINE A. PARKINSON,
Interim Director of Legal and Democratic Services.

**The next meeting of the Council will be on Wednesday, 2nd March, 2016 at
2.00 p.m. at the Town Hall.**

COUNCIL MEETING
Wednesday, 9th December, 2015

Present:- The Mayor (Councillor Maggi Clark) (in the Chair); Councillors Ahmed, Alam, Ali, Astbury, Atkin, Beaumont, Beck, Buckley, Burton, Cowles, Currie, Cutts, Elliot, Ellis, Evans, Godfrey, Gosling, Hamilton, Hoddinott, Hughes, Hunter, Jepson, Jones, Khan, Mallinder, McNeely, Middleton, Pickering, Pitchley, Price, Read, Reeder, Reynolds, Roche, Roddison, Rose, Rosling, Rushforth, Russell, Sansome, Sims, Smith, Steele, Taylor, John Turner, Julie Turner, C. Vines, M. Vines, Wallis, Watson, Whelbourn, Wyatt and Yasseen.

86. MINUTE'S SILENCE

As a mark of respect the Council stood for a minute's silence to commemorate the victims of the Paris attacks.

87. ANNOUNCEMENTS

The Mayor shared with the Council the contents of the letter received from Xavier Bertrand, Mayor of Saint Quentin, expressing thanks for the support offered by Rotherham following the terrorist attacks in Paris, which he had shared during their Council meeting on 23rd November, 2015.

The Mayor was also pleased to present two awards and offered her congratulations on behalf of the Council. The first for the Great British High Street Award 2015 – Town Centre of which Rotherham was the winner received by Bernadette Rushton, Simeon Leach, Catherine Davis and Bob Taylor, and the second for the National Enterprise Network Awards 2015 – Enterprise Coach/Mentor of the Year which was won by Martyn Benson from RiDO.

Since the last Council Meeting the Mayor had also represented the borough of Rotherham on sixty-three occasions. Like many she attended a number of moving Remembrance events including the Dinnington Festival of Remembrance and the Minster Remembrance Service and parade at which she was supported once again by Zoe Father, Rotherham's little Mayor.

The Mayor also attended a number of sporting events including the National Women's Football Final at New York Stadium and the Leeds Mayor's Civic Reception for Yorkshire Cricket Club, Yorkshire Women's and Yorkshire Girls Cricket Clubs.

The Mayor attended Lung Cancer awareness day at RDGH, the NHS Proud Awards, and the VAR Community Achievement awards where she presented a special award to the Hospice Shop Volunteer, Edna May Bateman, who was ninety-nine years young and an amazing example to all.

The NSPCC, ROPES, REMA AGMs, were also attended along with the launch of Xmas Toy Appeal Parkgate, a visit to the Shoebox appeal, the Youth Cabinet Manifesto launch and a belated Eid Party at Winterhill School.

The Mayor also hosted Town Hall visits by the young people from Kimberworth Park Community Partnership, Rotherham 218 Squadron cadets, Anston Brook Primary school and the Spanish TRC exchange students.

The Leader also reported on the revisions to the numbers of Advisory Cabinet Members, which now included Councillors Alam, Wallis and Yasseen. Details of the portfolios were to be shared with all Members over the next few days.

88. APOLOGIES FOR ABSENCE

The Managing Director submitted apologies for absence from Councillors Finnie, Fleming, Hague, Johnston, Lelliott, Parker, Robinson, Tweed and Whysall.

89. PETITIONS

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

- Containing 457 from Swinton residents who live on the Wentworth Parks Estate and in Wentworth Gardens and Piccadilly Road areas asking for the regular bus service on Piccadilly Road and Wentworth Road in Swinton to be reinstated.
- An e-petition containing 13 signatures asking for Council websites to be used to advise and help the public not as a campaign tool asking members of the public to sign petitions.

Councillor Wyatt offered his support to the petition asking for the regular bus service in Swinton to be reinstated, pointing out the number of elderly residents living in this area who were isolated without public transport.

Councillor Currie pointed out that a review of the petition process had been requested as it was felt the present scheme was out of touch and had been previously recommended as part of the scrutiny review undertaken by the former Self Regulation Select Commission.

90. COMMUNICATIONS

No communications had been received.

91. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

92. MINUTES OF THE PREVIOUS COUNCIL MEETING

Resolved:- That the minutes of the meeting of Council held on 21st October, 2015, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

93. PUBLIC QUESTIONS

(1) Mr. M. Eyre asked did the Council publish a full list of the Elected Member attendees to the full Council meetings so that the public could see which Councillors did not attend?

The Leader thanked Mr. Eyre for his question and advised that attendees and apologies were recorded for every Council meeting, but that a table in the form that he was suggesting was not produced. He was aware that other authorities did publish a table and was happy to look at this.

In a supplementary question Mr. Eyre pointed out he had been told by a few people that their Councillors repeatedly did not attend meetings and whilst it was a high turnout today, this was not always the case. He asked that a table be published at the end of the year to provide an annual record of attendances so that the public could see clearly if they were being represented or not.

The Leader confirmed he was happy to look into this.

(2) Mr. S. Thornton explained that he had been convicted three times by the Standards Committee. On the first occasion he made a complaint that Labour Councillors conspired to "stitch him up". He further complained that Labour Councillors lied in their statements in all three cases and asked why were his complaints not investigated?

The Leader was informed by the Legal Department that on the 23rd February, 2015, a Standards Hearing Panel decided that Parish Councillor Thornton had assaulted a member of the public in April, 2013, by slapping them across the face after an annual parish meeting. The Panel decided this constituted a breach of the Code of Conduct of Councillors and found Parish Councillor Thornton had not treated the member of the public with respect and was in direct contravention of the Code.

The Panel were also satisfied that Mr. Thornton's aggressive behaviour at the annual parish meeting brought the office of parish councillor into disrepute.

On the 19th August, 2015 a Standards Panel Hearing found Parish Councillor Thornton had breached the Code of Conduct at an event on the 9th July, 2014 where he called a fellow councillor corrupt and repeated the accusation on the 6th August, 2014. On the 17th June, 2014 he disclosed confidential information provided in confidence at a private meeting.

Parish Councillor Thornton was also advised that should he wish to make such an allegation, it would be considered by the hearing panel, as this went to the credibility of the witnesses in the case. However, Parish Councillor Thornton did not attend the hearing to put forward these allegations. Neither did he provide any further information which would substantiate allegations of collusion.

In relation to the second and third investigations, Parish Councillor Thornton, would not engage with the investigation by either meeting the investigating officer or providing a statement for the investigation.

The Leader understood Parish Councillor Thornton did refer to the witnesses as liars in correspondence, but did not provide any specific information to substantiate such allegations. Such responses to the allegations that he made in correspondence, did not amount to a denial of the alleged acts or an attempt to justify them. Again Parish Councillor Thornton could have attended at the hearing to defend himself against the allegations made and also ask the witnesses questions and make submissions. However, he chose not to do so.

In a supplementary question, Parish Councillor Thornton referred to a “cover up” taking place as he had asked to meet with Commissioner Manzie, who declined. A meeting was also requested with Commissioner Sir Derek Myers, who also declined. He asked, therefore, who was going to take responsibility for the cover up, the Leader of the Council or Commissioner Sir Derek Myers. He had been completely stitched up by Labour Members of this Council and no-one was willing to listen to his side of the story.

The Leader was unable to speak on behalf of the Commissioners, but believed the allegations made against Parish Councillor Thornton to be credible.

94. THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK AND CORPORATE PLAN 2016-2018

Consideration was given to the report which provided the Council with the new Performance Management Framework and Corporate Plan included as a commitment within the Corporate “Fresh Start” Improvement Plan.

Attached to the report was the final draft of a new Performance Management Framework for the Council (Appendix A) and the first version of a new Corporate Strategy for 2016 to 2018 (Appendix B).

Whilst both documents were subject to further work before they were finalised, it was important that the entire organisation had a clearer picture of how it needed to work corporately in support of the new vision for the Council as set out by the Leader on 28th October, 2015 (as part of the Commissioners' Public Meeting). It was important that Elected Members had the opportunity formally to consider the working documents.

Appendix A set out the means by which the Council worked to identify its objectives, cascaded them through the organisation and tracked progress to provide an overall assessment of how it was performing. It was designed to give an overview of performance management at every level of the organisation, connecting individuals and those providing front line services through service plans and management to the Council's overall priorities and vision.

Appendix B would be the core document that sat within the overall Performance Management Framework setting out the specific headline actions, indicators and milestones that should be monitored and managed to demonstrate delivery against the overall Council vision over the coming years.

Resolved:- (1) That the final draft of the Performance Management Framework and the first version of a new Corporate Plan for 2016-18 be approved.

(2) That the form, content and headline actions/measures within the documents be supported so that work could progress to finalise the detailed content by early 2016.

Mover: Councillor Read

Seconder:- Councillor Watson

95. THE COUNCIL'S OUTLINE MEDIUM TERM FINANCIAL STRATEGY 2016-2019

Consideration was given to the new Medium Term Financial Strategy (MTFS) as set out as a target in the Corporate "Fresh Start" Improvement Plan.

The MTFS was currently in outline form as it was recognised that the document would require amendment following the Chancellor's Autumn Statement and Spending Review of 25th November 2015 and in light of the forthcoming Local Government Finance Settlement for 2016/17 provisionally expected in December, 2015.

In addition, the Council's own budget process was still ongoing, reviewing and assessing savings proposals and growth/pressures bids. A finalised version of the MTFS was anticipated by the end of February, 2016, in line with the requirements of the Improvement Plan.

The MTFS was to be approved by Council at its 2nd March, 2016, meeting as part of approving the Council's 2016/17 Budget and Council Tax setting.

Councillor C. Vines fully endorsed the outline Medium Term Financial Strategy document as the Council had been broken and needed rebuilding.

Resolved:- That the Outline Medium Term Financial Strategy (MTFS) for the three financial years 2016/17 to 2018/19 be noted. In accordance with the Council's Constitution, a final proposed version of the MTFS for approval by Full Council would be submitted by Commissioners to the 2nd March, 2016 Budget and Council Tax setting meeting.

Mover:- Councillor Read

Second:- Councillor Watson

96. STANDARDS COMMITTEE

Resolved:- That the reports, minutes and recommendations of the meeting of the Standards Committee be adopted.

Councillor Beck, Chairman, gave a brief outline of the work of the Standards Committee Working Group and the positive recommendations which included changing the name of the Standards Committee to the Standards and Ethics Committee to reflect the promotion of strong ethics amongst those democratically elected in Rotherham and the revisions to the complaints process and hearing membership.

Councillor Hughes, Vice-Chairman, endorsed the comments by the Chairman and in doing so wished to thank all those who had been involved in the Standards Committee review.

Councillor Jepson referred to his previous request to the Standards Committee Working Group on whether consideration had been given to abolishing the Standards Committee altogether and was advised by the Chairman that this had been considered, but that it was felt by the Working Group that there was a strong need for a Standards Committee which promoted good ethical behaviour and probity in Rotherham.

Councillor Jepson pointed out the Standards Committee should be a totally independent membership with no other Councillors sitting judgement on others.

Mover:- Councillor Beck

Second:- Councillor Hughes

97. SUPPLEMENT TO THE CODE OF CONDUCT

Consideration was given to a report setting out a supplement to the Council's Code of Conduct.

Lead Commissioner, Sir Derek Myers, in conjunction with partner representatives, other Commissioners, Members and senior officers, had sought to strengthen the Code of Conduct by preparing a supplement entitled "A healthy system of democratic leadership and accountability".

The supplement had been approved by the Standards Committee Working Group and by the Standards Committee at its meeting on 4th December, 2015.

Resolved:- That the supplement to the Council's Code of Conduct be approved.

Mover:- Councillor Beck

Second:- Councillor Hughes

98. CODE FOR ROTHERHAM MBC: SENIOR STAFF WORKING TO COUNCILLORS

Consideration was given to the Code for Rotherham MBC: Senior Staff Working to Councillors which had been prepared by Commissioner Sir Derek Myers in liaison with other Commissioners, Leaders of political groups, Trade Unions and Senior Officers.

The report was considered by a special meeting of the Standards Committee on 4th December, 2015.

Although there currently was a Member/Officer Protocol as part of the Constitution, the Code herewith provided more specificity as to the dynamics of the relationship expected between Senior Officers and Members.

Resolved:- (1) That the decision of Standards Committee be noted and the Code for Rotherham MBC: Senior Staff working to Councillors be adopted.

(2) That consequential amendments to the Council's constitution be approved.

Mover:- Councillor Beck

Second:- Councillor Hughes

99. REVISED MEMBERSHIP ARRANGEMENTS 2015/16

Consideration was given to the revised membership arrangements for the current municipal year as recommended.

Councillor C. Vines sought clarification on why Councillor Currie was being replaced and was advised by Councillor Currie that it was at his request given his work commitments.

Resolved:- That Councillor Rosling to become a member of the Advisory Licensing Board to replace Councillor Currie

Mover:- Councillor Read

Second:- Councillor Watson

100. AUDIT COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Audit Committee be adopted.

Councillor Currie questioned the validity of the appointment of an independent member in accordance with the Committee's new prospectus, given that this person was not elected and, therefore, should not be given a vote.

Councillor John Turner also pointed out that the independent person should also be non-political so they could not be drawn into any conflicts or prejudice.

Councillor Wyatt, Chairman of the Audit Committee, confirmed this was good practice to have an independent view and the position had been advertised publically with no reference to any political persuasion.

Mover:- Councillor Wyatt

Second:- Councillor Hughes

101. PLANNING BOARD

Resolved:- That the reports and minutes of the meetings of the Planning Board be adopted.

Mover:- Councillor Atkin

Second:- Councillor Middleton

102. STAFFING COMMITTEE

Resolved:- That the reports, recommendations and minutes of the meetings of the Staffing Committee be adopted.

Councillor Watson drew particular attention to Minute No. 14 and the positive news that Interim Strategic Director for Children and Young People's Services was to be made permanent.

Mover:- Councillor Watson

Second:- Councillor Roche

103. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

No questions had been received.

104. MEMBERS' QUESTIONS TO ADVISORY CABINET MEMBERS AND CHAIRMEN

(1) Councillor Currie asked please could the Leader give him the names of any current serving Councillors in receipt of special responsibility allowances, who were either Cabinet Members or on the South Yorkshire Joint Police Authority Committee in the era of 1997 to 2013.

The Leader confirmed there were three serving Councillors in receipt of a special responsibility allowance who were Cabinet Members during the period 1997 to 2013. These being:-

Councillor Sue Ellis
Councillor Rose McNeely
Councillor Ken Wyatt

Councillor C. Vines was the only current serving Member who was on the South Yorkshire Joint Police Authority during the 1997 to 2013 period.

In a supplementary question Councillor Currie referred to failure and the need for a fresh start. Change was happening with the new management structure, but he expressed his concerns about the need for a fresh start politically and not rewarding failure, which was the reason why he had become an "Independent". The people of Rotherham would continue to see failure while ever people were being paid to make decisions in that era when 1400 young people were let down. He asked the Leader when was he going to stop the denial and these people fall on their swords and step down.

The Leader explained he did not accept the denial premise of the question, but pointed out a number of changes had been made to the political environment with a number of key people around in that era having moved on. There were a small number of members left who were around at that time who were doing a great job and he gave them his full support.

Councillor C. Vines, in a point of order, confirmed Councillor Currie was entitled to question/interrogate any member and he invited any questions, which he would answer in an open and transparent way for the benefit of members of the public.

(2) Councillor Julie Turner referred to Rotherham being the Town Centre Category winner in the Great British High Street Awards 2015, but asked why were there so few Rotherham people shopping here.

Councillor Watson, Deputy Leader, confirmed he was answering the questions on behalf of Councillor Denise Lelliott, who was attending a very important Tata Steel Taskforce Meeting in Sheffield. He asked his fellow Councillors if they agreed with him that this was a fantastic result

for Rotherham.

In terms of people shopping on the High Street there were more and more people who were doing so and four million people had shopped in Rotherham markets, which was more than comparable markets. The town centre had seen a 9.5% increase in footfall since 2010 so did not accept the premise of the question that Rotherham's people were not shopping. Rotherham's High Street had been recognised nationally, which was significant and the success should be applauded.

In a supplementary question Councillor Julie Turner had been told by residents that the town centre had lost its sparkle and atmosphere, many now avoided it preferring to shop at Parkgate. Sheffield was currently running an exhibition looking at how the city would look in the next twenty years and asked when could Rotherham expect to have a comprehensive plan that embraced housing, work and shopping and nightlife for the town centre.

Councillor Watson explained that the town centre refresh would be available in draft form for all Members early in the new year.

(3) Councillor Reynolds referred to the Bramley Traffic System and two non-answers so far. He was told it was a mistake, but the rules were changed to make it right and asked what benefit half a million pounds bought to the people and shops of Bramley.

Councillor Sims, Advisory Cabinet Member for Waste, Road and Enforcement, confirmed that the Bramley Traffic Management scheme was introduced in late 2005 to address the increases in traffic, primarily though not exclusively from the Woodlaithes housing development (approximately 800 dwellings), to the west of Bramley and to address local concerns regarding the narrowness of footways and a lack of parking on Main Street.

The benefits for shops and residents were predominantly associated with easing congestion through the Village Centre. The scheme also eased congestion on the A631 for traffic turning right into Cross Street, which previously queued past the end of the right turn lane. The traffic scheme acknowledged the demand for on street parking and accommodated it where possible, with four parking spaces (including two disabled spaces) on Main Street and echelon parking provided on Cross Street.

In a supplementary question Councillor Reynolds queried the aid to congestion as he believed there was more congestion now, meant a detour for drivers and a traffic light system had to be installed, the majority of businesses were now closed and there were fewer parking spaces than there was previously and asked what the cost benefit analysis on what was spent had meant to the people and businesses of Bramley.

Councillor Sims, Advisory Cabinet Member for Waste, Road and Enforcement, would ensure an answer to this question was provided in writing.

In a point of information Councillor Hoddinott, as Ward Member for that area, advised Councillor Reynolds that the businesses of Bramley were open and thriving and not empty and looking forward to a new Aldi opening shortly.

(4) Councillor Reynolds stated that on the new traffic light system heading from Riverside towards the old Millmoor Stadium you could not turn right whereas on the former roundabout you simply could. For the costs involved – couldn't the old adage of "if it aint broke don't fix it" be applied.

Councillor Sims, Advisory Cabinet Member for Waste, Road and Enforcement, confirmed the changes to this junction were made to improve traffic flow. The Council secured funding from the Department for Transport to improve the junction as part of their Pinch Point fund which was established to relieve known pressures on the highway network.

The reason for the no right turn was to deal with future capacity on this junction and the funding was made available on the basis of providing capacity for the anticipated increase in traffic from planned growth in future years, predominantly along Centenary Way.

Whilst you could not turn right immediately at the junction itself and this may seem inconvenient, the right turn from Main Street into Centenary Way was completed by way of the signal-controlled U-turn approximately 150m to the west of the junction. Including a right turn from Main Street onto Centenary Way in the design would have meant the junction being over capacity and hence congested in future years.

In a supplementary question Councillor Reynolds asked was this at no cost to the Rotherham taxpayers.

Councillor Sims, Advisory Cabinet Member for Waste, Road and Enforcement, advised this question had been asked and answered previously.

(5) Councillor Reynolds asked what was the honest opinion of the Cabinet on the long term future of Magna?

The Leader confirmed all Members had seen the PwC objectives and that Magna's finances were fragile. However, if the Council had withdrawn its loan arrangements, as some had suggested, Magna would have closed. Potentially Magna had a future ahead of it, which was why Council officers had been asked to work with Magna to ensure maximum financial benefit to the taxpayers of Rotherham was obtained.

In a supplementary question Councillor Reynolds referred to the building's use, its design to dispel heat and how during the winter months it was expensive to heat. He asked why the Council was propping up this "white elephant" as it could be demonstrated that the exhibitions etc. at Magna could transfer to New York Stadium, which was a modern and purpose built building.

The Leader pointed out that these were two separate establishments serving separate functions, but there was a separate arrangement with Magna that the Council had to address.

(6) Councillor Cowles indicated that, in the wake of Kids Club, William Shawcross (Chair of the Charity Commission), suggested trustees should serve no longer than six years. Do we know all the trustees of Rotherham charities and do we have turnover of personnel in order to help avoid similar irregularities?

The Leader asked if Councillor Cowles was referring to the Kids Company rather than the Kids Club as he had been unable to find details on a "Kids Club". He confirmed the Council did not hold a database of all Rotherham's charities, but did appoint some trustees as a Council as part of the "Appointments to Outside Bodies", which included Charities.

The Council would take into account this and other guidance from the Charity Commission when it reviewed those appointments, which it did on an annual basis.

In a supplementary question Councillor Cowles asked, in these stringent times, what percentage level of grant funding was proposed to be awarded to charities for the next financial year, who set the budget and would Members be given the opportunity for this to be scrutinised on the acceptance.

The Leader explained he did not have the numbers to hand and when the decisions about grants were made in departmental budgets Councillor Cowles was welcome to scrutinise this as part of the budget process.

(7) Councillor Cowles asked that, having read the PwC Magna report, could the Leader please enlighten him as to any worthwhile piece of information contained in the report that Councillors did not already know, and thus, just what, if any value whatsoever had been gained from this waste of public money?

The Leader was aware of Councillor Cowles' longstanding view about the PwC Independent Report and indicated there were two things that were of value – one the recommendations of PwC and the second on the Council's one year rolling programme of support to Magna. The report had helped to provide the Council with the information required to make an informed decision regarding the Council's future relationship with Magna.

In a supplementary comment Councillor Cowles referred to being “conned” three times – first by the Leader in the lack of confidence in his own judgement of a worthless report that did not even recognise that there were two strands to this business - the attraction’s education strand which everyone wanted to see succeed and the corporate entertainment side, which was based on the decision making process for the Commissioners.

The second by the Magna CEO, who now said Magna had a bright future and was satisfied with the restructure of the debt regardless of the fact that the report stated a minimum of £1 million was required to invest in the attraction side. It was clear he was only interested in the corporate side regardless of the fact that it was not what Magna was intended for and if a restructure of the debt was all that was required why was this not undertaken in the first place.

Thirdly the Council had been “conned” by the Commissioners.

(8) Councillor Cowles referred to a few months ago when he asked the Leader to look into setting up an energy scheme for the benefit of Rotherham residents and asked had he done anything yet to progress such scheme?

The Leader confirmed in August officers met with colleagues from Peterborough Council who have taken a lead in this area. What officers learned was that much of their good ideas Rotherham were already progressing or unfortunately opportunities were diminishing because of changes to Government funding for renewable energy and the top-up tariffs that people were familiar with.

As a result of the meeting with Peterborough Council, the following projects have been reviewed:-

1. Setting up an Energy Performance Agreement with Honeywell Ltd. to improve the energy efficiency of RMBC operational assets. After their initial assessment, Honeywell have advised the Council that due to the extensive energy improvements the Council have already carried out, there may not be a lot left to gain.
2. The installation of photovoltaic panels was reviewed, but not considered feasible due to the Government decision to slash the feed in tariff by 87%. This change had resulted in a volatile renewable market and up and down the country new schemes were now being considered unviable.

However, there were a few things the Council had done already, which included:-

- Insulating Council houses including external wall insulation schemes for poorly insulated homes; cavity wall insulation and improved loft insulation.
- Updating district heating schemes at a cost of over £500,000 since April and installing three biomass boilers that were registered for Renewable Heat Incentive funding.
- Installation of 731 new efficient boilers in Council housing stock between April and October this year at a cost of £1.7m.
- Where Government funding was available the Council would also assist in upgrading private housing heating systems. For example, the Council had recently secured £100,000 to enable 50 properties to have old boilers to be repaired or replaced. The work would be carried out by Yorkshire Housing on behalf of the Council.
- Where the Council was commissioning new homes RMBC has increased the expectations of energy performance beyond the basic building control standards.
- RMBC operational properties have been improved to reduce energy consumption and save money using a wide range of technologies including upgrading to LED/low energy lighting.

Clearly, the Council had undertaken a number of schemes already and the Leader had been advised there were no plans to take this further forward.

(9) Councillor John Turner asked was the Council aware of the spiralling costs of funerals brought about principally by crematoria costs? It seemed more and more people could not afford to die and that the bills inevitably were paid by Councils and that the costs to the Councils had risen by almost a third in four years.

Councillor Sims, Advisory, Cabinet Member for Waste, Roads and Enforcement, confirmed she was aware of recent media reports highlighting that the average funeral costs in the UK have risen to around £3700. However, by far the largest constituent part of this cost was the fees levied by funeral directors for the services that they provided.

It was true that some people were unable to afford the fees associated with funerals, and in these circumstances families may claim for a Funeral Payment from the Social Fund (administered by the Department of Work and Pensions). Such a payment would meet the whole cost of a cremation or burial, along with contributing up to £700 towards the fees charged by funeral directors.

However, there were a small number of occasions when the local authority would be required to arrange and potentially fund a funeral. This would be under the following circumstances:-

- The deceased had no next of kin to make arrangements, or next of kin decline involvement.
- The family would be financially disadvantaged if they were to fund the

funeral themselves (taking into consideration eligibility for the Funeral Payment referred to above).

- The deceased passed away in the community i.e. not an NHS setting (this includes A & E)
- The death occurred in Rotherham.

When the funeral was funded by RMBC, the Welfare Officer would take control of the financial estate in order to recover expenses incurred, plus a charge of £350.00 as agreed with HM Treasury.

In a supplementary question Councillor John Turner was aware of this information and asked about the current yearly cost of pauper funerals, whose costs were going to continue to spiral and get worse, did the Cabinet Member not think the Council would be better administering these services themselves.

Councillor Sims, Advisory, Cabinet Member for Waste, Roads and Enforcement, confirmed the number of funerals arranged and funded by RMBC included:-

- 2012/13 – 19 funerals – cost £29005, recovered £19259 – net cost £9746
- 2013/14 – 14 funerals – cost £28593, recovered £14007 – net cost £14586
- 2014/15 - 23 funerals – cost £26473, recovered £7893 – net cost £18580

(10) Councillor John Turner asked would the Council be aware that Cheshire East, a Conservative Council which some of Rotherham's Members visited recently, have a practice of encouraging and also setting up separate companies owned by the Council, one of these companies governs crematoria services.

Councillor Sims, Advisory Cabinet Member for Waste, Roads and Enforcement, confirmed she was not aware of the specific arrangements in Cheshire East. However, given the Chancellor's recent autumn statement setting out the significant cuts Rotherham were facing over the next five years, it was right and proper that all options were explored to ensure the Council delivered the best services. Any changes to how services were delivered would need to be considered on a case by case basis, but the Council were open to all options, including setting up a local authority company where it was beneficial to do so.

In Rotherham bereavement services were delivered in partnership with Dignity Funerals Ltd. This partnership would see the delivery of high quality bereavement services for many years to come.

In a supplementary comment Councillor John Turner asked would the Council be aware that Cheshire East Council were running at a surplus and were able to offer in their magazines grants to organisations from £10,000 up to £25,000 and compared this to the state of the art fitness centre on Herringthorpe Playing Fields, whose roof was leaking and subsequently demolished. Would the Council have not been better offering this to a private company to repair the roof or sell or a private company?

(11) Councillor John Turner asked was it correct that the Council's near half a billion pounds debt was substantially composed of a loan of circa 350 million pounds to refurbish Council houses?

The Leader confirmed this was a similar question to one previously asked by Councillor Fleming in that the Council's current overall level of loans outstanding was £478m, of which approximately £304m related to loans taken out over many years to build, maintain and refurbish the Council's housing stock. This part of the Council's overall debt was reflected in the Council's Housing Revenue Account.

£220m of the Housing Revenue Account debt arose from the borrowing approved and incurred to refurbish the housing stock under the terms of the Government's Decent Homes Strategy, between 2004 and 2011.

The current level of housing debt was within the approved Housing Revenue Account debt cap of approximately £336m, which was set under the Government's self-financing regime in April 2012.

In a supplementary question Councillor John Turner referred to previous Council meetings where he had asked about the creation of an arm's length management organisation and the answer provided was that the Government would give Rotherham £300 million. He was given to understand that this was a gift as it turned out it was no gift. He, therefore asked why did Rotherham take this on, which proved to be unsuccessful.

The Leader believed the question related to the Council borrowing against future revenue from Council house tenants to provide an upgrade to Council stock. This was a very worthwhile scheme and had been of great benefit to the people of Rotherham.

(12) Councillor Jepson asked could Members be updated with the current position regarding the proposed closure of Kiveton Park Steel (as requested at the Council meeting of 21st October, 2015) and what measures, if any, were the Council taking to mitigate this and any subsequent job losses in the area.

Councillor Watson, Deputy Leader, confirmed that RMBC through the RiDO service remained in contact with the Administrator and on the 7th December 2015, they advised that all staff were still there and the

company was still trading and fulfilling customer orders whilst actively looking for a buyer. They have had a number of interested parties who they were in discussions with. The Administrator would advise if they have to make any redundancies and if this was the case, RiDO would liaise with partner organisations such as Jobcentre Plus and National Careers Service who could provide support. RiDO agreed to maintain contact going forward and the Administrator knew to contact RiDO if there was anything they felt that RiDO/RMBC could do to help at any stage.

Councillor Jepson appreciated there were a number of rumours in the area and was satisfied that a substantial knowledge of what was taking place was known and thanked those involved for this.

(13) Councillor Jepson asked what was the cost per year to the Authority for replacing stolen/lost traffic management signs etc. and were the Council intending to move to only using ones made from recycled materials as opposed to metal?

Councillor Sims, Advisory Cabinet Member for Waste, Roads and Enforcement, stated that the cost of replacing temporary signage in 2014/15 was £4700. The majority of replacements were due to the signs being damaged, rather than theft. Although signs and cones have been stolen in the past for re-use, the Highway Delivery Team had combatted this by having signs and cones colour coded and RMBC embossed. The signs were sprayed with the Council's name which had proved to be a success.

Most signs made from recycled material were plastic. The cost of a sign manufactured from recycled polypropylene with reflective sign faces to BS8442 was £38 as opposed to £25 for the same sign manufactured in metal. Additionally, plastic signs were generally bulkier and anchoring securely could be an issue.

At the moment the plan was to increase the recycling signs as opposed to metal, but metal signs were more robust, self-weighting and recycling signs would be more susceptible to damage and would need replacing more often.

In a supplementary question Councillor Jepson confirmed he would be contacting Streetpride as he had seen three signs that had been left abandoned after roadworks were completed.

Councillor Sims, Advisory Cabinet Member for Waste, Roads and Enforcement, thanked Councillor Jepson and confirmed it would be more helpful if the Council could collect signs after works were completed.

(14) Councillor Hunter asked due to the sharp rise in serious crime in Rotherham's townships and the limitations of the underfunded Police force, residents were talking to private security firms about providing street patrols, was the Council willing to provide financial and technical

support for such schemes to help keep residents safe?

Councillor Watson, Deputy Leader, confirmed the Council would be grateful for any information Councillor Hunter may have about areas that were considering a need for private security patrols so the Council could work jointly with the Police to see what help could be provided.

As Councillor Hunter knew the way in which the Council including Ward Councillors worked with the Police to tackle local problems was through local policing units and multi-agency Case Identification Meetings that identified areas of most concern and applied an appropriate policing/partnership response.

There were currently no plans to offer any financial or technical support to any private schemes, but the Council would continue to share with the Police any concerns that the community raised and play an active part in reducing crime and anti-social behaviour.

Councillor Watson indicated that the Cabinet Member would be more than happy to discuss this further with Councillor Hunter if he so wished.

In a supplementary question Councillor Hunter referred to Police numbers he had received which varied between 26-37 active Police Officers at any one time and at any one shift. When residents heard these figures they were concerned about the small number of Police who were actually protecting over 263,000 people living in the borough. He, therefore, asked the Council to look at any proposals seriously as this was a very small amount of Police Officers that were on the streets today.

Councillor Watson, Deputy Leader, was aware of the limited number of Police officers. This was a direct result of the Government's spending cuts, which had been campaigned against and which could have been even worse if the Autumn Statement had not be rolled back to avoid the events in Paris. He was happy to meet to discuss and considered the current position a disgrace.

(15) Councillor Hunter referred that throughout the spring and summer months there had been numerous complaints regarding the standard of the grass cutting and the general presentation of the town and asked could the Council make it one of its New Year resolutions to positively improve standards in this area.

Councillor Sims, Advisory Cabinet Member for Waste Roads and Enforcement, confirmed that the frequency of grass cutting had been increased this year due to additional funding being made available from the housing revenue account. This was in addition to the changes in equipment that were made last year, to enable a better standard of cut in variable weather conditions.

This had resulted in the number of complaints received reducing this season by over 49% when compared with last year (before the funding was made available), and by 41% when compared with the previous three year average. The grass cutting teams have also continued to receive compliments from the residents of and visitors to Rotherham on the quality of the work delivered.

In a supplementary question Councillor Hunter asked about the verges and central reservations wildflower mixed and suggested that these should really be the dwarf variety to avoid visibility problems for pedestrians and motorists.

Councillor Sims, Advisory Cabinet Member for Waste Roads and Enforcement, advised specific seeding was used on the wildflower areas, with special seeding used on the sight line areas on central reservations, but this was dependent very much on the weather conditions and seasons. Due to this dwarf wildflower varieties were used in these areas and specific sight lines cut if the height of these plants increased.

(16) Councillor Hoddinott referred to the news that Tata would proceed with 720 job cuts in Rotherham and Stocksbridge, which was devastating for families in the run-up to Christmas and asked what assistance would the Council and partners provide to those facing redundancy?

The Leader confirmed this was indeed a nightmare for those facing redundancy into the new year. Councillor Lelliott was currently attending the Tata Taskforce Meeting, which was an indication of the Council's commitment to the process. There was a Partnership in place involving RMBC, Tata, Steel Union Communitas, Sheffield City Council, Jobcentre Plus, Chamber of Commerce, Sheffield City Region Executive, BIS, Skills Funding Agency, National Careers Service with a detailed programme of support which would include Jobs Fairs, help with CVs, Money Advice and Guidance being put in place for the Tata employees affected by the redundancies.

The Leader also confirmed that he had taken a paper through the Sheffield City Region Enterprise Board this week which made a number of recommendations as this did not just affect Rotherham, but the wider community. Most significantly was the effect on the supply chain and it could be up to 1400 companies within a 50 mile radius, which would also suffer as a result of the decline in demand.

The City Region were also prepared to make a substantial investment to try and assist those companies going forward and would be seeking Government match funding, which was a substantial piece of work. There were also additional pieces of work on retraining and reskilling and the Sheffield City Region had some unspent skills bank money that they were putting towards the skills bank fund. As it was intended for medium to longer term training this may not be appropriate in this situation, which was why support was being sought from the Government on £1 million

short term support.

Members may also be aware that Tata Steel had some staff working out of Swindon Labs and pulled them out of the region. Two companies were still working there and work was taking place with those two companies so as not to lose more jobs from the area as a result of the terrible situation.

Everyone wanted to see Tata succeed in the future. Two thirds of their staff would still remain in Rotherham and Stocksbridge after these losses and this week further support was sought from the Local Enterprise Partnership and other partners about lobbying the Government on the issue of prices, which was the key issue facing Tata Steel.

In a supplementary question Councillor Hoddinott asked to place on record her thanks to all those who were working hard with those affected, families, local Councillors and Members of Parliament. Obviously everyone wanted to see those jobs, but where they could not be sustained these be mitigated.

Councillor Hoddinott wanted to make sure that the Government matched any funding and local commitment to helping the steel industry.

(17) Councillor Elliot referred to the Government rushing through electoral registration changes that could see around 1 million people fall off the register this month and lose their opportunity to vote and asked how many people could be disenfranchised in Rotherham?

The Leader confirmed that across the whole country it was expected that as many as one million people could go missing from electoral rolls as a result of the Government's changes. Over the last two years the Leader was pleased to say in Rotherham, because of the specific steps taken by the Electoral Registration Officers, it was thought those losses had been kept to a minimum. There were two particular issues – there were people who were still on the register last year and, although they could not be matched when the data was matched from other sources, they had signed the electoral registration and the Council were pursuing them by letter and door to door canvassing.

The second issue was around first time voters not getting on to the register because their parents would not add them. In December there were more 16-18 year olds registered to vote than those registered in the twelve months previously, which was a glowing recommendation to the work that had been done.

There were still some five thousand people not on the electoral register compared to the figures from the year before. Compared to many other authorities across the country Rotherham was doing really well at this time.

(18) Councillor Reeder referred to the Council bringing in a selective licensing scheme from the 1st May 2015 and asked could the Leader tell her how many have registered and what date they have to be registered by, how many need to register and if they have not registered already what action would be taken and when.

The Leader confirmed the Council had estimated 1,250 licensable properties at the start of the programme and already received applications for 846 of those properties. Whilst it was intended to apply the scheme from the 1st May 2015 the legal action during April meant fewer landlords had applied. The Council was pleased that two thirds of those properties were now licensed.

Officers had now commenced door to door contact and had identified at least a further one hundred properties which may be eligible to be part of the scheme so these were being closed down. At the moment thirty landlords had received notices for not registering on the scheme and the first of one potential prosecution was currently being prepared. If this was presented to the Legal Team before Christmas the best guess was for this to be in court during April/May, 2016. The Council would pursue landlords who would not take part in the scheme and take the firmest action possible.

In a supplementary question Councillor Reeder referred to the recent court case where costs were award to the Council of £23,000 and asked if any of this had been paid.

The Leader was unable to confirm this detail and would provide this answer in writing.

Questions 19 and 20 from Councillor Parker would be provided for him in writing as he was unable to attend the meeting.

105. URGENT ITEMS

The Mayor authorised consideration of an urgent item on the Magna Trust in order to determine urgently whether the Council continued to provide ongoing support and if so what level of financial support was provided.

106. MAGNA TRUST - UPDATE

Further to Minute No. 138 of the meeting of Commissioner Manzie held on 30th November, 2015 consideration was given to a report which detailed the minded to decision taken by Commissioner Manzie.

The views of Council were, therefore, sought on the conclusions of the review of the Magna Business Plan and the strategic positioning of Magna as a key site. Councillor Chris Read (Leader) supported the recommended option to seek a repayment plan with Magna on the two loans and sought changes to the inter-creditor deed as well as the Council

offering support in kind to help Magna identify business and development opportunities in respect of the Magna facility and the wider site.

Councillor C. Vines expressed his concern about the Council offering support in kind and how information about the Business Plan was detailed in the media prior to Opposition Members being informed. He did not feel the Council had moved on and was uncomfortable offering his support moving forward.

Councillor Hoddinott welcomed the report and the financial opportunities available as part of Option 4, which protected employment and public money through investment. An option had been put forward by Councillor C. Vines to the Leader, the detail of which was not public.

Councillor C. Vines confirmed he had forwarded his proposals to the Leader of the Council, but expressed concern that the detail of the report to Council had been shared in the media with no formal discussion with Members or in the public interest.

Councillor Reynolds welcomed the protection of employment, which was for the benefit of Rotherham, but questioned the level of support to Magna when the town had an equivalent asset and modern building in the town with New York Stadium. It was suggested that consideration should be given to the long term future of Magna and the use of the site for social housing.

Councillor Currie believed the minded to decision by Commissioner Manzie to be correct, questioned the viability of social housing on an industrial site and supported Option 4 moving forward.

Councillors Alam, Beck, Buckley and Jepson echoed the comments and issues raised by Councillor Hoddinott and the protection afforded to employment and public funds. Both supported Option 4 moving forward.

Councillor Hunter questioned the status of the loans under Option 4 if they were combined.

Councillor Reynolds again referred to the long term future of the site should Magna fail and suggested the extension of credit to Magna should be increased, secured against the site, and then run as a commercial concern generating revenue, rather than a focusing on one side of the business.

The Leader responded to the comments made by fellow Councillors, confirmed to Councillor Hunter that the revised loan agreement under Option 4 would capture both loans securely and restated his support for Option 4 of the report.

The Mayor reminded Members of their duty to treat each other with respect and to restrain their comments, which was echoed by other Members.

Resolved:- To support confirmation by Commissioner Manzie of the minded to decision of 30th November, 2015 in favour of Option 4 to negotiate an agreed repayment plan with Magna on the two loans.

Mover:- Councillor Read

Seconder:- Councillor Watson

107. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended 2006 - (finance and business affairs)).

108. MAGNA TRUST - UPDATE

Further to Minute No. 106 of this meeting, consideration was given to the confidential appendices of the report submitted.

A number of questions were raised on the appendices including confidence in Magna going forward, the future and viability of the trading elements, visitor numbers, utility expenditure and the constitution of the commercial entertainment and education element, which the Leader responded to.

Resolved:- That the information be noted.

109. CLOSING REMARKS

The Mayor formally closed the meeting at 4.30 p.m. and in doing so wished all those present a very Merry Christmas and a Happy New Year.

WRITTEN ANSWERS FOR COUNCIL

9TH DECEMBER, 2015

Agenda Item 18 – Members’ Questions to Advisory Cabinet Members and Committee Chairmen

(3) In a supplementary question Councillor Reynolds queried the aid to congestion as he believed there was more congestion now, meant a detour for drivers and a traffic light system had to be installed, the majority of businesses were now closed and there were fewer parking spaces than there was previously and asked what the cost benefit analysis on what was spent had meant to the people and businesses of Bramley.

Answer – The majority of businesses within Bramley are not closed. Within Cross Street and Main Street the Master Brewer Public House is currently closed, but there are development proposals for this site which include additional retail units, and a further business at the Southern end of Cross Street is currently closed and undergoing refurbishment.

As previously stated the traffic management scheme has eased congestion on the A631. Prior to the scheme being introduced, and the additional traffic resulting from the Woodlaithes Village development being introduced, traffic turning right into Cross Street queued past the end of the right turn lane, leading to congestion and queues of right turn traffic blocking westbound ‘ahead’ traffic . In the current scheme right turn movements are allowed at the Church Lane junction and there is a right turn lane at this location that accommodates turning traffic, including additional traffic to Woodlaithes Village.

As the need and funding for the traffic management scheme were secured as part of the planning approval for the Woodlaithes Estate, and the scheme opened to traffic in advance of the Woodlaithes Estate being fully built out, residents and businesses have never had to experience the full effects of congestion that would have arisen had the traffic management scheme not been introduced.

The traffic scheme acknowledged the demand for on street parking and accommodated it where possible, with four parking spaces (including two disabled spaces) on Main Street, which prior to the introduction of the traffic management scheme had no defined on street parking spaces and yellow line restrictions were present. In addition sections of parking on Cross Street were revised from being parallel to the kerb to echelon parking, to increase the number of spaces available.

Furthermore, as part of the planning permission for the new Aldi supermarket in Bramley the car park will be available for use by any driver for up to 2 hours, providing additional parking opportunities for people visiting Bramley.

(18) In a supplementary question Councillor Reeder referred to the recent court case where costs were awarded to the Council of £23,000 and asked if any of this had been paid.

Answer - As a result of the Council successfully defending the claim for judicial review made by Rotherham Action Group Limited, the company were ordered by the High Court to pay the Council £23,128.40 in costs. A total of £18,663.72 has been recovered to date by the Council and the Council is currently considering its options for recovery of the remaining balance of the costs.

(19) **Councillor Parker** - Now that the new city region project is in doubt, how will this affect the Medium Term Financial Strategy?

Answer - Any implications of any developments that could affect the Council's medium term financial position, including any devolution arrangements, will be fed into the Medium Term Financial Strategy at an appropriate point. Because the City Region devolution agreement is only in principle, no specific financial assumptions have been included in the Medium Term Financial Strategy.

Projected financial implications will be incorporated in the Medium Term Financial Strategy when the details of the devolution are sufficiently clear and developed, and when it is prudent to reflect the arrangements in financial terms.

(20) **Councillor Parker** - With the suggested number of new builds that the Council are willing to impose on Rotherham, can the Leader tell us what the estimated Council Tax take will be each year and what band the majority of these properties will be.

Answer - The Council is not imposing any building. The Council is required by law to make available adequate land in order to meet housing and employment needs. This is what the Council is attempting to do with its draft Local Plan. If we do not do this, the Government will impose a plan on the borough.

It is expected that a significant number of the new build properties would be within Bands A and B, but each development will be subject to planning permission, so it is not possible to give a definitive number.

The impact on Council Tax receipts of the new builds is uncertain as this would be dependent upon the Valuation Office's designated bandings for any new properties and the likely projections for Council Tax in future years. However, if the new build bandings were replicated in line with the bandings of the current property base in the borough, a reasonable projection of Council Tax income would be in the region of an additional £400k to £450k per year for each year of development, based on an average of 588 new builds per year. This projection would increase to £650k to £700k if there were 958 new dwellings per annum, which is the estimated number of new builds per year in the adopted Local Plan Core Strategy.

Summary Sheet

Report to Council

Title Calculation of the Council Tax Base for 2016/17

Is this a Key Decision and has it been included on the Forward Plan? Yes

Strategic Director Approving Submission of the Report

Stuart Booth Acting Director Finance and Corporate Services

Report Author(s) Anne Ellis Strategic Finance Manager Resources Directorate
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Ward(s) Affected All

Executive Summary

This report sets out the calculation of the Council's proposed Council Tax base for the forthcoming financial year 2016/17.

This calculation takes into account: the Council's own Local Council Tax Reduction Scheme (CTRS), the discretionary discounts and exemptions awarded to empty properties and second homes, future tax collection rates in 2016/17 and estimates of the changes and adjustments in the tax base that occur during the financial year.

In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 governing its calculation, it is determined that the Council's Tax Base for the financial year 2016/17 is **67,149.57** Band D Equivalent Properties.

Recommendations

That Members resolve that:

- **Rotherham's Council Tax Reduction Scheme for 2016/17 is unchanged from 2015/16;**
- **The 25% Council Tax empty property discount allowed for the first 6 months a property is empty should be revised to 0%.**
- **The full Council Tax be charged on empty properties undergoing major structural repairs for the financial year 2016/17;**

And

- That the amount calculated by Rotherham Metropolitan Borough Council as its Council Tax Base and those of the Parish Councils shown at Appendix A for 2016/17 shall be a total of 67,149.57 Band D Equivalent Properties.

List of Appendices Included – Appendix A - The Council Tax Base for 2016/17

Background Papers

- The Localism Act 2011
- Local Government Finance Act 1992.
- Local Authorities (Calculation of Council Tax Base) Regulations 2012 (Statutory Instrument 2012 no 2914)
- Local Authorities (Calculation of Council Tax Base) Regulations (Statutory Instruments 1992 no.612 and 1999 no.3123).
- Local Authorities (Calculation of Council Tax Base/Supply of Information) Regulations 1992 (Statutory Instrument 2904).
- Section 84 of the Local Government Act 2003
- The Council Tax Reduction Schemes (prescribed requirements) England)(Amendment) Regulations 2013
- Housing Benefit circular A24/2013
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015

Consideration by any other Council Committee, Scrutiny or Advisory Panel No

Council Approval Required Yes

Exempt from the Press and Public No

1. Recommendations

1.1 It is recommended that Members resolve that:

- **Rotherham's Council Tax Reduction Scheme for 2016/17 is unchanged from 2015/16,**
- **Council Tax Empty Property Discounts that the 25% empty property discount allowed for the first 6 months a property is empty should be revised to 0%;**
- **The full Council Tax be charged on empty properties undergoing major structural repairs and**
- **The amount calculated by Rotherham Metropolitan Borough Council as its Council Tax Base and those of the Parish Councils shown at Appendix A for 2016/17 shall be a total of 67,149.57 Band D Equivalent Properties.**

2. Background

2.1 Setting the Tax Base is a precursor within the Budget setting process to the determination of the Council Tax level.

2.2 The formula for calculating the Council's Tax Base is set out by the Local Authorities (Calculation of Council Tax Base) Regulations 2012 and the projected Tax Base is shown in Appendix A. The Council Tax Base is derived from the total number of properties within the Council's area as at the 1st December 2015, which, in the opinion of the Government's Valuation Office Listing Officer, were subject to Council Tax.

3. Key Issues

3.1 The calculation of the Tax Base takes into account several factors:

- The Council's own Local Council Tax Reduction Scheme (CTRS),
- The discretionary discounts and exemptions awarded to empty properties and second homes,
- Future tax collection rates, and
- Estimates and projections reflecting the changes and adjustments in the Tax Base that occur during the financial year, in particular, newly built properties.

Council Tax Reduction Scheme (CTRS)

3.2 Prior to April 2013, Council Tax Benefit (CTB) was an income related benefit administered by local authorities on behalf of the Department for Work and Pensions (DWP). A grant from the DWP met in full the cost of the CTB awarded. In April 2013 CTB was abolished and replaced by a locally

determined and administered discount scheme - **the Council Tax Reduction Scheme (CTRS)**.

- 3.3 Rather than being a benefit payment CTRS operates as a discount on the Council Tax charged by an authority. Local CTR Schemes are required by statute to protect pensioners who provided their circumstances do not change receive the same help as under the CTB scheme. Working age claimants do not receive any such protection and authorities can require a contribution towards Council Tax from these claimants.
- 3.4 Rotherham's current CTRS retains all the elements of the CTB scheme but reduced working age claimant entitlement from the maximum entitlement of 100% to 91.5% meaning that they are required to pay a minimum 8.5% of their Council Tax liability. The scheme which was originally introduced for 2013/14 has remained unchanged for the last two financial years (2014/15 and 2015/16).
- 3.5 It is proposed that Rotherham's local CTRS for 2016/17 should be unchanged from 2015/16, retaining the scheme in its present format. Working age claimants will continue to be required to contribute a minimum 8.5% of their Council Tax liability.
- 3.6 The impact of the CTRS on the Tax Base across the Borough is determined by assessing the number and value of claims by Tax Band across the Borough (including in parishes) and converting them to Band D Equivalent properties, which are then deducted from the Council Tax Base. Experience since 2013/14 indicates that the number of claimants and the total cost of the scheme is reducing year on year.
- 3.7 To compensate for the reduction in the Tax Base, the Council received grant of £17.51m in 2013/14 (the Police and Fire and Rescue Authorities also received grant funding). Since 2014/15 this funding has been subsumed within Revenue Support Grant (RSG) and it is not possible to separately identify the CTRS grant allocation. Although Ministers have asserted that the grant has not reduced, the consensus is that this funding has declined in line with central government grant reductions and the Council's Medium Term Financial Strategy reflects this.

Empty Property Discounts

- 3.8 From 2013 technical changes in Council Tax Regulations allowed the Council to reduce the discretionary discounts awarded to empty properties and second homes and, in some cases, charge tax premiums. For 2015/16 these were rolled forward at the same levels as in 2014/15:

- 25% discount for up to 6 months for empty and unfurnished properties; and
- 25% discount for up to a year for properties undergoing major structural repair.

3.9 It is not possible to revise the Council Tax premiums charged on long term empty properties as these are already at the maximum level but the Council can reassess the empty property discounts it allows.

3.10 **Empty and unfurnished properties** – during the financial year 2014/15 (the latest full year for which figures are available) a total of £473k was granted in respect of the 25% discounted Council Tax for empty and unfurnished properties (including Borough Council Tax and Police, Fire and Parish Council Taxes). The discount applies to properties for the first 6 months they were empty; however the average vacant period in Rotherham is 45 days. It is estimated that removing this discount would generate, after losses on collection but before increased collection costs, an additional £378,000 per year - an 80% collection rate. Rotherham Council's share of this would be 84%. It is estimated that after allowing for an increase in the cost of collection (£105k) the potential additional income would be £273k with the Council receiving £229k in a full year.

3.11 **Structural Repairs** – in 2014/15 (the latest full year), £42k was granted in relation to the 25% discount allowed to empty properties undergoing major structural repairs. It is considered that removing this discount would generate an additional £40k Council Tax income in a full year after losses on collection with £34k accruing to the Council. The losses on collection are assumed to be significantly lower than for the empty property discount as in the main these will be charges to property developers.

3.12 Overall it is estimated that these changes to Council Tax discounts would in a full financial year generate an additional £313k in income after losses in collection and increased costs of collection, of which £262k would be attributable to the Council (the remaining £51k relates to the Police and Crime Commissioner's and Fire Authority's precepts and to Parishes).

3.13 It is recommended therefore that the 25% empty property discount allowed for the first 6 months a property is empty should be revised to 0% and the full Council Tax be charged on empty properties undergoing major structural repairs

Council Tax Collection Rate

3.14 An estimated Council Tax collection rate of 96.5% (equivalent to a losses adjustment of 3.5%) was applied in 2014/15 and retained in 2015/16. The Council has a good record in respect of Council Tax collection - having been

the 5th best performing Metropolitan District in 2014/15 (the latest year for which statistics are available). Collection rates have remained high during the current financial year and the challenging 97% target in year collection rate is expected to be achieved. In light of this it is considered appropriate to apply an estimated collection rate of 97% to the Council Tax Base for 2016/17 reducing the provision for losses on collection from 3.5% to 3% which would generate an additional £0.4m before any increase in Council Tax.

- 3.15 In light of the changes to empty property discounts outlined above and the reduced provision for losses on collection, tax collection rates in the coming financial year will continue to be closely monitored. In addition, given the expected continuing effect on payment and default levels of the Government's ongoing welfare reform it is considered prudent at present to retain 96.5% Tax Collection rates for the two subsequent years 2017/18 and 2018/19 respectively.

Changes and adjustments to the Tax Base

- 3.16 The Council Tax Base in previous years has included estimates and projections reflecting the changes and adjustments in the Tax Base that occur during the financial year. These have included:

- The completion of new properties;
- Changes in banding as a result of adjustments and appeals;
Discounts, exemptions and reliefs (for example, single person discounts, and reductions in liabilities for disabled persons).
- The ending of the discount period on empty properties on their reoccupation.

- 3.17 For 2016/17 it is estimated that overall the Council's Tax Base will increase by 1,672 Band D Equivalent properties to 67,149.57 compared to 65,477.52 in 2015/16– a rise of 2% over 2015/16. This increase in Band D equivalent properties is estimated to will generate an additional Council Tax yield of £2.1m in 2016/17.

The Tax Base for the Council as a whole (both parished and unparished areas) is made up as follows:

<u>Tax Band</u>	<u>Band D Equivalent Properties</u>
Band A	25,679.35
Band B	13,986.82
Band C	11,353.41
Band D	7,857.61
Band E	4,984.11
Band F	2,207.93
Band G	1,017.77
Band H	62.57
TOTAL	67,149.57

4. Options considered and recommended proposals

- 4.1 Council Tax Reduction Scheme – the operation of Rotherham’s local CTRS was considered but in light of the expected reduction in claimant numbers and Government’s ongoing welfare reform programme it is recommended that the for 2016/17 should be unchanged from 2015/16, retaining the current scheme in its present format.
- 4.2 Empty property discounts - having maintained the level of discretionary discounts on empty properties in 2015/16 at the same level as when they were introduced in 2014/15, their operation was reviewed and in light of the potential income forgone it was decided to reduce the level of discounts as recommended.
- 4.3 In preparing this report the reduction in the assumed level of losses on collection was considered, particularly in light of the Council’s record of good performance in Council Tax Collection and the recommendation to revise the adjustment for losses on collection from 3.5% to 3.0% reflects this. The Council Tax collection rate of 97% for 2016/17, has been fully reflected in the Council’s MTFS.

5. Consultation

- 5.1 The South Yorkshire Police and Crime Commissioner, South Yorkshire Fire and Rescue Authority and Parish and Town Councils will be notified of their Council Tax Bases for 2016/17 by the end of January 2016.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Rotherham's Council Tax Reduction Scheme (CTRS) must be approved annually by Council and as the CTRS affects the calculation of the Council Tax Base, approval to retain the 2015/16 scheme in 2016/17 is included in this report.
- 6.2 Regulations under the Local Government Finance Act 1992 require Full Council to approve the Council's annual Council Tax Base before 31 January in the preceding financial year and to notify both major and local precepting authorities of their tax base.

7. Financial and Procurement Implications

- 7.1 Determining the Council Tax Base is also a fundamental part of the budget setting process. The Tax Base is central in determining the amount of Council Tax income to be raised, which represents a significant proportion of the Council's resources for the coming financial year.
- 7.2 The increase in the Council's Tax Base due to the number of additional properties, the reduction in cost of the CTRS, reduced provision for losses on collection and ending of the discount for empty properties plus the consequent £2.1m increase in Council Tax income (before any increase in Tax Rate) has been reflected in the Council's Revenue Budget plans for next year and in the MTFS.

8. Legal Implications

- 8.1 The Calculation of the Council Tax Base and the operation of the Council Tax Reduction Scheme as set out in this report are in compliance with the relevant Regulations.

9. Human Resources Implications

- 9.1 None directly from this report

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 None directly from this report

11 Equalities and Human Rights Implications

- 11.1 From April 2013, The Government abolished the national Council Tax Benefit (CTB) scheme and asked local authorities to set up their own local schemes to meet the needs of their local area. Rotherham's local scheme was introduced on 1st April 2013 and is known as Council Tax Reduction Scheme (CTRS). Prior to the introduction of the scheme the Council undertook an extensive Public Consultation Exercise and a detailed Equalities Impact Assessment.

- 11.2 The authority is required to confirm the scheme each year and it is proposed that for 2016/2017 the current CTRS is retained unchanged (as it was 2014/15 and 2015/16). In light of this no further consultation is required.
- 11.3 It is intended that Rotherham's CTR scheme will not be amended in 2016/17 and the disregards of income used in calculating Council Tax Support will be maintained. This includes: the DWP means-tested scheme of allowances, premiums and income the disregard of child benefit and child maintenance; disability allowances and 100% of all monies received in respect of war widows and war disablement pensions. This will ensure that the Council's CTRS will retain its original structure keeping the protections for vulnerable groups including claimants with relevant protected characteristics, which were in place when the scheme was established.

12. Implications for Partners and Other Directorates

- 12.1 None directly

13. Risks and Mitigation

- 13.1 As the Council Tax Base must be set by the 31 January 2016, it contains projections in respect of the additions, adjustments, discounts and reliefs to be granted before the 31 March 2016 and during the financial year 2016/17, including the projected cost of the Council's CTR scheme and an estimate of future collection rates. However, as the Council has maintained its position as one of the best performing metropolitan authorities in terms of Council Tax collection nationally over several years these assumptions appear robust. Furthermore the Council's vigorous approach to the issuing of completion notices has meant that new properties are promptly included in the Tax Base.

14. Accountable Officer(s) Stuart Booth Acting Strategic Director of Finance and Corporate Services:-

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:- Stuart Booth

Director of Legal Services:- Named officer

Head of Procurement (if appropriate):- Not Applicable

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Appendix A

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total	Losses on collection	Total after losses on collection
Anston	410.37	1,090.57	404.18	385.67	371.79	181.74	55.42	11.50	2,911.24	- 87.34	2,823.90
Aston	1,114.65	1,297.04	658.60	591.74	498.17	117.89	24.60	1.00	4,303.69	- 129.11	4,174.58
Bramley	582.61	408.85	648.42	429.57	244.83	15.90	6.30	1.00	2,337.48	- 70.12	2,267.36
Brampton Bierlow	559.29	162.34	119.36	275.35	144.04	-	1.70	-	1,262.08	- 37.86	1,224.22
Brinsworth	693.90	1,181.21	342.19	142.61	13.40	1.40	-	-	2,374.71	- 71.24	2,303.47
Catcliffe	263.25	130.31	99.39	87.53	19.54	3.60	-	-	603.62	- 18.11	585.51
Dalton	1,049.79	352.43	563.05	218.51	250.42	27.10	10.16	1.00	2,472.46	- 74.17	2,398.29
Dinnington	1,026.75	347.40	327.31	453.14	99.03	44.16	14.20	4.00	2,315.99	- 69.48	2,246.51
Firbeck	6.50	17.80	13.56	12.80	33.61	32.82	22.50	-	139.59	- 4.19	135.40
Gildingwells	2.35	1.27	1.30	8.00	10.46	17.00	1.70	-	42.08	- 1.26	40.82
Harthill	132.11	79.19	95.46	108.78	91.74	92.25	43.30	-	642.83	- 19.28	623.55
Hellaby	29.03	174.54	19.57	16.30	7.90	-	-	-	247.34	- 7.42	239.92
Hooton Levitt	3.23	5.86	1.80	4.05	15.30	15.52	6.70	1.00	53.46	- 1.60	51.86
Hooton Roberts	7.49	1.80	7.54	14.30	26.91	16.22	10.09	-	84.35	- 2.53	81.82
Laughton	85.27	54.71	41.11	107.68	77.30	54.09	26.70	-	446.86	- 13.41	433.45
Letwell	0.74	2.10	0.90	4.30	20.80	20.60	19.20	-	68.64	- 2.06	66.58
Maltby	2,080.85	643.95	648.36	546.86	96.82	31.58	39.60	2.00	4,090.02	- 122.70	3,967.32
Orgreave	24.57	208.68	127.86	125.80	69.01	4.30	-	-	560.22	- 16.81	543.41
Ravenfield	90.40	102.40	280.77	238.79	211.97	102.77	12.54	-	1,039.64	- 31.19	1,008.45
Thorpe Salvin	9.85	9.70	12.06	28.84	44.68	56.18	42.50	2.00	205.81	- 6.17	199.64
Thrybergh	577.24	50.55	49.77	53.52	36.83	41.72	21.27	-	830.90	- 24.93	805.97
Thurcroft	911.44	379.16	317.87	274.53	70.47	35.99	23.37	-	2,012.83	- 60.38	1,952.45
Todwick	29.33	70.97	76.93	248.81	137.62	51.89	45.40	-	660.95	- 19.83	641.12
Treeton	363.67	198.39	31.47	163.09	93.66	16.60	-	1.00	867.88	- 26.04	841.84
Ulley	9.47	8.80	12.04	6.23	12.80	11.90	6.30	-	67.54	- 2.03	65.51
Wales	775.93	377.12	431.12	248.05	119.03	62.91	22.90	2.00	2,039.06	- 61.17	1,977.89
Wentworth	33.91	100.08	107.38	106.70	104.27	66.10	41.90	4.00	564.34	- 16.93	547.41
Whiston	328.36	349.75	345.75	124.77	202.98	91.46	50.40	3.50	1,496.97	- 44.91	1,452.06
Wickersley	204.46	653.00	577.52	274.91	316.01	401.17	257.87	2.00	2,686.94	- 80.61	2,606.33
Woodsetts	62.76	188.70	132.48	88.70	59.85	36.10	31.01	8.00	607.60	- 18.23	589.37
Parished Totals	11,469.57	8,648.67	6,495.12	5,389.93	3,501.24	1,650.96	837.63	44.00	38,037.12	- 1,141.11	36,896.01
Un-Parished	15,003.99	5,770.73	5,209.43	2,710.70	1,637.02	625.25	211.62	20.50	31,189.24	- 935.68	30,253.56
Total	26,473.56	14,419.40	11,704.55	8,100.63	5,138.26	2,276.21	1,049.25	64.50	69,226.36	- 2,076.79	67,149.57
Adjusted Total After Losses on Collection	25,679.35	13,986.82	11,353.41	7,857.61	4,984.11	2,207.93	1,017.77	62.57	67,149.57		67,149.57

Summary Sheet

Council Report

Report to The Council – 27 January 2016

Title

Housing Rents 2016/17

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Graeme Betts, Strategic Director of Adult Care and Housing

Report Author(s)

Mark Scarrott, Finance Manager Neighbourhoods and Adult Services, Resources

Directorate, 01709 822007, mark.scarrott@rotherham.gov.uk

Dave Richmond, Director of Housing and Neighbourhoods, EDS Directorate, 01709 823402, dave.richmond@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The purpose of the report is to seek approval for the proposed for the setting of the housing rent and non- dwelling rents for 2016-17.

Recommendations

That the Council notes the content of the report and recommends:-

- a) That dwelling rents are reduced by 1% for 2016/17 in line with the requirements outlined in the Welfare to Work Bill 2015/16. The average dwelling rent for 2016/17 will be £73.71 per week over 52 weeks, an average reduction of £0.68 per week.
- b) The average rent for the energy efficient council properties will also reduce by 1% to £95.43 per week, an average reduction of £0.97 per week.
- c) That there is no increase to charges for garage rents, communal facilities and cooking gas in 2016/17.
- d) Note the draft Housing Revenue Account budget for 2016/17.
- e) Approval is given to charge rent and non-dwelling charges over 52 weeks rather than the current 48 weeks.

List of Appendices Included

None

Background Papers

Welfare Reform and Work Bill (October 2015)

DCLG Guidance on Rents for Social Housing from 2015/16 (May 2014)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Yes

Overview Scrutiny and Management Board (15 January 2016)

Council Meeting (27 January 2016)

Council Approval Required

Yes

Exempt from the Press and Public

No

Title

Housing Rents 2016/17

1. Recommendations

1.1 That the Council notes the content of the report and recommends:-

- a) That dwelling rents are reduced by 1% for 2016/17 in line with the requirements outlined in the Welfare to Work Bill 2015/16. The average dwelling rent for 2016/17 will be £73.71 per week over 52 weeks, an average reduction of £0.68 per week.
- b) The average rent for the energy efficient council properties will also reduce by 1% to £95.43 per week, an average reduction of £0.97 per week.
- c) That there is no increase to charges for garage rents, communal facilities and cooking gas in 2016/17.
- d) Note the draft Housing Revenue Account budget for 2016/17.
- e) Approval is given to charge rents and non-dwelling charges over 52 weeks rather than the current 48 weeks.

2. Background

2.1 The previous government rent policy (published in May 2014) limited rent increases from April 2015 to the Consumer Price Index (CPI) in September of the previous year plus 1% per annum for 10 years.

2.2 The Government expects that all similar properties in the same local area will have equitable rent levels, even if properties are owned by different social landlords. This process is known as 'rent convergence'. The Government set a target for Authorities to achieve rent convergence by 2015/16. However, changes to the rent formula removed the flexibility to increase rents by an additional £2 above the increase in formula rent where rent is below convergence, therefore 2014/15 was the final year to achieve full convergence.

2.3 The Government replaced the former Housing Revenue Account (HRA) subsidy system with a devolved system of council housing finance called self-financing in April 2012. The purpose of which was to give local authorities the resources, incentives and flexibility they need to manage their own housing stock for the long term and give tenants greater transparency and accountability as to how the rent collected is spent on the services provided. Changes to the formula rent from April 2015 resulted in the council not meeting rent convergence and therefore lower levels of income which impacted on the investment plans within the HRA Business Plan. Due to historical decisions to limit rent increases, Rotherham's rents were not scheduled to reach full convergence until 2016/17. Government guidance states that where properties have not reached formula rent by April 2015 it is expected that the rent is moved up to formula rent when the property is re-let following vacancy. On average 1700 properties are re-let each year, this will generate additional income of approximately £154k in 2016/17.

- 2.4 Section 21 of The Welfare Reform and Work Bill 2015/16 sets out the government's policy on social housing rents which requires providers of social housing to reduce rents by 1% per year for four years with effect from April 2016. The new policy applies to all registered providers of social housing including local authority landlords, who have a statutory obligation to implement the policy.
- 2.5 This report also considers the charges for garages, garage plot sites, cooking gas and communal facilities for 2016/17 and summaries the draft HRA budget.

3. Key Issues

Housing Rents

- 3.1 The average rent for 2015/16 was £74.39 when aggregated over 52 weeks. The 2016/17 average weekly rent based on the statutory 1% reduction collected over 52 weeks will be £73.71, an average reduction of £0.68 per week.
- 3.2 The move to rent payable over 52 weeks is a change to our current approach of charging rent over 48 weeks, which is a legacy of when rent was paid by tenants to rent collectors by cash on a weekly basis. Given the majority of rent is now paid by electronic means (Direct Debit, standing order and online) this approach is no longer necessary. All tenants have been consulted about this proposed change through the consultation we have undertaken on changes to the Tenancy agreement. There have been no objections received to this proposal. There will be no change to the total amount of rent payable over the year. The move to 52 week payment cycle for rents also accommodates the introduction of Universal Credit which does not account for rent being paid over a 48 week cycle.
- 3.3 Total housing rent income generated through the proposed revised weekly rents is estimated to be £77.851m in 2016/17 (compared with £79.143m in 2015/16) assuming 150 Right to Buy sales, and voids and rent adjustments at 2%. The reduction of 1% on the weekly rent charge will result in a loss in rent income of £1.3m compared with the 2015/16.
- 3.3 The Council completed the building of 132 new energy efficient properties in 2011/12. These rents are assumed to be fully converged and are therefore set higher than those of the existing Council stock. Consequently the proposed average rent to be charged across these properties will be £95.43 over 52 weeks based on the statutory 1% reduction, an average reduction of £0.97 per week.

Garage Rents

- 3.4 The Council has continued with its garage site improvement programme investing a further £250,000 in 2015/16.

In previous years increases in charges have been linked to changes in CPI.

However, CPI as at September was -0.1%, therefore it is proposed that there will be no increases to charges which will remain at 2015/16 levels. Therefore the charge for garage rents for 2016/17 will be £4.70 per week charged over 52 weeks, this is a reduction from £5.09 for the current 48 week charge.

It is therefore proposed that there will also be no change to the charge for garage plot sites which will remain at £56.57 per annum in 2016/17.

Cooking Gas

- 3.5 The Council also charges for cooking gas facility at 87p per week (currently over 48 weeks). It is proposed no increase in charge for 2016/17 in line with other non-dwelling charges, therefore the charge will be 80p per week over 52 weeks.

Communal Facilities

- 3.6 A review of the usage of the Neighbourhoods Centres was undertaken in 2014/15 together with tenant consultation. The Cabinet in February 2015 approved the de-commissioning of a total of 18 centres retaining 42. The current charge over 48 weeks is £4.83 per week and it is proposed no change for 2016/17 in line with other non-dwelling charges. Therefore over 52 weeks the charge will be £4.46 per week. The review also included the use of the laundry facilities that are situated in some of the centres and these charges were increased in 2015/16 to £1.60 per week to enable the facilities to become more financially sustainable. Again, it is proposed not to increase the charge for 2016/17, therefore over 52 weeks the charge will be £1.48 per week.

4. Options considered and recommended proposal

- 4.1 Changes to the government's policy on social housing rents as resulted in the requirement to reduce dwelling rents by 1% over the next four years.
- 4.2 In previous years increases to charges for non-dwelling rents have been linked to changes in CPI. There has been no change to CPI as at September 2015 and therefore it is proposed not to increase charges for garages, cooking gas and communal facilities including laundry and to charge over 52 weeks from April 2016:

Non Dwelling Rents	Proposed weekly Charge 2016/17
Garage rent	£4.70
Cooking Gas	£0.80
Communal Facility	£4.46
Laundry	£1.48

5. Consultation

- 5.1 This report will be subject to review by the Overview and Scrutiny Management Board before final decision by the council.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Final approval is required by the Council on 27th January 2016 with full implementation from 1st April 2016.

7. Financial and Procurement Implications

- 7.1 Appendix A of this report presents the 2016/17 detailed Draft Operating Statement which is effectively "The HRA Budget".

The table below presents an overall summary position of the Income and expenditure budgets:-

Housing Revenue Account	Proposed Budget 2016/17 £000
Expenditure	75,424
Income (including service charges)	-83,494
Net Cost of Service	-8,070
Interest Received	-90
Net Operating Expenditure	-8,160
Revenue Contribution to Capital Outlay	8,160
Transfer to Reserves	0
Surplus/Deficit for the Year	0

It can be seen that based on the 1% reduction in dwelling rent income and no increase in service charges outlined in this report the budgeted income of £83.494m is anticipated to be collected in 2016/17 and that this is offset by £75.424m of budgeted expenditure, which represents the net cost of delivering the service. As budgeted income is greater than the net cost of delivering the service, there is an overall net income of £8.070m to the service.

Once capital financing interest has been charged to the HRA, and a Revenue Contribution to Capital of £8.160m has been made towards the HRA Capital

Programme, in accordance with the HRA Business Plan, there will be an overall balanced budget for 2016/17.

8. Legal Implications

8.1 No direct implications.

9. Human Resources Implications

9.1 There are no Human Resources implications arising from this report..

10. Implications for Children and Young People and Vulnerable Adults

10.1 No direct implications.

11 Equalities and Human Rights Implications

11.1 No direct implications.

12. Implications for Partners and Other Directorates

12.1 No direct implications for partners and other directorates..

13. Risks and Mitigation

13.1 The greatest risk and uncertainty surrounds the level of rent income received into the Housing Revenue Account. This is dependent upon the number of properties available to generate income.

The level of properties is directly affected by the level of sales and demolitions which may vary to those used in the budget assumptions. New rules regarding Right to Buy (RTB) receipts were implemented in April 2012 included increasing the discount cap, which is now £77,900. This has seen the number of RTB sales increase significantly as a result of the higher discount cap. Total sales in 2014/15 were 112, it is estimated that there will be 130 RTB by the end of 2015/16 and the HRA Business Plan assumes a further increase to 150 sales in 2016/17.

13.2 The changes to the rent formula from 2016/17 will result in the Council receiving less income than under the current formula over the next four years, therefore impacting on the 30 year business plan.

The Governments changes to welfare benefits and the introduction of Universal Credit will also impact on the level of rent income collected including the level of arrears and therefore be reflected in the Housing Revenue Account balances.

All budgets carry a certain level of risk in that unforeseen circumstances may arise, causing additional pressures on the level of resources applied.

14. Accountable Officer(s)

Dave Richmond, Director of Housing and Neighbourhoods Services

Approvals Obtained from:-

Interim Strategic Director of Finance and Corporate Services:-

Named officer : Stuart Booth

Interim Director of Legal Services:- Stuart Fletcher.

Head of Procurement (if appropriate):- not applicable

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HRA - Draft Budget Operating Statement 2016/17 (-1% Rent Decrease)

Narrative	Full-year Budget 2016/17 £	Full-year Budget 2016/17 £	Change 15/16 to 16/17 £
Contributions to Housing Repairs Account	19,075,000	19,075,000	0
Supervision and Management	20,944,550	20,658,200	-286,350
Rents, Rates, Taxes etc.	170,400	210,000	39,600
Provision for Bad Debts	1,582,860	1,545,520	-37,340
Cost of capital Charge	13,725,000	13,785,000	60,000
Depreciation of Fixed Assets	20,068,210	19,975,350	-92,860
Debt Management Costs	210,000	175,000	-35,000
Expenditure	75,776,020	75,424,070	-351,950
Dwelling Rents	-79,142,680	-77,851,130	1,291,550
Non-dwelling Rents	-745,960	-750,510	-4,550
Charges for Services and facilities	-4,548,220	-4,487,120	61,100
Other fees and charges	-304,970	-323,800	-18,830
Leaseholder Income	-68,000	-81,000	-13,000
Contribution to Expenditure			
Income	-84,809,830	-83,493,560	1,316,270
Net Cost of Services	-9,033,810	-8,069,490	964,320
Interest received	-70,000	-90,000	-20,000
Net Operating Expenditure	-9,103,810	-8,159,490	944,320
Appropriations:			
Revenue Contributions to Capital Outlay	9,103,810	8,159,490	-944,320
Transfer to/from Reserves	0	0	0
Surplus/Deficit for the year	0	0	0

Summary Sheet

Council Report

Report to The Council – 27 January 2016

Title

District Heating Scheme Charges 2016/17

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Graeme Betts, Strategic Director of Adult Care and Housing

Report Author(s)

Mark Scarrott, Finance Manager Neighbourhoods and Adult Services, Resources Directorate, 01709 822007, mark.scarrott@rotherham.gov.uk

Dave Richmond, Director of Housing and Neighbourhoods, EDS Directorate, 01709 823402, dave.richmond@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The purpose of the report is to seek approval for the proposed charges for the Council's District Heating schemes for 2016-17.

Recommendations

That the Council notes the content of the report and recommends:-

- a) That there is no increase to the unit charge for the pooled district heating schemes.
- b) That there is no increase to the pre-payment weekly charge for the pooled and unmetered scheme at Beeversleigh.
- c) That there is no increase to the unit KWh charge at the Swinton district heating scheme
- d) A further review of the pooled schemes is undertaken in 2016/17 including achievement towards full cost recovery.
- e) Approval is given to charge for district heating over 52 weeks in line with council rents and non-dwelling charges.

List of Appendices Included

None

Background Papers

Self-Regulation Select Commission – Review of RMBC’s District Heating Schemes (November 2012).

District Heating Scheme Charges 2015-16 (January 2015)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Yes

Overview Scrutiny and Management Board (15 January 2016)

Council Meeting (27 January 2016)

Council Approval Required

Yes

Exempt from the Press and Public

No

Title

District Heating Scheme charges 2016-17

1. Recommendations

1.1 That the Council notes the content of the report and recommends:-

- a) That there is no increase to the unit charge for the pooled district heating schemes.
- b) That there is no increase to the pre-payment weekly charge for the pooled and unmetered scheme at Beeversleigh.
- c) That there is no increase to the unit KWh charge at the Swinton district heating scheme
- d) A further review of the pooled schemes is undertaken in 2016/17 including achievement towards full cost recovery.
- e) Approval is given to charge for district heating over 52 weeks in line with council rents and non-dwelling charges.

2. Background

2.1 The Council operate three distinct District Heating schemes:

- A pooled metered scheme;
- An unmetered scheme at Beeversleigh; and
- A pre-paid card meter scheme at Swinton.

Over the last few years charges for each scheme have been brought into line with a phased increase in the kilowatt hour charge towards achieving full cost recovery. In 2014/15 district heating cost the authority £813k and of this total cost, £733k was received as income, resulting in a deficit of £80k. The latest forecast position for 2015/16 is an anticipated deficit of approximately £10k.

2.2 In general district heating charges are made up of two components, a weekly pre-payment charge and a metered charge per kilowatt hour of heating used. Weekly charges for most schemes exceed the actual metered costs and hence 34% of all income received from weekly charges are returned to customers via a refund. The Cabinet in January 2013 recommended that the cost of District Heating is fully recovered on a phased basis and therefore charges are set at the appropriate level.

This report examines each of the three distinct schemes taking into account the cost of the schemes, weekly pre-payment charge and the impact of the level of refunds and tenant arrears owed to the Council. A further review of all schemes is to be undertaken in 2016/17.

3. Key Issues

3.1 Pooled Metered Schemes

Pooled metered schemes have a weekly pre-payment flat rate charge collected through the rent system, applied to all properties dependent upon the size of the property.

The actual cost of each property's heating is determined by meter readings of the amount of kilowatt hours of heating actually used. In the vast majority of cases (78%) this results in a refund to the tenant. Based on 2014/15 actual income and expenditure the deficit on pooled schemes was £80k, however, the latest forecast for 2015/16 is a further anticipated reduction in the overall deficit. However, there are two pooled schemes which require further review:

St Ann's Sheltered Scheme (Shaftsbury House) which had an actual deficit of £45k in 2014/15. We believe this is a result of costs for heating the communal areas of the building not being excluded from the running costs for heating tenant's homes. This requires further investigation and an agreed approach to identify how these costs should be split with the technical teams.

Munsbrough estate had a deficit of £25k in 2014/15 which we believe to be a result of inaccurate apportioning of costs between tenant charges and Munsbrough School. This is currently based on a ratio of 90% tenants: 10% Munsbrough school. Again the accuracy of this and how we can fairly apportion costs requires further investigation. It is proposed we review the costs of both these schemes and amend them accordingly in 2017-18.

There are sixteen pooled schemes with a total of 1,031 properties and current charges for 2015/16 over 48 weeks are:

Pooled district heating charges	2015/16
Unit Cost KWh	8.72
Pre-payment Charges per week	
Bedsit	£12.80
1 Bed	£14.90
2 Bed	£17.10
3/4 Bed	£19.78

3.2 Beeversleigh

The 48 properties at Beeversleigh are not metered and therefore not part of the pooled metered district heating scheme.

Weekly charges are in line with the pooled schemes and currently income collected covers the full cost of the scheme.

Current weekly charges for 2015/16 over 48 weeks are:

Beeversleigh	2015/16
One bed flat	£14.90
Two bed flat	£17.10

Plans are in place within the Housing Investment Programme to install individual meters for all properties during 2016/17. As this scheme currently recovers the full cost it is therefore proposed not to increase the charge for 2016/17.

3.3 **Swinton**

The third category of district heating is the dwellings charged by a pre-paid card meter scheme at the 238 properties at Fitzwilliam, Swinton.

At present the income received from charges is less (91% being recovered) than the full cost of the scheme. In 2014/15 the cost of the scheme was £108k and £98k recovered through income from charges, an overall deficit of £10k. Heating charges in Swinton have been historically much lower than elsewhere. The average annual cost paid by the tenant for heating a property in Swinton in 2014/15 was £410, compared to an average of £558 in other pooled metered schemes. In 2015/16 the unit charge per kilowatt hour was increased to 8.72p in line with the pooled schemes charge and therefore it is anticipated that this scheme will now be closer to achieving full cost recovery. Since then a programme to replace and upgrade all exiting meters has commenced and is scheduled for completion by the end March 2016.

It is worth noting that concerns are being expressed from some residents about the cost of heating their homes, however this remains in line or below other district heating schemes.

4. **Options considered and recommended proposal**

4.1 It is recommended that the following options are considered:

4.1.1 **Pooled Schemes**

Based on the expected reduction in the contract price of gas and the continued high level of refunds it is proposed that no increase to either the unit charge per Kwh or the pre-paid charge for 2016/17. The anticipated reduction in running costs in 2016/17 as gas prices reduce together with the review of the two schemes at St. Ann's and Munsbrough should result in achieving full cost recovery.

The unit charge has been increased by 10% per year for the last three years as a move towards recovering the full cost of the schemes.

A further increase in unit charge would reduce the level of refunds but potentially increase the amount of arrears owed by tenants who use a high level of consumption.

Recommendation – No change to the unit charge and pre-payment weekly charge in will be charged over 52 weeks in 2016/17 as follows:-

Pooled district heating charges	2016/17
Unit Cost KWh	8.72
Pre-payment Charges per week	
Bedsit	£11.82
1 Bed	£13.75
2 Bed	£15.78
3/4 Bed	£18.26

4.1.2 **Beeversleigh**

It is proposed that the current level of pre-payment charge remains the same for 2016/17 as this scheme recovers the full cost and individual meters are due to be installed during 2016/17, which will therefore mean that tenants will pay for the actual heating used rather than a standard weekly charge based on the size of the property.

Recommendation – No increase to existing weekly pre-payment charge in 2016/17 which will be charged over 52 weeks as follows:-

Beeversleigh	2016/17
One bed flat	£13.75
Two bed flat	£15.78

4.1.3 **Swinton**

It is proposed to keep the unit charge at 8.72p per KWh, the same level as 2015/16 and the proposal for the pooled schemes. Tenants using this scheme have received increases in the unit charge of 14.6%, 30% and 30% over the last three years. Expenditure per property is £454 compared with income per property of £410, based on 2014/15 actual figures. Given the significant increase in unit charge over the last three years, the expected reduction in contract price of gas, the near recovery of costs and the current installation of new and more reliable meters, it would seem appropriate not to increase the unit charge and review in 2016/17 pending the outcome of the actual usage with more modern and reliable meter units.

Recommendation – no increase in the unit charge in 2016/17 which will remain at 8.72p per Kwh.

5. Consultation

- 5.1 This report will be subject to review by the Overview and Scrutiny Management Board before final decision by the council.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Final approval is required by the Council on 27th January 2016 with full implementation from 1st April 2016.

7. Financial and Procurement Implications

- 7.1 The financial implications are outlined in sections 3 and 4 of the report.

8. Legal Implications

- 8.1 No direct implications.

9. Human Resources Implications

- 9.1 There are no Human Resources implications arising from this report..

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 No direct implications.

11 Equalities and Human Rights Implications

- 11.1 No direct implications.

12. Implications for Partners and Other Directorates

- 12.1 No direct implications for partners and other directorates..

13. Risks and Mitigation

- 13.1 Not recovering the full cost of district heating in the long term would have an adverse impact on the Housing Revenue Account business plan. Also, any significant increase in the future prices of gas could also result in further increases in charges.

14. Accountable Officer(s)

Dave Richmond, Director of Housing and Neighbourhoods Services

Approvals Obtained from:-

Interim Strategic Director of Finance and Corporate Services:-
Named officer : Stuart Booth

Interim Director of Legal Services:- Stuart Fletcher.

Head of Procurement (if appropriate):- not applicable

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Summary Sheet

Council Report

Council Meeting – 27th January, 2016

Title

Mid-Year Treasury Management and Prudential Indicators Monitoring Report – 2015/16

Is this a Key Decision and has it been included on the Forward Plan?

Yes, included on the Forward Plan for this meeting.

Strategic Director Approving Submission of the Report

Stuart Booth – Acting Strategic Director of Finance & Corporate Services

Report Author(s)

Derek Gaffney (Chief Accountant)
Finance & Corporate Services Directorate
01709 822005 derek.gaffney@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

1. Mid-Year Treasury Review

The regulatory framework of treasury management requires that the Council receive a mid-year treasury review, in addition to the forward looking annual treasury strategy and backward looking annual treasury report required previously.

This report meets that requirement. It also incorporates the needs of the Prudential Code to ensure adequate monitoring of the capital expenditure plans and the Council's prudential indicators (PIs).

It is a requirement that changes to the prudential indicators for 2015/16 are approved by Full Council.

The review as set out in Appendix A to the report is structured to highlight the key changes to the Council's capital activity (the PIs) and the actual and proposed treasury management activity (borrowing and investment).

A technical and complex report the key messages are:

- a. Investments - the primary governing principle remains **security** over return and the criteria for selecting counterparties continues to reflect this.
- b. Borrowing - overall this will remain fairly constant over the period covered by this report and the Council will remain under-borrowed against the borrowing requirement due to the cost of carrying debt. New borrowing will generally only be taken up as debt matures.
- c. Governance - strategies and monitoring are undertaken by Audit Committee

2. Minimum Revenue Provision Policy Statement Review

It is a requirement that the Council's Minimum Revenue Provision Policy for each financial year is approved by Full Council.

Following further discussions with the Council's external auditor it is recommended that further clarification should be included within the wording of the current policy statement.

Recommendations

Council is asked to:

1. **Approve the changes to the 2015/16 prudential indicators; and**
2. **Approve the update to the wording of the current Minimum Revenue Provision Policy Statement**

List of Appendices Included

Appendix A – Mid-Year Treasury Review

Appendix B – Update to the Minimum Revenue Provision Policy Statement

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

The report was considered by Audit Committee on 24th November 2015 and Commissioner Manzie at her Decision Making meeting on 14th December 2015

Council Approval Required

Yes

Exempt from the Press and Public

No

Mid-Year Treasury Management and Prudential Indicators Monitoring Report – 2015/16

1. Recommendations

Council is asked to:

- 1. Approve the changes to the 2015/16 prudential indicators; and**
- 2. Approve the update to the wording of the current Minimum Revenue Provision Policy Statement**

2. Background

- 2.1 Mid-Year Treasury Review** – Revisions to the regulatory framework of treasury management during 2009 introduced a requirement that the Council receive a mid-year treasury review, in addition to the forward looking annual treasury strategy and backward looking annual treasury report required previously.
- 2.2** This review as fully set out in Appendix A meets that revised requirement. It also incorporates the needs of the Prudential Code to ensure adequate monitoring of the capital expenditure plans and the Council's prudential indicators (PIs). The Treasury Strategy and PIs were previously reported to Audit Committee and Commissioners in February 2015 and approved by Council on 4 March 2015.
- 2.3 Update to the Council's Minimum Revenue Provision Policy Statement** – Minimum Revenue Provision (MRP) arises because there is statutory requirement for local authorities to set aside some of their revenue resources as provision for reducing the underlying need to borrow (Capital Financing Requirement - CFR), i.e. the borrowing taken out in order to finance capital expenditure.
- 2.4** Members will recall that Council approved at its meeting on 9 July 2015 a change to the MRP policy for the annual MRP charges on pre 2007/08 debt applicable to the 2014/15 financial year and to be confirmed annually as required in respect of future years.
- 2.5** Following further discussions with the Council's external auditor it is recommended that further clarification should be included within the wording of the current policy statement.

3. Key Issues

- 3.1 **Mid-Year Treasury Review** – The review as set out at Appendix A keeps Council up to date and informs on performance against the plan.
- 3.2 The key messages are:
- a. Investments - the primary governing principle remains **security** over return and the criteria for selecting counterparties continues to reflect this.
 - b. Borrowing - overall this will remain fairly constant over the period covered by this review and the Council will remain under-borrowed against the borrowing requirement due to the cost of carrying debt. New borrowing will generally only be taken up as debt matures.
 - c. Governance - strategies and monitoring are undertaken by Audit Committee
- 3.3 **Update to the Council's Minimum Revenue Provision Policy Statement** – It is a requirement that the Council's Minimum Revenue Provision Policy Statement for each financial year is approved by Full Council.
- 3.4 Following further discussions with the Council's external auditor it is recommended that further clarification should be included within the wording of the current policy statement. Details of the proposal are included at Appendix B to this report.

4. Options considered and recommended proposal

- 4.1 **Mid-Year Treasury Review** – The review as set out at Appendix A indicates performance is in line with the plan and no proposals to vary the approach for the remainder of the year are proposed.
- 4.2 **Update to the Council's Minimum Revenue Provision Policy Statement** – The option and recommended approach is being put forward following discussions with the Council's external auditor, KPMG.

5. Consultation

- 5.1 Consultation with the Council's External Auditors KPMG has taken place with respect to the update to the wording of the Council's Minimum Revenue Provision Policy Statement.
- 5.2 The report was considered by Audit Committee on 24th November 2015 and Commissioner Manzie at her Decision Making meeting on 14th December 2015.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Approval of the changes to the Prudential Indicators and the proposed change to the Council's Minimum Revenue Provision Policy Statement to be made in line with the Council's calendar of meetings.

7. Financial and Procurement Implications

- 7.1 Treasury Management forms an integral part of the Council's overall financial arrangements.
- 7.2 The assumptions supporting the capital financing budget for 2015/16 and for future years covered by the Council's MTFS were reviewed in light of economic and financial conditions and the future years' capital programme.
- 7.3 The Treasury Management and Investment Strategy is not forecast to have any further revenue consequences other than those identified and planned for in both the Council's 2015/16 Revenue Budget and approved MTFS.

8. Legal Implications

- 8.1 It is a requirement that changes to the Council's prudential indicators and approved by Full Council
- 8.2 It is also a requirement that the Council's Minimum Revenue Provision Policy Statement for each financial year is approved by Full Council.

9. Human Resources Implications

- 9.1 There are no Human Resource implications arising from the report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 There are no implications arising from the proposals to Children and Young People and Vulnerable Adults.

11. Equalities and Human Rights Implications

- 11.1 There are no implications arising from this report to Equalities and Human Rights.

12. Implications for Partners and Other Directorates

12.1 There are no implications arising from this report to Partners or other directorates.

13. Risks and Mitigation

13.1 Regular monitoring of treasury activity ensures that risks and uncertainties are addressed at an early stage and hence kept to a minimum.

14. Accountable Officer(s)

Stuart Booth (Acting Strategic Director of Finance & Corporate Services)

Approvals Obtained from:-

Acting Strategic Director of Finance & Corporate Services:- Stuart Booth

Director of Legal Services:- Stuart Fletcher

Mid-Year Prudential Indicators and Treasury Management Monitoring**1. Introduction and Background**

- 1.1 Revisions to the regulatory framework of treasury management during 2009 introduced a requirement that the Council receive a mid-year treasury review, in addition to the forward looking annual treasury strategy and backward looking annual treasury report required previously.
- 1.2 This report meets that revised requirement. It also incorporates the needs of the Prudential Code to ensure adequate monitoring of the capital expenditure plans and the Council's prudential indicators (PIs). The Treasury Strategy and PIs were previously reported to Audit Committee and Commissioners in February 2015 and approved by Council on 4 March 2015.
- 1.3 The Council's revised capital expenditure plans (Section 2.2 of this Appendix) and the impact of these revised plans on its financing are set out in Section 2.3. The Council's capital spend plans provide a framework for the subsequent treasury management activity. Section 3 onwards sets out the impact of the revised plans on the Council's treasury management indicators.
- 1.4 The underlying purpose of the report supports the objective in the revised CIPFA Code of Practice on Treasury Management and the Communities & Local Government Investment Guidance. These state that Members receive and adequately scrutinise the treasury management service.
- 1.5 The underlying economic and financial environment remains difficult for the Council, foremost being the improving, but still challenging, concerns over investment counterparty risk. This background encourages the Council to continue maintaining investments short term and with high quality counterparties. The downside of such a policy is that investment returns remain low.
- 1.6 The Acting Strategic Director of Finance & Corporate Services can report that the basis of the treasury management strategy, the investment strategy and the PIs are not materially changed from that set out in the approved Treasury Management Strategy (March 2015).

2. Key Prudential Indicators

- 2.1. This part of the report is structured to update:
 - The Council's capital expenditure plans;
 - How these plans are being financed;
 - The impact of the changes in the capital expenditure plans on the PIs and the underlying need to borrow; and
 - Compliance with the limits in place for borrowing activity.

2.2 Capital Expenditure (PI)

- 2.2.1 This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget. The revised estimate reflects the latest position in the 2015/16 capital monitoring report presented to Commissioner Manzie's Meeting held on 7 October 2015.

Capital Expenditure by Service	2015/16 Original Estimate £m	2015/16 Revised Estimate £m
Children & Young People's Services	9.736	12.035
Environmental & Development Services	21.863	24.875
Neighbourhoods & Adult Services – Non-HRA	4.908	5.290
Resources	0.671	2.784
Total Non-HRA	37.178	44.984
Neighbourhoods & Adult Services – HRA	32.846	32.524
Total HRA	32.846	32.524
Total	70.024	77.508

2.3 Impact of Capital Expenditure Plans

2.3.1 **Changes to the Financing of the Capital Programme**

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the expected financing arrangements of this capital expenditure.

Capital Expenditure	2015/16 Original Estimate £m	2015/16 Revised Estimate £m
Total spend	70.023	77.508
Financed by:		
Capital receipts	1.649	1.825
Capital grants, capital contributions & other sources of capital funding	48.559	54.554
Borrowing Need	19.816	21.129
Total Financing	70.024	77.508
Supported Borrowing	0.000	0.006
Unsupported Borrowing	19.816	21.123
Borrowing Need	19.816	21.129

The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision (MRP)). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

2.3.2 The increase in borrowing need for 2015/16 reflects the re-profiling of capital expenditure & financing and new approvals since the original estimate was approved (£1.313m).

2.3.3 Changes to the Capital Financing Requirement (PI), External Debt and the Operational Boundary (PI)

The table below shows the CFR, which is the underlying external need to borrow for a capital purpose. It also shows the expected debt position over the period. This is termed the Operational Boundary which was set at the beginning of the financial year at £620.923m.

2.3.4 Prudential Indicators – Capital Financing Requirement & External Debt / the Operational Boundary

In addition to showing the underlying need to borrow, the Council's CFR has since 2009/10, also included other long term liabilities which have been brought on balance sheet, for example, PFI schemes and finance lease assets. No borrowing is actually required against these schemes as a borrowing facility is already included in the contract. The estimate for 2015/16 does not require any revision as there is no change in the borrowing need from such arrangements.

2.3.5 The revised CFR estimate for 2015/16 is £808.882m and this figure represents an increase of £27.269m when compared to the 2014/15 year-end position of £781.613m. The increase is due to:

- The estimated borrowing need for the year (£21.129m) net of the Minimum Revenue Provision charge for the year (£5.765m)
- the additional borrowing amount contained within PFI and similar schemes due to the Waste PFI scheme (£13.517m) net of repayments on all schemes (£1.612m).

RMBC	2015/16 Original Estimate £m	Current Position £m	2015/16 Revised Estimate £m
Prudential Indicator – Capital Financing Requirement			
CFR – Non Housing	325.496		367.157
CFR – Housing	306.445		304.125
Total CFR excluding PFI, finance leases and similar arrangements	631.941		671.282
Net movement in CFR	10.020		15.364
Cumulative adjustment for PFI, finance leases and similar arrangements	137.602		137.600
Net movement in CFR	11.853		11.905
Total CFR including PFI, finance leases and similar arrangements	769.543		808.882
Net movement in overall CFR	21.873		27.269
Prudential Indicator – External Debt / the Operational Boundary			
Borrowing	481.656	477.742	482.871
Other long term liabilities*	139.267	138.406	139.267
Total Debt 31 March	620.923	616.148	622.138

* - Includes on balance sheet PFI schemes, finance leases and similar arrangements, etc.

Former SYCC	2015/16 Original Estimate £m	Current Position £m	2015/16 Revised Estimate £m
Prudential Indicator – External Debt / the Operational Boundary			
Borrowing	96.121	86.709	96.121
Other long term liabilities	0	0	0
Total Debt 31 March	96.121	86.709	96.121

3. **Limits to Borrowing Activity**

- 3.1 The first key controls over the treasury activity is a PI to ensure that over the medium term, gross and net borrowing will only be for a capital purpose. Gross and net external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2015/16 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent to do so.

RMBC	2015/16 Original Estimate £m	Current Position £m	2015/16 Revised Estimate £m
Gross Borrowing	481.656	477.742	482.871
Plus Other Long Term liabilities*	137.602	138.406	137.600
Total Gross Borrowing	619.258	616.148	620.471
CFR*	769.543	802.007	808.882
Total Gross Borrowing	619.258	616.148	620.471
Less Investments	25.000	18.900	25.000
Net Borrowing	594.258	597.248	595.471
CFR*	769.543	802.007	808.882

* - Includes on balance sheet PFI schemes, finance leases and similar arrangements, etc.

- 3.2 The Acting Strategic Director of Finance & Corporate Services reports that no difficulties are envisaged for the current or future years in complying with this PI.
- 3.3 A further PI controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised limit for external debt (RMBC)	2015/16 Original Indicator £m	Current Position £m	2015/16 Revised Indicator £m
Borrowing	648.657	477.742	683.381
Other long term liabilities*	139.267	138.406	139.267
Total	787.924	616.148	822.648

* - Includes on balance sheet PFI schemes, finance leases and similar arrangements, etc.

Authorised limit for external debt (Former SYCC)	2015/16 Original Indicator £m	Current Position £m	2015/16 Revised Indicator £m
Borrowing	96.121	86.709	96.121
Other long term liabilities	0.000	0.000	0.000
Total	96.121	86.709	96.121

4. Treasury Strategy 2015/16 – 2017/18

4.1 Debt Activity during 2015/16

4.1.1 The expected borrowing need is set out below:

RMBC	2015/16 Original Estimate £m	Current Position £m	2015/16 Revised Estimate £m
CFR	769.543	802.007	808.882
Less Other Long Term Liabilities*	137.602	138.406	137.600
Net Adjusted CFR (y/e position)	631.941	663.601	671.282
Borrowed at 30/09/15	457.780	477.742	477.742
Under borrowing at 30/09/15	171.161	185.859	193.540
Borrowed at 30/09/15	457.780		477.742
Estimated to 31/03/16	23.876		5.129
Total Borrowing	481.656		482.871
Under borrowing at 31/03/16	150.285		188.411

* - Includes on balance sheet PFI schemes, finance leases and similar arrangements, etc.

4.1.2 The Council is currently under-borrowed. The delay in borrowing reduces the cost of carrying the borrowed monies when yields on investments are low relative to borrowing rates. There is also an interest rate risk, as longer term borrowing rates may rise, but this position is being closely monitored and the overall position carefully managed.

4.1.3 During the six months to 30 September 2015 the Council has borrowed the following amounts from Barnsley, Doncaster, Rotherham and Sheffield Combined Authority:

Principal	Type	Term	Interest Rate
£10,000,000	Fixed rate	3 years	1.25%
£15,000,000	Fixed rate	6 years	2.20%
£5,000,000	Fixed rate	9 years	2.54%

4.1.4 During the six months to 30 September 2015, the Council has repaid the following amounts:

Lender	Principal	Type	Interest Rate
PWLB	£20,000,000	Fixed rate	9.625%
PWLB	£1,000,000	Fixed rate (EIP)	3.46%
PWLB	£65,000	Fixed rate (EIP)	3.79%
PWLB	£77,086	Fixed rate (Annuity)	Various

One Equal Instalment of Principal (EIP) loan for £20m is being repaid in equal half yearly instalments of £1m over its 10 year term. A second EIP loan for £1.3m is being repaid in equal half yearly instalments of £65,000 over its 10 year term. There are 5 Annuity loans on which variable amounts of principal are repaid each six months.

4.1.5 There has been no restructuring or early repayment of existing debt in the first six months of 2015/16.

5. Investment Strategy 2015/16 – 2017/18

5.1 Key Objectives

The primary objective of the Council's investment strategy is the safeguarding the repayment of the principal and interest of its investments on time – the investment return being a secondary objective. The current difficult economic and financial climate has heightened the Council's over-riding risk consideration with regard to "Counterparty Risk". As a result of these underlying market concerns officers continue to implement an operational investment strategy which further tightens the controls already in place in the approved investment strategy.

5.2 **Current Investment Position**

The Council held £18.900m of investments at 30 September 2015 (excluding Icelandic Banks), and the constituent parts of the investment position are:

Sector	Country	Up to 1 year £m	1 - 2 years £m	2 – 3 years £m
Banks	UK	0.750	0	0
DMO	UK	18.150	0	0
Local Authorities	UK	0	0	0
Total		18.900	0	0

One 'call' account with the top rated bank Handelsbanken is operated. This bank meets the Council's highest investment criteria.

This enables the Council to minimise the risk of having to leave unexpected receipts with the Council's current bankers, it allows immediate access to a small amount of funds to cover or part cover any short-term borrowing requirements and based on current rates there is a small benefit of approx. 0.2% over the rate achievable from the Debt Management Office.

5.3 **Risk Benchmarking**

A regulatory development is the consideration and approval of security and liquidity benchmarks. Yield benchmarks are currently widely used to assess investment performance. Discrete security and liquidity benchmarks are requirements to Member reporting and the following reports the current position against the benchmarks.

5.3.1 Security – The Council monitors its investments against historic levels of default by continually assessing these against the minimum criteria used in the investment strategy. The Council's approach to risk, the choice of counterparty criteria and length of investment ensures any risk of default is minimal when viewed against these historic default levels.

5.3.2 Liquidity – In respect of this area the Council set liquidity facilities/benchmarks to maintain:

- Bank overdraft – on a day-to-day basis the Council works to an agreed overdraft limit of £100,000 with the Council's bankers. Whilst a short-term increase could be negotiated less expensive short-term borrowing is accessed through the financial markets to remain within the agreed overdraft.
- Liquid short-term deposits of at least £3m available within a week's notice.

The Acting Strategic Director of Finance & Corporate Services can report that liquidity arrangements were adequate during the year to date.

5.3.3 Yield – a local measure for investment yield benchmark is internal returns above the 7 day LIBID rate

The Acting Strategic Director of Finance & Corporate Services can report that the return to date averages 0.26%, against a 7 day LIBID to the end of September 2015 of 0.36%. This is reflective of the Council's current approach to risk whereby security has been maximised by using the Debt Management Office and other Local Authorities as the principal investment counterparties.

It is important to recognise that based on the Council's average cash investments of £20m the difference in return at the benchmark when compared to the return achieved at the current rate would be £20k.

This increase in return has to be measured against the additional risk of placing cash elsewhere. However it is felt that the 'call' account with Handelsbanken could be used to a greater extent moving forward, but in a manner reflective of the need to maintain security of the Council's investments. This should ensure that at the year-end the outturn position will be closer to the benchmark figure.

6. Revisions to the Investment Strategy

- 6.1 The counterparty criteria are continually under regular review but in the light of the current market conditions no recommendations are being put to Members to revise the Investment Strategy.

7. Treasury Management Prudential Indicators

7.1 Actual and estimates of the ratio of financing costs to net revenue stream

This indicator identifies the trend in the cost of capital (financing costs net of interest and investment income) against the net revenue stream.

	2015/16 Original Indicator %	2015/16 Revised Indicator %
Non-HRA	8.24	6.30
HRA	16.07	15.94

- 7.2 The revised non HRA indicator reflects the impact of borrowing being at rates less than originally anticipated for 2015/16. The HRA indicator has increased slightly due to the final HRA revenue budget being less than that assumed in the original indicator.

7.3 Prudential indicator limits based on debt net of investments

- **Upper Limits On Fixed Rate Exposure** – This indicator covers a maximum limit on fixed interest rates.
- **Upper Limits On Variable Rate Exposure** – Similar to the previous indicator this identifies a maximum limit for variable interest rates based upon the debt position net of investments.

RMBC	2015/16 Original Indicator	Current Position	2015/16 Revised Indicator
Prudential indicator limits based on debt net of investments			
Limits on fixed interest rates based on net debt	100%	79.08%	100%
Limits on variable interest rates based on net debt	30%	20.09%	30%

7.4 **Maturity Structures Of Borrowing**

These gross limits are set to reduce the Council's exposure to large fixed rate loans (those instruments which carry a fixed interest rate for the duration of the instrument) falling due for refinancing.

The current position shown below reflects the next call dates on those Council's LOBO loans (£127m) that are not callable in 2015/16 and thus are regarded as fixed rate. The actual maturity date for most of these loans is greater than 50 years. This approach gives a better indication of risk and whilst there is a possibility that a loan is called with an increase in interest payable the likelihood of any LOBO loans being called in the current climate is assessed as zero for the next three years.

RMBC	2015/16 Original Indicator		Current Position		2015/16 Revised Indicator	
	Lower	Upper	%	£m	Lower	Upper
Maturity Structure of fixed borrowing						
Under 12 months	0%	35%	0.30%	1.143	0%	35%
12 months to 2 years	0%	35%	8.46%	32.292	0%	35%
2 years to 5 years	0%	40%	26.70%	101.917	0%	40%
5 years to 10 years	0%	40%	24.40%	93.156	0%	40%
10 years to 20 years	0%	45%	8.59%	32.800	0%	45%
20 years to 30 years	0%	50%	8.93%	34.097	0%	50%
30 years to 40 years	0%	50%	14.76%	56.336	0%	50%
40 years to 50 years	0%	55%	7.86%	30.000	0%	55%
50 years and above	0%	60%	0%	0.000	0%	60%

The former SYCC account is due to be wound up by the end of 2020/21 and the maturity structure is now largely fixed as the need and indeed opportunities to re-finance within the remaining 6 years will be limited. As a result future limits are currently set in line with the on-going maturity profile.

Former SYCC	2015/16 Original Indicator		Current Position		2015/16 Revised Indicator	
	Lower	Upper	%	£m	Lower	Upper
Maturity Structure of fixed borrowing						
Under 12 months	0%	50%	0.00%	0.000	0%	50%
12 months to 2 years	0%	70%	10.53%	10.000	0%	70%
2 years to 5 years	0%	100%	65.76%	57.020	0%	100%
5 years to 6 years	0%	100%	22.71%	19.689	0%	100%

7.5 Total Principal Funds Invested

These limits are set to reduce the need for the early sale of an investment, and show limits to be placed on investments with final maturities beyond each year-end.

The Council currently has no sums invested for periods exceeding 364 days due to market conditions. To allow for any changes in those conditions the indicator has been left unchanged. The above also excludes any Icelandic investments that are due to be recovered after more than 364 days.

RMBC	2015/16 Original Indicator £m	Current Position £m	2015/16 Revised Indicator £m
Maximum principal sums invested > 364 days	10	0	10
Comprising			
Cash deposits	10	0	10

Minimum Revenue Provision Policy Statement – Update**1. Background**

- 1.1 Minimum Revenue Provision (MRP) arises because there is statutory requirement for local authorities to set aside some of their revenue resources as provision for reducing the underlying need to borrow (Capital Financing Requirement - CFR), i.e. the borrowing taken out in order to finance capital expenditure.
- 1.2 Members will recall that the Council approved at its meeting on 8 July 2015 a change to the MRP policy statement for the annual MRP charges on pre 2007/08 debt applicable to the 2014/15 financial year and to be confirmed annually as required in respect of future years.
- 1.3 The previous methodology ensured the debt would be fully repaid in 500 years time long after the assets are no longer in use. It also resulted in higher repayments in the early years which has potentially a disproportionate impact on current Council Tax payers.
- 1.4 It was recognised a fairer way of matching the MRP charge to Council Tax payers with the use of the assets is to limit the repayment period to 50 years, this being an approximation of the average life for the Council's assets. In addition, it would seem fairer that future Council Tax payers pay an amount for the use of the assets comparable in real terms to that being paid by current Council Tax payers, therefore taking account of the time value of money in the future.
- 1.5 **The Council therefore approved the use of an annuity basis for calculating the annual MRP charges as this meets this need and that the revised methodology should be applied retrospectively to the start of 2007/08.**
- 1.6 An examination of the MRP charges made from 2007/08 revealed that the Council had over-provided during the period 2007/08 to 2013/14 and this over-provision was released back to revenue to ensure the total provision to the end of 2014/15 was in line with the reprofiled MRP schedule.

2. MRP Policy Statement

- 2.1 Statutory requirements do not allow for having a negative MRP charge in any financial year. Whilst the adjustment to the MRP schedule led to immediate benefits greater than the estimated MRP charge in 2014/15, the Council still made a positive charge in 2014/15, the adjustment made was a correction to the total amount previously provided for and was treated as a separate accounting transaction.

- 2.2 A paper was submitted to the Council's auditors, KPMG, setting out the Council's proposal with regard to the MRP in relation to pre 2007/08 debt. KPMG confirmed (27th May 2015) that they were not 'minded to challenge' the principles put forward as the basis of change in providing for MRP. However, in doing so they indicated that this did not 'fetter their discretion' to reconsider their position if new information comes to their attention. This reservation of position was in line with our expectation until such time as they give their opinion on the Council's 2014/15 Statement of Accounts.
- 2.3 Discussions have now taken place with KPMG following a further review of their understanding of the Council's approach. Whilst the general principles are not being challenged it has now been accepted by officers that the annual MRP charge for 2014/15 and the correction for the overprovision should not have been treated as separate accounting transactions and the two taken together should not have produced a negative amount within the revenue account. In other words the amount credited back to revenue in 2014/15 should not have exceeded the amount of MRP charge for that year.
- 2.4 By crediting back the overprovision to revenue and creating the earmarked reserve the effect was to create a negative impact within the revenue account. By adjusting the disclosure of this negative impact such that it is retained within the Capital Adjustment Account the Council will have control over the release of the overprovision and this release will not be contrary to the MRP policy which requires a charge greater than zero.
- 2.5 There is no requirement to restate the 2014/15 financial statements but the 2015/16 accounts will be amended for the impact of this change. In addition KPMG have also recommended that clarification should be built into the wording of the approved MRP Policy Statement.
- 2.6 The current Policy Statement reads as follows:
- (a) The MRP charge in relation to capital expenditure incurred prior to 2007/08 where the expenditure was funded by either supported or unsupported borrowing will be calculated using the expected useful life of the asset and the calculation of the provision will be by the annuity method;
 - (b) The MRP charge in relation to capital expenditure incurred since 2007/08 where the expenditure is funded by either supported or unsupported borrowing will be calculated using the expected useful life of the asset at the point the asset is brought into use. The calculation of the provision will be either the annuity method or the equal instalments method depending on which is most appropriate; and
 - (c) The MRP charge in relation to capital expenditure incurred since 2007/08 where the expenditure is funded by a 'capitalisation directive' (e.g. equal pay) will be calculated on the basis of the specified period(s) set down within the regulations. The calculation of the provision will be either the annuity method or the equal instalments method depending on which is most appropriate.

- 2.7 It is proposed that this is amended by the addition of a further section, (d), and the suggested form of words is as follows:

“For the sake of clarity, where MRP has been overcharged in previous years, the recovery of the overcharge will be effected by taking an MRP holiday in full or in part against future years charges that would otherwise have been made. The MRP holiday adjustment to the future years charge will be done in such a way as to ensure that:

- the total MRP after applying the adjustment will not be less than zero in any financial year***
- the cumulative amount adjusted for will never exceed the amount over-charged;***
- the extent of the adjustment will be reviewed on an annual basis”***

Report to Council Meeting 27 January 2016

Title

Submission of the Rotherham Community Infrastructure Levy (CIL)

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Caroline Bruce, Interim Strategic Director Environment and Development Services

Report Author(s)

David Edwards, Senior Planning Officer, EDS, 01709 823824, david.edwards@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The report seeks approval for the submission to Government of Rotherham's Community Infrastructure Levy (CIL). This is a new means of securing funding for the infrastructure required as a result of development proposed in the Council's Local Plan. An independent examination will then be held on whether the Council's proposals strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects upon the economic viability of development in the Borough.

Recommendations

1. That the Submission Community Infrastructure Levy Charging Schedule be approved for submission to Government for examination.

List of Appendices Included

Appendix 1: Summary responses to the November 2014 CIL Draft Charging Schedule

Appendix 2: Submission Draft Charging Schedule

Appendix 3: Rotherham Regulation 123 List

Background Papers

November 2014 CIL Draft Charging Schedule and supporting documents:

http://rotherham.limehouse.co.uk/portal/planning/cil/cil_dcs?tab=files

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Commissioner Manzie's Meeting, 14 December 2015

Council Approval Required Yes

Exempt from the Press and Public No

Title

Submission of the Rotherham Community Infrastructure Levy (CIL)

1. Recommendations

- 1.1 That the Submission Community Infrastructure Levy Charging Schedule be approved for submission to Government for examination.

2. Background

- 2.1 Rotherham's Community Infrastructure Levy (CIL) will help raise money to support local infrastructure as a result of development proposed in Rotherham's Local Plan. Introduced via the Planning Act 2008, CIL will largely replace Section 106 financial contributions that are negotiated on a site-by-site basis (e.g. for school places) as part of securing planning permission. Section 106 will still be used, where appropriate, to secure affordable housing and on-site mitigation of the negative impacts of development. CIL is mandatory for certain types of development and is charged on a £ per square metre of new development floorspace.
- 2.2 CIL charge rates, set out in a schedule, can be varied by development type and geographical location (if supported by viability evidence). The schedule is accompanied by proposals (in a Regulation 123 list) which is required to set out what types, or specific items, of infrastructure the Council may fund, in whole or in part, from CIL receipts. This also avoids double funding using CIL and Section 106 payments.
- 2.3 Rotherham's CIL has been prepared in tandem with the Local Plan. An Infrastructure Delivery Study established what infrastructure would be required to support the Local Plan's proposals for new development. Revenue from CIL has to be ring-fenced for infrastructure but the Council has flexibility to spend on its priority infrastructure to help deliver the development in the Local Plan.
- 2.4 Further studies into the economic viability of development in the Borough have led to two rounds of consultation on the Council's CIL proposals. The latest, on a Draft CIL Charging Schedule (approved by Cabinet 05/11/2014, Minute C89), was undertaken between 24 November 2014 to 5 January 2015.

3. Key Issues

- 3.1 Appendix 1 summarises responses received to consultation on the Draft CIL Charging Schedule.
- 3.2 Limited changes to the CIL proposals have been made as result of these responses.
- 3.3 Of most significance was an objection received from the landowners and promoters of the Bassingthorpe Farm development, now formally removed from the Green Belt and allocated for development by the Local Plan's Core Strategy. This strategic site has particular development constraints affecting its economic viability. Concern was expressed that CIL, together with site specific S106 proposals, would make the development economically unviable.
- 3.4 Negotiation has led to the inclusion of additional items of infrastructure within the Regulation 123 list – so that they will now be capable of being paid for by CIL, rather than expecting the developer of Bassingthorpe Farm to directly pay for them via Section

106 obligations. These include off-site provision of secondary school places, health facilities/new surgery, library and community centre.

- 3.5 The only other change to the CIL proposals is to correct an error in the instalment policy, previously consulted on, for developments liable to payments equal to or above £100,000 – to clarify that the second instalment for payments are due 360 days, and not 260 days, after commencement of development.

4. Options considered and recommended proposal

- 4.1 The Submission Draft Charging Schedule retains the CIL rates proposed in the Draft Charging Schedule as follows:

Type of Development	Charge Area	Rate £/m ²
Residential Zone 1 High	Broom, Moorgate, Whiston, Wickersley, Bramley & Ravenfield	£55
Residential Zone 2 Medium	Rural North West, the Dearne and South Rotherham	£30
Residential Zone 3 Low	Rest of Rotherham Urban Area (part)	£15
Residential Zone 4	Bassingthorpe Farm Strategic Allocation	£15
Retirement Living ¹	Borough-wide	£20
Supermarket ²	Borough-wide	£60
Retail Warehouse / Retail Parks ³	Borough-wide	£30
All Other Uses	Borough-wide	£0

- 4.2 Appendix 2 gives the Draft Charging Schedule which includes a map of these zones.
- 4.3 The Submission Draft Regulation 123 at Appendix 3 list has been amended to reflect the changes in response to representations on Bassingthorpe Farm.

5. Consultation

- 5.1 Rotherham's proposals for introducing CIL have included two rounds of consultation:
- Preliminary Draft Charging Schedule (5 August – 7 October 2013)
 - Draft CIL Charging Schedule (24 November 2014 – 5 January 2015).
- 5.2 Both were targeted primarily at developers and their agents and infrastructure providers, but also councillors, other local authorities and the public.

6. Timetable and Accountability for Implementing this Decision

¹ Defined as residential units which are sold with an age restriction typically over 50s/55s with design features and support services available to enable self-care and independent living. For the purposes of the CIL charge, this type of development has been excluded from the residential use category.

² Defined as a shop which is a shopping destination in its own right, where weekly and daily food shopping needs can be met and which can also include non-food floor space as a part of the overall mix of the unit.

³ Defined as stores selling comparison goods such as bulky goods, furniture, other household and gardening products, clothing, footwear and recreational goods. These stores will comprise of single storey format (with flexibility to include an internal mezzanine floor) and will have dedicated free car parking provision to serve the units.

- 6.1 The Council has tentatively appointed an Inspector from the Planning Inspectorate to examine the CIL proposals. A Programme Officer who is required to liaise between the Inspector, the Council and those who have made representations has also been appointed.
- 6.2 It is now recommended that Council approval is given for submission of the CIL Charging Schedule to the Planning Inspectorate for independent examination. If a favourable report from the Inspector is received, the Council can then proceed to adopt and implement the new levy.
- 6.3 If approved at this meeting, submission of the CIL proposals would take place in February and an examination is likely to commence towards the end of April 2016. It is expected an examination would only require one or two days of formal hearing (if a hearing is required at all - written representations may suffice). Based on the experience of Sheffield City Council, the Inspector's Report may be received quite quickly after examination with actual implementation of a Rotherham CIL possible in October 2016. This would be subject to further consideration by Council Meeting.

7. Financial and Procurement Implications

- 7.1 In the majority of cases, CIL charges will replace the amounts currently paid by developers via Section 106 agreements so most developers are not likely to notice a difference in cost. However, developments that have been below current Section 106 size thresholds will now be required to make a contribution towards cumulative infrastructure costs.
- 7.2 It is important to stress that, although significant, CIL revenue will only help to *contribute* towards total infrastructure costs. Revenue will remain relatively modest and is likely to play a more important role in helping to release other funding sources. As the economy improves there may be scope to revise the CIL charging rates.
- 7.3 The Planning Service will meet the costs associated with the production of the Community Infrastructure Levy, including its consultation, from existing budgets. Legal Services will meet the costs of the examination including appointment of an Inspector. The CIL Regulations allow for up to 5% of CIL income to be used for the preparation and ongoing administration of CIL which, in the first three years of CIL implementation, can be pooled on a rolling basis to meet the initial preparation and set-up costs. It is intended that the Council will employ this provision.

8. Legal Implications

- 8.1 This report and appendices have been agreed with Legal Services. Since adoption and implementation of CIL will require ongoing support from Legal Services to ensure the Council meets the requirements of the appropriate regulations there are some on-going discussions with the legal department about how such support can be achieved practically.

9. Human Resources Implications

- 9.1 The implementation of CIL will require a dedicated officer to ensure charges are levied at the appropriate rate and at the correct stage in the development process. Ensuring charges are paid on time will require close working between the Planning, Legal and Finance services. Discussions are ongoing over how such a post will be provided,

whether by reassignment of an existing officer or a new post. CIL income can be used towards this post.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 Provision of new school places at named schools is included in the CIL Regulation 123 list (Appendix 3) as infrastructure that may be funded by CIL income. Continuing close working between the Planning and Education services will be required to prioritise and programme such spend as appropriate.

11. Equalities and Human Rights Implications

- 11.1 None.

12. Implications for Partners and Other Directorates

- 12.1 The CIL will enable the Council to help fund infrastructure, provided by a range of services, both within and beyond the Council. Preparation of the Levy, and its supporting evidence base, has involved significant collaboration with other internal Council services and various external bodies responsible for the provision of infrastructure. It is essential this joint working continues to enable the infrastructure needs of development to be identified in advance of its implementation. It will also be important to ensure that the CIL rates remain appropriate given the need to respect economic viability trends, be they better or worse than those at the time of CIL preparation.
- 12.2 Mechanisms will need to be established to identify the Council's priorities for spend of CIL income in the most efficient manner to achieving timely and relevant infrastructure.
- 12.3 It is likely that prioritisation of CIL revenue spend on items shown on the Regulation 123 List will be guided by an Infrastructure Delivery Group and will be informed by regular consultation with developer and infrastructure service providers to help support the delivery of the Local Plan.
- 12.4 Recommendations on the priorities for CIL spend, and the rationale behind these decisions, including linkages with the Council's capital strategy process, will be reported to a future meeting.

13. Risks and Mitigation

- 13.1 The Community Infrastructure Levy is one of the key funding mechanisms that can help fund the infrastructure needed to deliver the development proposed in Rotherham's Local Plan. Submission and the subsequent examination of the proposals is a critical stage in the process of CIL preparation.
- 13.2 Failure to introduce a local CIL could restrict the Council's ability to ensure that new development contributes to the strategic infrastructure, such as transport and education, which is most likely to be affected by the limitation on pooling Section 106 obligations which came into force nationally in April 2015. It is a priority that Rotherham adopts its CIL Charging Schedule as soon as practically possible.
- 13.3 Submission of the CIL Charging Schedule has been delayed from the original intended submission date of March 2015 due to negotiations on the way of funding infrastructure

required for Bassingthorpe Farm. Subsequently some of the assumptions used for the viability appraisals to inform the CIL Charging Schedule have changed since they were undertaken as the evidence reflects a point in time. It would be useful to collate evidence ahead of the CIL Examination to inform any updates that might be required.

- 13.4 The Sheffield City Region Devolution Deal may potentially in the future introduce proposals for a City Region wide Community Infrastructure Levy. At present though, there are no firm proposals and introduction of CIL remains an individual Council decision.

14. Accountable Officer(s)

Caroline Bruce, Interim Strategic Director Environment and Development Services

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:- Robert Harrison

Director of Legal Services:- Sumera Shabir.

Head of Procurement (if appropriate):-

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Summary responses to November 2014 CIL Draft Charging Schedule

Cabinet 05/11/2014 approved consultation on a CIL Draft Charging Schedule which was undertaken between 24 November 2014 – 5 January 2015.

In summary, the consultation produced comments from a total of nine respondents:

- National Farmers Union – following further discussion their concerns have been resolved.
- Coal Authority – stating no comments to make.
- Dinnington Town Council – requesting CIL rate be increased for Dinnington particularly for greenfield sites.
- Hellaby Parish Council – general support.
- Highways Agency – general support and seek further involvement in setting priorities for spend.
- Co-operative Group – whilst welcoming some changes, objection is made to various viability appraisal assumptions used to inform CIL rate setting.
- Taylor Wimpey – objection on grounds that: other funding sources have not been assessed; unfair cross-subsidy to deliver Bassingthorpe Farm (claiming contravention of state aid rules); incorrect balance between use of Section 106 and CIL to fund infrastructure; inappropriate use of viability appraisal assumptions; inappropriate definition of CIL zones for Bassingthorpe Farm and for Rotherham Urban Area.
- Fitzwilliam (Wentworth) Estates – objection on grounds that Bassingthorpe Farm should have either a lower CIL charge or reduced Section 106 obligations and that CIL should not put at risk the development viability of its land interests.
- McCarthy & Stone – general support for introduction of specific charge for retirement living accommodation.

All responses received are available to view at:

http://rotherham.limehouse.co.uk/portal/planning/cil/cil_dcs?tab=list

Submission Draft Charging Schedule

Rotherham Metropolitan Borough Council Community Infrastructure Levy (CIL) Submission Draft Charging Schedule: February 2016

Statement of Statutory Compliance

1. Rotherham Borough Council is a Charging Authority for the Community Infrastructure Levy (CIL) and has produced a Draft Charging Schedule that has been approved and published in accordance with Part 11 of the Planning Act 2008 (as amended) and the CIL Regulations 2010 (as amended).
2. In setting the levy rates, in accordance with CIL Regulation 14, the Council has struck an appropriate balance between:
 - the desirability of funding from CIL (in whole or in part) the actual and estimated total cost of infrastructure required to support the development of the Borough, taking into account other actual and expected sources of funding; and
 - the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the Borough.
3. The Charging Schedule was approved by Rotherham Borough Council on [date to be inserted following Examination and Full Council approval].
4. This Charging Schedule will come into effect on [date to be inserted following Examination and Full Council approval].

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ROTHERHAM METROPOLITAN BOROUGH COUNCIL
DRAFT CHARGING SCHEDULE

Proposed CIL Rates

5. The Council is proposing to charge the following levels of Community Infrastructure Levy, expressed as pounds sterling (£) per square metre on the gross internal floorspace of net additional liable development. For residential uses the CIL charge rates vary by the zones shown on Maps 1 and 2; for all other uses the amounts apply Borough-wide.

Type of Development	Charge Area (see Maps 1 and 2)	CIL Charge Rate £/m ²
Residential Zone 1 High	Broom, Moorgate, Whiston, Wickersley, Bramley & Ravenfield	£55
Residential Zone 2 Medium	Rural North West, the Dearne and South Rotherham	£30
Residential Zone 3 Low	Rest of Rotherham Urban Area (part)	£15
Residential Zone 4	Bassingthorpe Farm Strategic Allocation	£15
Retirement Living ⁴	Borough-wide	£20
Supermarket ⁵	Borough-wide	£60
Retail Warehouse / Retail Park ⁶	Borough-wide	£30
All Other Uses	Borough-wide	£0

Calculation of the Chargeable Amount of CIL

6. The method of calculation of the amount of CIL to be paid for liable development is set out in Part 5 (Regulation 40) of the Community Infrastructure Levy Regulations 2010 (as amended).
7. In summary (and subject to any changes that have occurred or may occur as result of future amendments to the Regulations) the amount of CIL chargeable will be calculated as follows:

$$\frac{\text{CIL Rate} \times \text{Chargeable Floor Area} \times \text{BCIS}^7 \text{ Tender Price Index (at Date of Planning Permission)}}{\text{BCIS Tender Price Index (at Date of Charging Schedule)}}$$

8. This summary does not take account of every aspect of the CIL Regulations which should be read in conjunction with this document. The CIL regulations are available to view on the Planning Policy pages of the Council's website (<http://www.rotherham.gov.uk/localplan>).

⁴ Defined as residential units which are sold with an age restriction typically over 50s/55s with design features and support services available to enable self-care and independent living. For the purposes of the CIL charge, this type of development has been excluded from the residential use category.

⁵ Defined as a shop which is a shopping destination in its own right, where weekly and daily food shopping needs can be met and which can also include non-food floor space as a part of the overall mix of the unit.

⁶ Defined as stores selling comparison goods such as bulky goods, furniture, other household and gardening products, clothing, footwear and recreational goods. These stores will comprise of single storey format (with flexibility to include an internal mezzanine floor) and will have dedicated free car parking provision to serve the units.

⁷ BCIS (Building Cost Information Service published by RICS at: <http://www.rics.org/uk/knowledge/bcis/>).

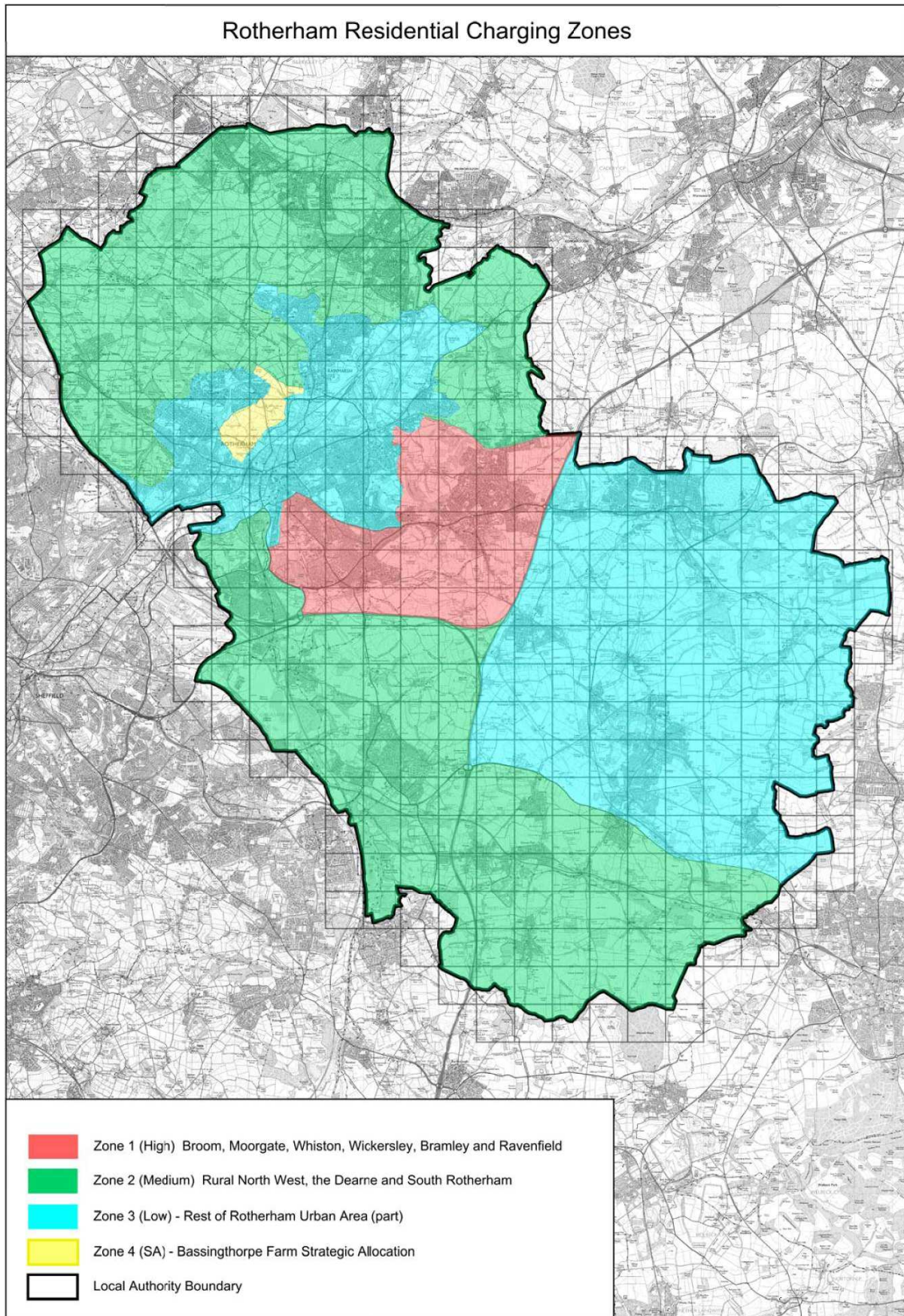
Proposed Instalments Policy

9. In line with Regulation 69B of the CIL Regulations, the Council is proposing to offer payment of CIL in instalments as a matter of course. The proposed policy is:
- The Community Infrastructure Levy will be payable as follows:

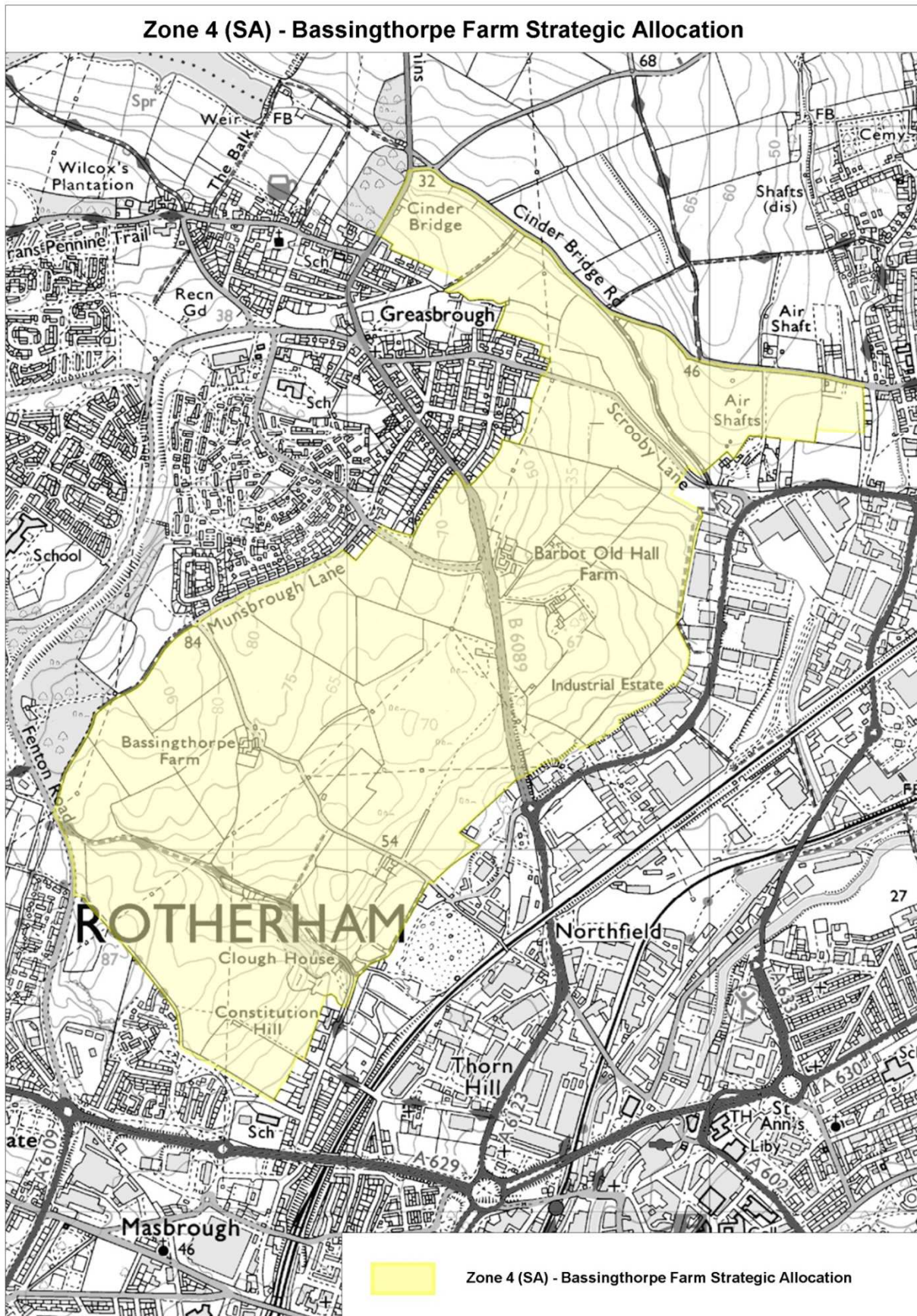
Instalment Provisions : Chargeable Amount					
Less than £100,000			Equal to or More than £100,000		
Instalment	Amount Due	Due Date*	Instalment	Amount Due	Due Date*
1 st	50%	180 days	1 st	25%	180 days
2 nd	50%	360 days	2 nd	50%	360 days
			3 rd	25%	450 days

* days after commencement of development - commencement will be taken to be the date advised by the developer in the commencement notice under CIL Regulation 67.

Map 1 Rotherham Residential Charging Zones



Map 2 Residential Charging Zone: Bassingthorpe Farm Strategic Allocation



Rotherham Regulation 123 List

**Rotherham
Community
Infrastructure
Levy**

**ROTHERHAM
METROPOLITAN BOROUGH COUNCIL**

COMMUNITY INFRASTRUCTURE LEVY

Draft Regulation 123 List

February 2016

Rotherham Metropolitan Borough Council
Draft Community Infrastructure Levy Regulation 123 List

The infrastructure projects / types which Rotherham Metropolitan Borough Council may fund, in whole or in part, from CIL receipts are set out below.

Note, this list is not exhaustive, does not prioritise how the Council will actually spend CIL receipts, and may be amended.

The purpose of the list is to provide clarity of items that will not be required to contribute to S106 Planning Obligations (under Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act, and the Localism Act 2011) and / or S278 Agreements under Section 278(1) of the Highways Act 1980 (amended by Section 23 of the New Roads and Street Works Act 1991).

Summary Community Infrastructure Levy Regulation 123 List

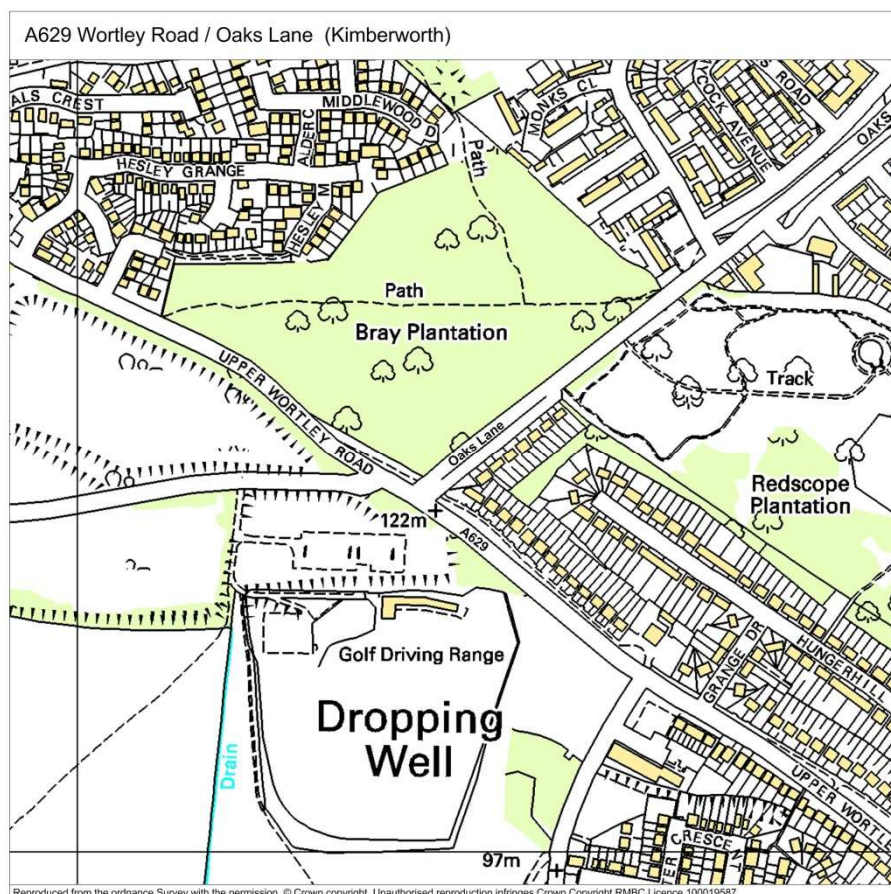
The following is a summary of the type of infrastructure items that will be funded via CIL proceeds in the future. This list should be read in conjunction with detailed itemised list provided in the next section.

- Primary and Secondary School Places (see detailed list) (excluding primary school places at Bassingthorpe Farm, where provision will be funded by S106 on site).
- Named highway junction improvements (see detailed list).
- Key Bus Routes (improvements to public transport infrastructure) (see detailed list).
- Doctors Surgeries.
- Improvements to existing green infrastructure, recreation and open space (excludes new provision which will be met by developers mainly on-site as enabling / design requirements (see detailed list)).
- Public Library extension, refurbishment and redevelopment.
- Police Station expansion at Dinnington and Wath.
- Rotherham Renaissance Flood Defence Scheme.

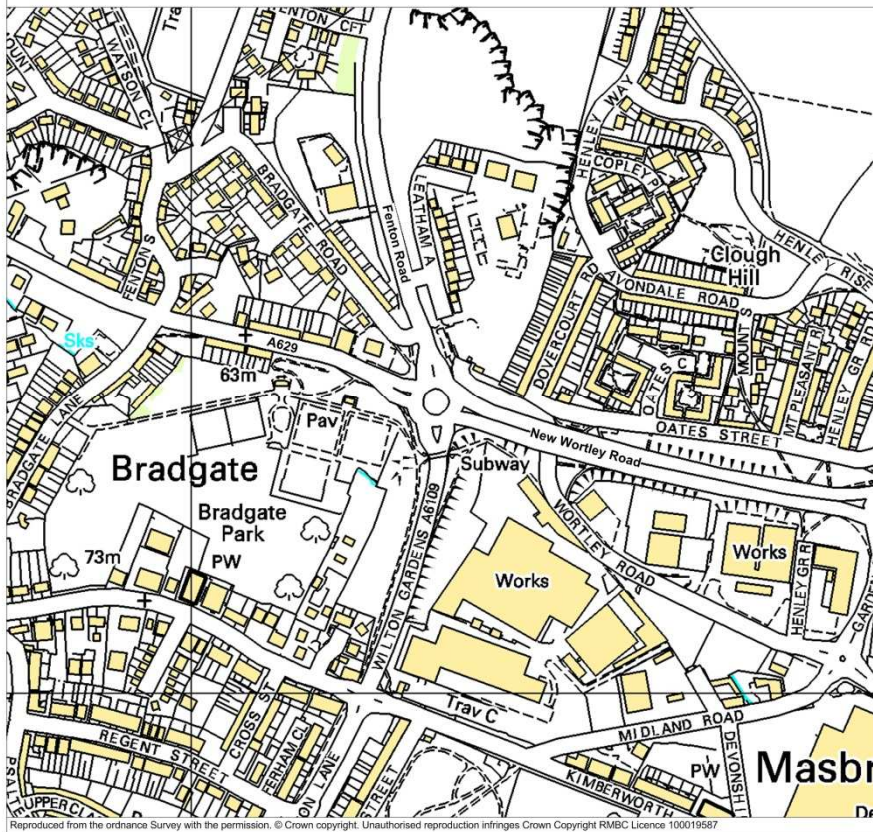
Detailed Community Infrastructure Levy Regulation 123 List

This detailed Regulation 123 list provides further details to the summary list above. It provides a detailed list of the specific infrastructure projects that will be supported using CIL proceeds in the future (and so will not also be charged S106).

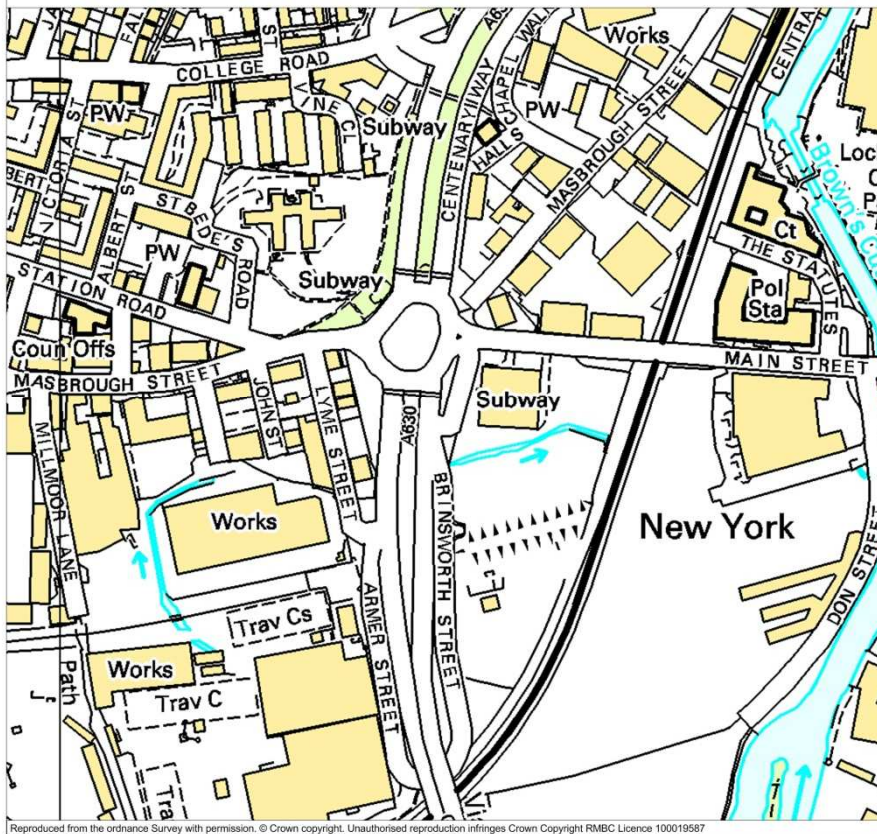
- Primary and Secondary School Places where CIL funding may be used.
 - Whiston/ Brecks - primary extensions
 - Land off Westgate - primary extensions
 - Rawmarsh Upper Haugh/ Grange Road - primary extensions
 - Thrybergh - primary extensions
 - Dinnington, Anston & Laughton Common - primary extensions
 - Dinnington, Anston & Laughton Common - secondary extension
 - Wath/ Brampton - primary extensions
 - Wath - secondary extension
 - Maltby - primary extensions
 - Bramley, Wickersley & Ravenfield - primary extensions
 - Bramley, Wickersley & Ravenfield - secondary extension
 - Aston - secondary extension
 - Wales & Kiveton Park/ Todwick - primary extensions
 - Wales & Kiveton Park - secondary extension
 - Catcliffe, Treeton & Orgreave - secondary extensions
 - Rotherham Central schools
 - Wingfield Academy – secondary extensions
- Named highway junction improvements where CIL funding may be used.



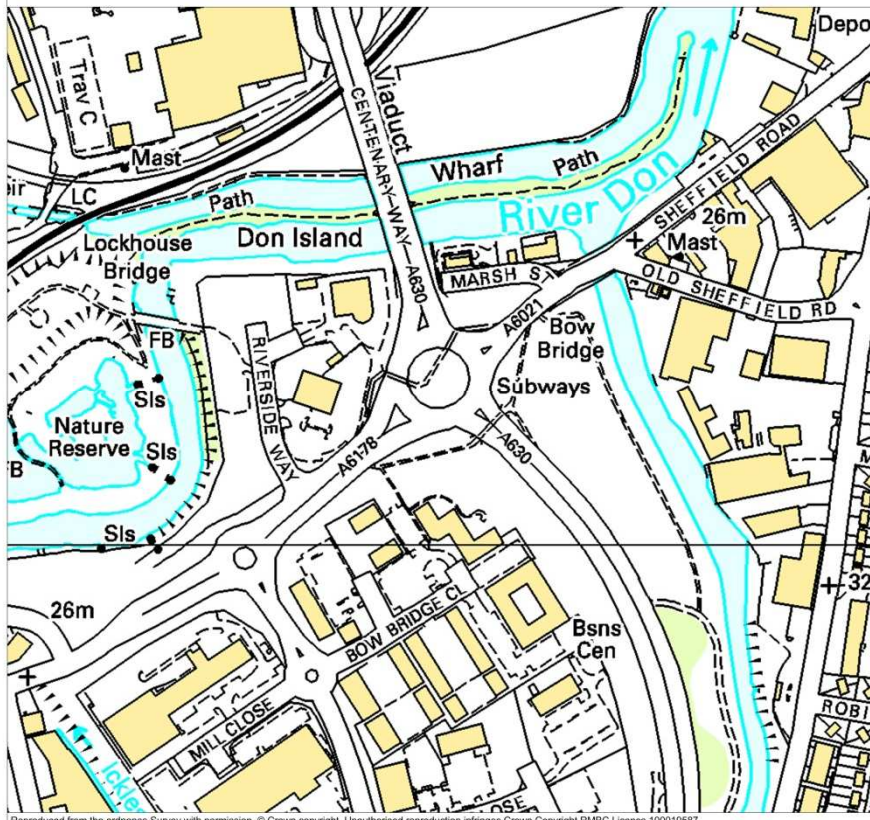
A629 New Wortley Road / A6109 Fenton Road (Kimberworth)



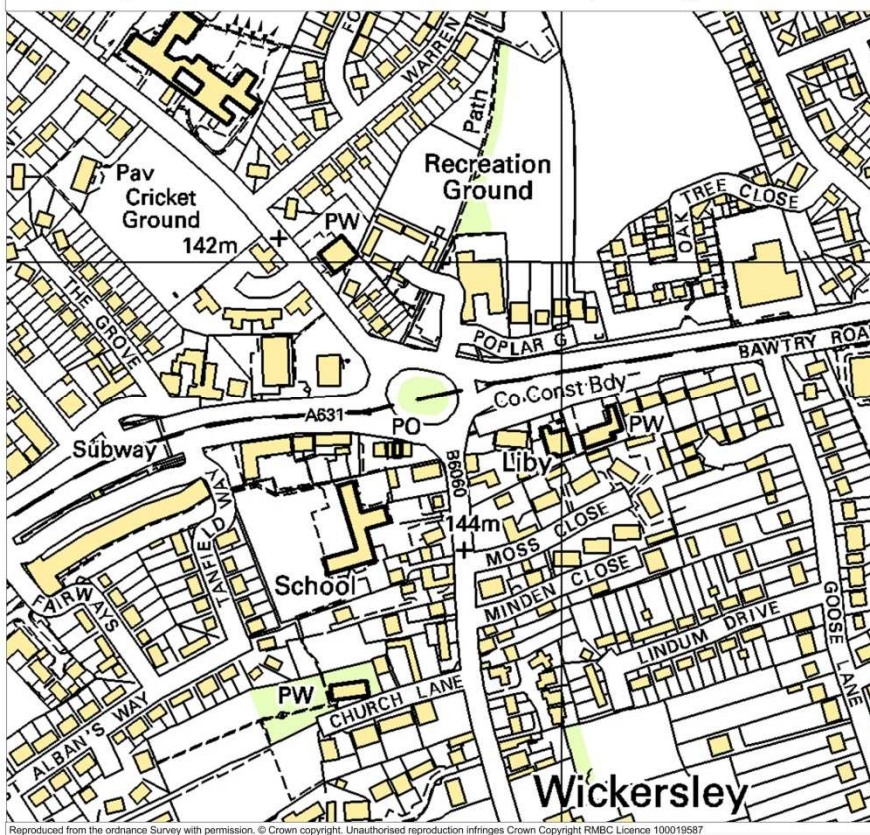
A630 Masbrough Street / Main Street (Masbrough)

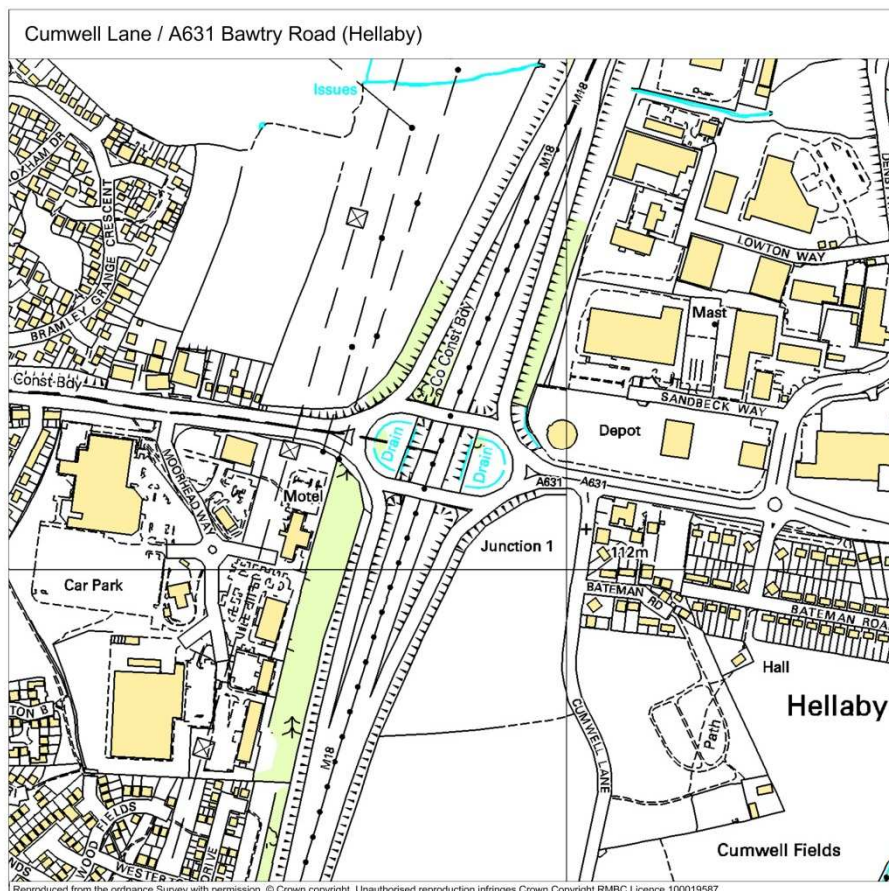


A630 / A6178 / A6021 Ickles Roundabout (Masbrough)

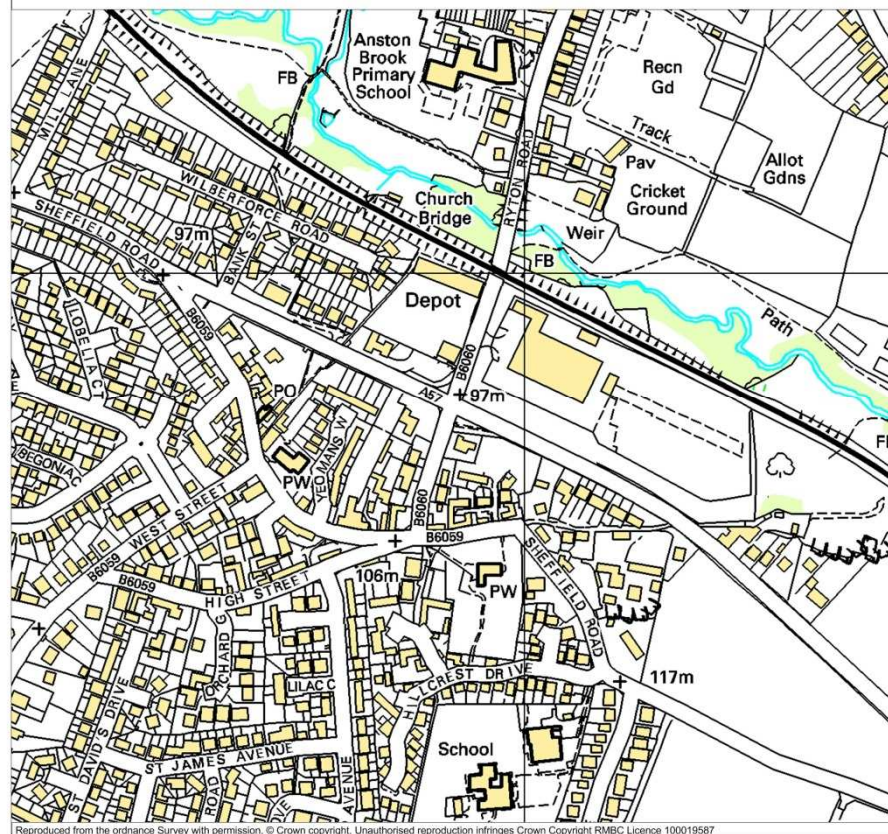


A631 Bawtry Road / B6060 Morthen Road Masons Roundabout (Wickersley)





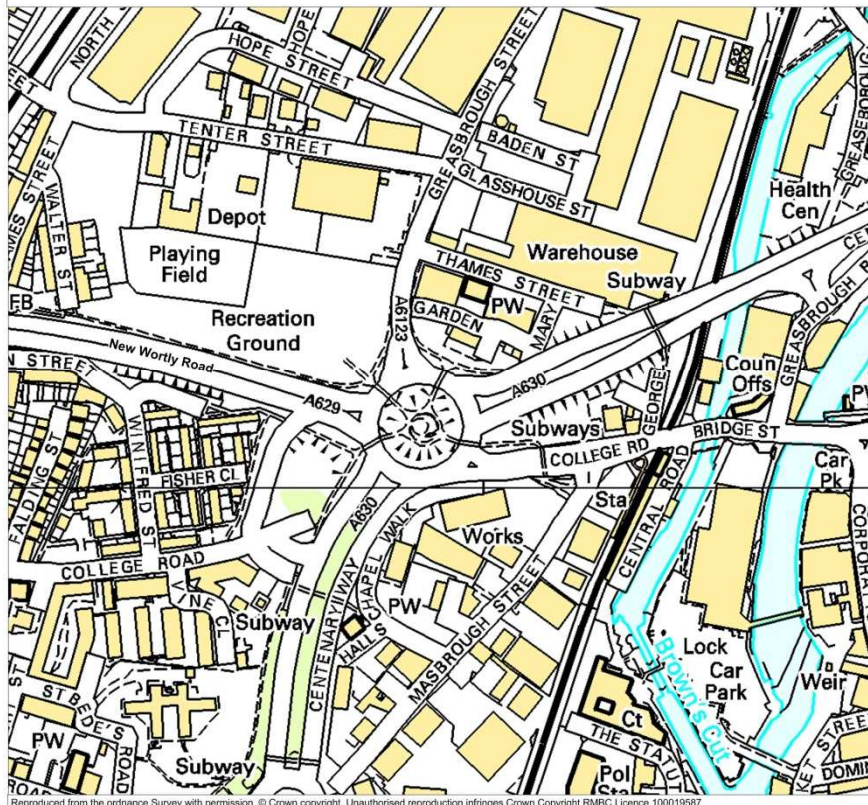
A57 / B6060 Crossroads (South Anston)



B6089 Potter Hill / Cinder Bridge Road / Junction with Fenton Road/Church Street and Cinder Bridge Road (Greasbrough)



A630 Centenary Way / A629 New Wortly Road / A6123 Greasbrough Street, College Road Roundabout (Masbrough)





- Key Bus Routes (improvements to public transport infrastructure) where CIL funding may be used:

- Key Bus Route: Rotherham – Thrybergh
- Key Bus Route: Rotherham – Dearne
- Key Bus Route: Rotherham – Maltby
- Key Bus Route: Rotherham – Swallownest
- Key Bus Route: Rotherham – Chapeltown

CIL will be used to help pay for measures to promote public transport along these key bus routes. This will include various improvements to the highway that will make bus journey times faster, more reliable, safer, and more accessible, which will result in an improved passenger experience. Such highway improvements may include (but won't be limited to): alterations to junctions; carriageway capacity improvements; the provision of bus lanes, bus gates or bus-pre-signals; accessible bus boarding points; bus shelters; new or relocated stops; and pedestrian crossings; alterations to, or the introduction of, traffic management schemes (such as UTC - Urban Traffic Control or ITS - Intelligent Transport Systems); the provision of or amendment to waiting and/or loading restrictions; the introduction of schemes to manage the movement of traffic.

Does not include measures to promote sustainable transport measures secured via Travel Plans which will be funded by S106.

- Improvements to existing green infrastructure, recreation and open space where CIL funding may be used (excludes new provision which will be met by developers mainly on-site as enabling / design requirements).

Grade	Typology	Site Name
Borough	Natural	Pit House West, Wales
Borough	Parks	Boston Castle Park, Moorgate
Borough	Natural	Canklow Wood, Canklow
Borough	Parks	Clifton Park, Rotherham Town Centre
Borough	Outdoor sports	Herringthorpe Playing Fields, Herringthorpe
Borough	Parks	Thrybergh Country Park, Thrybergh
Borough	Cemeteries	Moorgate Cemetery, Moorgate
Borough	Parks	Rother Valley Park, Wales
Neighbourhood	Outdoor sports	Claypit Lane Rec, Rawmarsh
Neighbourhood	Parks	Victoria Park, Rawmarsh
Neighbourhood	Outdoor sports	Rawmarsh Leisure Centre, Rawmarsh
Neighbourhood	Parks	Greenlands park, North Anston
Neighbourhood	Outdoor sports	Fairview Drive, Aston, Aston
Neighbourhood	Natural	Gibbing Greave Wood, Herringthorpe
Neighbourhood	Parks	Brinsworth parish fields, Brinsworth
Neighbourhood	Parks	Bradgate Park, Bradgate
Neighbourhood	Parks	Ferham Park, Masbrough
Neighbourhood	Outdoor sports	Dinnington Comprehensive, Dinnington
Neighbourhood	Outdoor sports	Dinnington Miner's Welfare, Dinnington
Neighbourhood	Parks	Greasborough Park, Greasbrough
Neighbourhood	Parks	Spence Field, Harthill, Harthill
Neighbourhood	Parks	Valley Park, Herringthorpe
Neighbourhood	Outdoor sports	Wales Parish playing fields, Wales

Grade	Typology	Site Name
Neighbourhood	Parks	Coronation Park, Maltby
Neighbourhood	Parks	Gordon Bennett park, Thurgroft
Neighbourhood	Outdoor sports	Brampton Sports Centre, Brampton Bierlow
Neighbourhood	Parks	Wath Community Park, Wath upon Dearne
Neighbourhood	Parks	Manvers Lake and Surrounds, Wath upon Dearne
Neighbourhood	Parks	Newhill Park, Wath upon Dearne
Neighbourhood	Natural	Ulley Country Park, Ulley
Neighbourhood	Outdoor sports	Bill Hawes, Bramley
Neighbourhood	Parks	Eldon Rd, Eastwood
Neighbourhood	Parks	Ruby Cook, Flanderwell
Neighbourhood	Parks	Warren Road Park, Wickersley
Neighbourhood	Parks	Barrie Grove, Hellaby
Neighbourhood	Parks	Alexandra Park Annex, Swallownest
Neighbourhood	Parks	Alexandra Park, Swallownest
Neighbourhood	Parks	Barkers park, Kimberworth Park
Neighbourhood	Parks	Blackburn & Kimberworth Roundwalk NE, Kimberworth
Neighbourhood	Parks	Highfield Park, Swinton
Neighbourhood	Outdoor sports	Woodsetts Parish field, Woodsetts
Local	Amenity green space	Hart Hill green space, Upper Haugh
Local	Amenity green space	Stubbin Lane green space, Upper Haugh
Local	Outdoor sports	School Lane Rec, Parkgate
Local	Natural	Infirmity Road Hill, Parkgate
Local	Amenity green space	Hague Avenue green space, Rawmarsh
Local	Parks	Sandhills park, Sandhill
Local	Natural	Moordale View open space, Sandhill
Local	Natural	Gwyn Reed Nature Area, Rawmarsh
Local	Natural	Sandhill green link, Sandhill
Local	Natural	Birch Wood, Rawmarsh
Local	Natural	Treeton Wood, Treeton
Local	Natural	Hail Mary Wood & Falconer Wood, Treeton
Local	Natural	former Treeton tip, Treeton
Local	Natural	Whiston Meadows, Whiston
Local	Natural	Hudson's Rough, Kimberworth Park
Local	Natural	Brook walk, North Anston
Local	Natural	Anston Stones Wood, North Anston
Local	Amenity green space	Nursery Road, North Anston
Local	Natural	Engine House plantation, Aston
Local	Amenity green space	Waleswood View green, Aston
Local	Amenity green space	Lodge Lane, Aston
Local	Amenity green space	Catherine Avenue green space, Aston
Local	Natural	Rotherham Road natural space, Swallownest
Local	Amenity green space	Bawtry Road green space, Brinsworth
Local	Amenity green space	Castle Avenue green space, Canklow
Local	Parks	Canklow Road MUGA & Play Area, Canklow
Local	Amenity green space	Centenary Way green spaces, Canklow
Local	Outdoor sports	Washfield Lane Rec, Treeton

Grade	Typology	Site Name
Local	Natural	Rother Crescent, Treeton
Local	Amenity green space	Shorland Drive green, Treeton
Local	Amenity green space	Vincent Road Green, Ravenfield
Local	Outdoor sports	Hollings Lane green, Ravenfield
Local	Amenity green space	Laural Avenue green, Bramley
Local	Amenity green space	Bramley Park, Bramley
Local	Amenity green space	Fenton Road green 3, Kimberworth Park
Local	Amenity green space	Kelford School, Kimberworth
Local	Natural	Henley Way, Bradgate
Local	Amenity green space	Laughton Road, Dinnington
Local	Natural	Undergate Road Hill, Dinnington, Dinnington
Local	Amenity green space	Constable Lane green, Dinnington, Dinnington
Local	Parks	Hangman Lane park, Laughton Common
Local	Natural	Manor Lane natural site, Dinnington
Local	Amenity green space	St Leger Avenue Green Space, Laughton Common
Local	Amenity green space	Hatfield Crescent Green Space, Laughton Common
Local	Amenity green space	Main Street, Swallownest
Local	Amenity green space	Wetherby Drive, Swallownest
Local	Amenity green space	Breck Lane Green, Dinnington
Local	Parks	Chestnut Grove Park, Dinnington
Local	Amenity green space	Manor Lane, Throapham, Dinnington
Local	Amenity green space	Riverside Court, Laughton Common
Local	Natural	High Nook Road, Dinnington
Local	Outdoor sports	Silverwood Miners Welfare, Dalton
Local	Amenity green space	Brierly Road, Dalton
Local	Amenity green space	Roughwood Road green, Wingfield
Local	Amenity green space	Fenton Road green 2, Kimberworth Park
Local	Parks	Grayson Rd Rec, Greasbrough
Local	Natural	Fenton Road, Kimberworth Park
Local	Natural	Munsborough Lane, Greasbrough
Local	Outdoor sports	Winney Hill Park, Harthill, Harthill
Local	Natural	Aldwarke Locke Island, Eastwood
Local	Amenity green space	Fretwell Rd green space, East Herringthorpe
Local	Amenity green space	Conway Crescent green space, East Herringthorpe
Local	Parks	Bar Park, Thorpe Hesley
Local	Natural	Hesley Lane green space, Thorpe Hesley
Local	Natural	Brook Hill greenspace, Thorpe Hesley
Local	Natural	Wentworth Road, Thorpe Hesley
Local	Amenity green space	Kestrel Avenue greenspace, Thorpe Hesley
Local	Parks	King Georges field, Thorpe Hesley
Local	Outdoor sports	Red Hill rec, Kiveton Park
Local	Amenity green space	Essex Close green, Kiveton Park
Local	Natural	Stockwell Ave open space, Wales
Local	Natural	Salisbury Road, Maltby
Local	Outdoor sports	Maltby Manor Rec, Maltby
Local	Amenity green space	Littlewood Way Green Space, Maltby

Grade	Typology	Site Name
Local	Amenity green space	Tickhill Road green 1, Maltby
Local	Amenity green space	Mortimer Road 2, Maltby
Local	Parks	Cherry Tree Park, Maltby
Local	Amenity green space	Somerset Street, Maltby
Local	Amenity green space	Ascension close, Maltby
Local	Amenity green space	Addison Road green space, Maltby
Local	Natural	Redwood Drive natural site, Maltby
Local	Amenity green space	Upperfield Close, Maltby
Local	Natural	Dale Hill Road, Maltby
Local	Amenity green space	Victoria Way Wood, Lily Hall, Maltby
Local	Amenity green space	The Walk, East Dene
Local	Parks	Thomas street park, Swinton
Local	Amenity green space	Thomas Street greenspace, Swinton
Local	Parks	Horsefair Park, Swinton
Local	Parks	Queen's Street Park, Swinton
Local	Outdoor sports	Piccadilly Road Outdoor sports, Swinton
Local	Natural	Piccadilly Road natural site (Creighton Wood), Swinton
Local	Amenity green space	Carlisle Street Greenspace, Swinton
Local	Natural	Kilnhurst Ings, Kilnhurst
Local	Natural	Kilnhurst Ings, Kilnhurst
Local	Parks	Piccadilly POS, Swinton
Local	Amenity green space	Calladine Way, Swinton
Local	Outdoor sports	Kilnhurst Miners Welfare, Kilnhurst
Local	Amenity green space	The Crescent green, Thurcroft
Local	Amenity green space	Green Arbour School, Thurcroft
Local	Natural	Zamor Crescent, Thurcroft
Local	Outdoor sports	Wath Road Park, Brampton Bierlow
Local	Amenity green space	Smithy Bridge Lane, Brampton Bierlow
Local	Parks	Packman Road Play Area, Brampton Bierlow
Local	Parks	West Melton park, West Melton
Local	Amenity green space	Well Road greenspace, West Melton
Local	Amenity green space	Tennyson Rise, West Melton
Local	Amenity green space	West Street, West Melton
Local	Natural	Wath Tip site, Wath upon Dearne
Local	Outdoor sports	White Bear Estate, Wath upon Dearne
Local	Amenity green space	Durham Places, Herringthorpe
Local	Amenity green space	Rosemary Road, Wickersley
Local	Parks	Sorby Way Park, Wickersley
Local	Natural	Brecks Wood (Wickersley Wood), Wickersley
Local	Amenity green space	Leewood Close, Cortonwood, Brampton Bierlow
Local	Amenity green space	Hague Court, Cortonwood, Brampton Bierlow

Summary Sheet

Council Report

Title: Appointment of a Head of Paid Service, Returning Officer, Electoral Registration Officer and Deputy Electoral Registration Officer

Is this a Key Decision and has it been included on the Forward Plan? This is not a key decision.

Strategic Director Approving Submission of the Report: Strategic Director of Finance & Corporate Services

Report Author(s): Catherine Parkinson, Interim Director of Legal and Democratic Services

Ward(s) Affected All

Executive Summary: The report recommends that Council appoints the new Chief Executive, Sharon Kemp, as Head of Paid Service, Returning Officer for Elections and Electoral Registration officer. The report also recommends that Council appoint the incoming Assistant Director of Legal and Democratic Services as Deputy Electoral Registration officer.

Recommendations : It is Recommended that Council

- i) Designates the Chief Executive, Sharon Kemp as the Head of Paid Service.
- ii) Appoints the Chief Executive, Sharon Kemp as Returning Officer for local government elections;
- iii) Appoints the Chief Executive, Sharon Kemp as Electoral Registration Officer;
- iv) Appoints the new Assistant Director of Legal and Democratic Services, Dermot Pearson as Deputy Electoral Registration Officer when he commences employment on the 7th March 2016.
- v) Appoints Stuart Fletcher, Commercial, Property and Information Governance Service Manager, Legal Services as the Deputy Registration Officer pending

the commencement of employment of the new Deputy Electoral Registration Officer on the 7th March 2016.

- vi) Reverses the temporary amendments to the Council's Constitution and Scheme of Delegation in respect of Proper Officer arrangements as adopted at the Council meeting on the 16th September 2015, and revert to the previous Scheme of Delegation which provide for the Chief Executive and the incoming Assistant Director Legal Services to undertake the "Proper Officer Provisions" described in the Scheme of Delegation.

List of Appendices Included

None

Background Papers –

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes

Exempt from the Press and Public

None

Title: Appointment of a Returning Officer, Registration Officer and Deputy Registration Officer

1. Recommendations

It is Recommended that Council

- i) Designates the Chief Executive, Sharon Kemp as the Head of Paid Service.
- ii) Appoints the Chief Executive, Sharon Kemp as Returning Officer for local government elections;
- iii) Appoints the Chief Executive, Sharon Kemp as Electoral Registration Officer;
- iv) Appoints the new Assistant Director of Legal and Democratic Services, Dermot Pearson as Deputy Electoral Registration Officer when he commences employment on the 7th March 2016.
- v) Appoints Stuart Fletcher, Commercial, Property and Information Governance Service Manager, Legal Services as the Deputy Registration Officer pending the commencement of employment of the new Deputy Electoral Registration Officer on the 7th March 2016.
- vi) Reverses the temporary amendments to the Council's Constitution and Scheme of Delegation in respect of Proper Officer arrangements as adopted at the Council meeting on the 16th September 2015, and revert to the previous Scheme of Delegation which provide for the Chief Executive and the incoming Assistant Director Legal Services to undertake the "Proper Officer Provisions" described in the Scheme of Delegation.

2. Background

- 2.1 Following the commencement of employment of the new Chief Executive, Sharon Kemp, it is appropriate that she be designated as Head of Paid Service as is customary for Chief Executive appointments.
- 2.2 Temporary appointments to the post of Returning Officer, Electoral Registration Officer and Deputy Registration Officer were made in September 2016 pending the recruitment of a new Chief Executive and Assistant Director Legal Services. Now that the council has appointed to those positions, it is necessary to proceed with the electoral appointments in line with the usual constitutional arrangements.

3. Key Issues

- 3.1 By virtue of s.4 Local Government and Housing Act 1989 the Council is required to appoint a Head of Paid service. In accordance with the Council's

constitution full Council has a duty to designate an officer as the Council's Head of Paid Service. This is ordinarily the Chief Executive.

- 3.2 As members are aware, following an appointment panel on the 11th November 2015 December, Sharon Kemp has been appointed as the Council's Chief Executive as of 18th January 2016. It is therefore appropriate that Sharon Kemp, as the Council's new Chief Executive, be designated as Head of Paid Service.

Returning Officer

- 3.1 Section 35 of the Representation of the People Act 1983 requires every "district council" to appoint an officer of the council to be returning officer for elections of district or parish councillors. The returning officer may then appoint one or more persons as deputy returning officer(s).
- 3.2 Section 8 of the same Act 1983 requires every district council to appoint an officer to be registration officer for any constituency or part of a constituency in the area of the council. It also provides for the duties and powers of the registration officer to be carried out by a deputy approved by the council.
- 3.3 Section 28 of the 1983 Act provides for the registration officer to act as returning officer at parliamentary elections and allows him or her to appoint deputies.
- 3.4 The Council's Scheme of Delegation provides for the posts of Registration Officer and Returning Officer to be undertaken by the Chief Executive.
- 3.5 Therefore as stated above as Sharon Kemp is now in post as Chief Executive, it is appropriate for her to be appointed as the Council's Returning Officer and Registration Officer.
- 3.6 Also within the Council's constitution, the Chief Executive is designated as the proper officer for the purposes of S83 of the Local Government Act 1972 and as Returning Officer, is appointed as proper officer to receive notifications and delivery of documents in district council elections. These functions are described as the "Proper Officer Provisions" in the Scheme of Delegation. Again following appointment of Sharon Kemp as Chief Executive, it is appropriate for her to carry out the functions of Proper Officer as designated to the Chief Executive.
- 3.7 The Council's Scheme of Delegation provides for the post of Deputy Electoral Registration Officer to be undertaken by the Assistant Director Legal Services. The Assistant Director Legal Services is also appointed as the proper officer in respect of various provisions of the Local Government Act 1972 to receive declarations and resignations of office and notices requesting the filling of casual vacancies. These, and other functions, are described as the "Proper Officer Provisions" in the Scheme of Delegation.

- 3.8 Following a comprehensive recruitment process and final appointment panel on the 27th November 2015 December 2015, Dermot Pearson is due to commence employment as the Assistant Director of Legal and Democratic Services on 7th March 2016. It is therefore appropriate for him to be appointed as the Deputy Electoral Registration Officer from that time. Further it is also appropriate for him to carry out the functions of Proper Officer as designated within the Scheme of Delegation to the Assistant Director of Legal and Democratic Services.
- 3.9 Following the appointment of the new Chief Executive as the Returning Officer as above, and until the commencement of the new Assistant Director of Legal and Democratic Services in post on 7 March 2016, it would be appropriate for the previous temporary Returning Officer, Stuart Fletcher to be appointed as the temporary Deputy Electoral Registration Officer.

4. Options considered and recommended proposal

- 4.1 It is essential that proper, settled arrangements are in place for the positions set out in section 3 of this report, and this is now possible with the appointment of a new, permanent Chief Executive and a permanent Assistant Director of Legal and Democratic Services.
- 4.2 The Council's Constitution sets out clear requirements about how the Council operates and it is important that the principles in the Constitution are given effect.

5. Consultation

None necessary.

6. Timetable and Accountability for Implementing this Decision

- 6.1 It is proposed that the appointments in relation to the Chief Executive take effect from the date of the Council meeting, on 27 January 2016, and that the appointments in relation to the Assistant Director Legal and Democratic Services take effect once he takes up his position at Rotherham MBC .

7. Financial and Procurement Implications

- 7.1 There are no additional financial implications.

8. Legal Implications

- 8.1 The relevant legislative requirements have been set out in section 3 of this report

9. Human Resources Implications

- 9.1 Human Resources have been consulted and the individuals who were temporarily appointed to these positions have also been consulted.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 Ensuring good governance of the electoral process enables young voters to register to vote and participate fully in the democratic process.

11. Equalities and Human Rights Implications

- 11.1 Ensuring good governance of the electoral process supports the opportunity for all communities and citizens of the Borough to fully exercise their right to register and vote in both local and national elections.

12. Implications for Partners and Other Directorates

- 12.1 There are no immediate implications for partners or other Directorates.

13. Risks and Mitigation

- 13.1 Elections are conducted by the Returning Officer who has a personal responsibility in law. If no valid Returning Officer appointment were in place, elections could not take place and the council would be in breach of the law and voters could be disenfranchised. The proposals set out in this report address this matter.

14. Accountable Officer(s)

- 14.1 Catherine Parkinson, Interim Assistant Director, Legal and Democratic Services.

Report author(s):

Catherine Parkinson, Interim Assistant Director, Legal and Democratic Services.
Tel: 01709 255768 catherine.parkinson@rotherham.gov.uk

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:

Director of Legal Services: -

Head of Procurement (if appropriate):- NA

Council Report

Council 27th January 2016

Title

Constitution update and review of Special Responsibility Allowance Status

Is this a Key Decision and has it been included on the Forward Plan?

No

Director Approving Submission of the Report

Interim Assistant Director Legal & Democratic Services

Ward(s) Affected

All

Executive Summary

To inform Members of the update to the Council's constitution to reflect the duties and responsibilities of the Advisory Cabinet members and the decision of the Lead Commissioner to pay a proportion of Special Responsibility Allowance (SRA) to certain office holders ;

Further to request that Council agrees amendments to the constitution in respect of the arrangements for call in of Executive decisions.

Also to request that Council agrees the amendments to the Executive Procedure Rules as set out in the report, to include arrangements for the public asking questions at Cabinet meetings.

Recommendations:

That Members note:

- 1.1 The changes to the Constitution to reflect the new portfolios of Advisory Cabinet members.
- 1.2 The decision of the Lead Commissioner in December 2015 to pay fifty percent of the SRA in respect of the three new Advisory Cabinet members (Councillors Alam, Wallis and Yasseen) with effect from 9th December and eighty percent of the SRA to all Advisory Cabinet members from 15th February 2016.

That Members agree that:

1.3 Previous “call-in” arrangements as set out at Appendix 2 be reinstated to the Council’s Constitution

1.4 The Executive Procedure Rules within the Council’s constitution apply to these meetings and Cabinet meetings will be held every four weeks

1.5 The procedures regarding members of the public asking questions at Cabinet meetings be reinstated, as set out in Appendix 3.

List of Appendices Included

Appendix 1- Advisory Cabinet members’ portfolios

Appendix 2 – Call-in Arrangements

Appendix 3 – Procedure for Public Questions at Cabinet Meetings

Background Papers

1. Directions of Secretary of State 26/2/2015

2. Members remuneration scheme 2015

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Not applicable

Council Approval Required

No

Exempt from the Press and Public – No

Title (Main Report)

Update of Constitution and review of Special Responsibility Allowances Status

1.Recommendations

That Members note:

- 1.1 The changes to the Constitution to reflect the new portfolios of Advisory Cabinet members.
- 1.2 The decision of the Lead Commissioner in December 2015 to pay fifty percent of the SRA with effect from 9th December 2015 in respect of the three new Advisory Cabinet members (Councillors Alam, Wallis and Yasseen) and eighty percent of the SRA to all Advisory Cabinet members from 15th February 2016.

That Members agree that:

- 1.3 Previous “call-in” arrangements as set out at Appendix 2 be reinstated to the Council’s Constitution
- 1.4 The Executive Procedure Rules within the Council’s constitution apply to these meetings and Cabinet meetings will be held every four weeks
- 1.5 The procedures regarding members of the public asking questions at Cabinet meetings be reinstated, as set out in Appendix 3.

2. Background

- 2.1.1 As part of the Directions to the Council on 26th February 2015 the Secretary of State announced that the authority was required to cease to pay the special responsibility allowances (SRA) to members of its executive whilst they have no functions to exercise.
- 2.1.2 The Commissioners were appointed in February 2015 and agreed following the local elections in May 2015 that fifty percent of the SRA would begin to be paid to the Leader, Deputy Leader and Advisory Cabinet Members.
- 2.1.3 With effect from 9th December 2015, the Leader increased the number of portfolios and membership of the Advisory Cabinet from five to eight and made the following additional appointments:
 - Neighbourhood working and Cultural Services: Councillor Yasseen
 - Housing: Councillor Wallis
 - Corporate Services and Finance: Councillor Alam

- 2.1.4 The portfolios have been redefined and a copy is attached at Appendix 1, for information. This will replace the existing document in the Council's constitution to reflect the current position.
- 2.1.5 It is anticipated that some of the Councils Executive powers will be returned by the time of the next Advisory Cabinet/Commissioners meeting on 15th February 2016.
- 2.1.6 In order to comply with the requirements of the Local Government Act 2000 and the Localism Act 2011, in respect of "call-in" of Executive decisions, it is proposed that the arrangements which were previously in place in respect of "call-in" of executive decisions prior to the government intervention be reinstated, with a minor amendment to the urgency provisions whereby the agreement of the Chair of the Overview and Management Board be sought rather than the Mayor. Those arrangements are set out at Appendix 2.
- 2.1.7 These arrangements are subject to review as part of the outcome of the Governance Review Group, whose recommendations are due to be forwarded to Commissioner Sir Derek Myers shortly. Any subsequent recommended changes to the Council's Constitution will be set out in a further report to members and will be effective from the new Municipal year.
- 2.1.8 The Secretary of State is currently considering a revised intervention package following proposals from Lead Commissioner Sir Derek Myers. In preparation for the return of Executive powers to the Council it is appropriate for the Executive Procedure Rules as contained within the constitution to be brought back into effect which would apply to these meetings, with the amendment that the Cabinet meetings would take place every four weeks.
- 2.1.9 Further in order to promote public engagement it is appropriate for the procedure in respect of Public questions at Cabinet meetings, as detailed at Appendix 3, to be reinstated.

3. Key Issues

- 3.1 To note the Commissioners' decision regarding the payment of SRA to the new Advisory Cabinet appointees with a further reinstatement of an additional proportion of the Special responsibility allowance to all Advisory Cabinet members with effect from 15th February 2016.
- 3.2 To agree changes to the Councils "call-in" procedure as Executive powers are returned to the Council, the protocol for public questions and the re-instatement of the operation of the Executive Procedure Rules.

4. Options considered and recommended proposal

- 4.1 To pay fifty percent of the SRA to the new Advisory Cabinet members from 9th December 2015 and in relation to all Advisory Cabinet Members to pay eighty percent of the allowance from 15th February 2016.

- 4.2 Different options in respect of scrutiny procedures are being considered by the Governance Review Working group and will form part of its recommendations to Commissioner Derek Myers.

5. Consultation

- 5.1 The decision in respect of SRAs is a Commissioner decision in accordance with the Directions of the Secretary of State.
- 5.2 The decisions in respect of call in procedures and constitutional amendments are a matter for Council

6. Timetable and Accountability for Implementing this Decision

- 6.1 The payments of the SRA for the three new Advisory Cabinet members commenced from 9th December 2015 and the increase to eighty percent will come into effect from 15th February 2016.
- 6.2 The re-instated Call-in arrangements and operation of the amended Executive Procedure Rules including questions from the Public will be operative when the Executive meets as Cabinet and will be reviewed as stated above in readiness for new arrangements as of the new Municipal year.

7. Financial and Procurement Implications

- 7.1 The Commissioners were appointed in February 2015 and agreed following the local elections in May 2015 that fifty percent of the SRA would begin to be paid to the Leader, Deputy Leader and Advisory Cabinet Members. Additional Members of Advisory Cabinet were appointed on 9th December 2015 and will receive fifty percent SRA from that date.
- 7.2 All Advisory Cabinet members will be awarded eighty percent of the SRA applicable to the position from 15th February 2016.
- 7.3 The decision re the increase to all Advisory Cabinet members is based on the increasing contribution made by the members in relation to the additional responsibility being undertaken by the portfolio holders and the proposed restitution and decision making meetings being held in public.

8. Legal Implications

- 8.1 As part of the Directions to the Council on 26th February 2015 the Secretary of State announced that the authority was required to cease to pay the special responsibility allowances (SRA) to members of its executive whilst they have no functions to exercise.
- 8.2 In accordance with the Directions, the Commissioners have agreed to reinstate the allowances in certain instances as detailed in paragraph 2.
- 8.3 The reinstated call in arrangements are in compliance with the Councils obligations under the Local Government Act 2000 and the Localism Act 2011.

9. Human Resources Implications

None

10. Implications for Children and Young People

None

11 Equalities and Human Rights Implications

None

12. Implications for Partners and Other Directorates

None

13. Risks and Mitigation

None

14. Accountable Officer(s)

Interim Assistant Director Legal and Democratic Services

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Advisory Cabinet Member Portfolios

(1) Leader (C. Read)

The Leader has responsibility for overall leadership of the Council and representing the borough at a national regional and sub-regional level. The Leader will take personal responsibility for leading the drive towards corporate improvement, organisational and cultural change, and is responsible for the Council's governance and ethical framework.

- Overall leadership of the Council
- Overall coordination of the council's response to Child Sexual Exploitation
- Overall responsibility for ensuring the Council sets and delivers a balanced budget
- Setting Corporate Policy
Localism, Police Reform, Deprived communities, Welfare reform, Corporate Plan
- Reputation Management
- Corporate Improvement, Innovation and organisational change (including working with Commissioners on the Improvement Plan, a healthy local democracy, and retuning the Council to local democratic control)
- To lead on Standards & Governance
- Overall responsibility for Corporate Governance, including signing the Council's Annual Governance Statement to confirm the Council has appropriate rules, policies and procedures in place and operating effectively for managing its business
- Corporate Communication
- To lead the Council's formal Conciliation and Consultation arrangements
- Member of the Local Strategic Partnership Board
- To lead on Financial Management
- To lead on the development of shared service activity.
- Community Cohesion

(2) Deputy Leader (G. Watson)

The Deputy Leader will support the Leader day to day activity to allow him to concentrate on strategic issues. The portfolio holder will have specific responsibilities around child safeguarding, child protection and incorporates education, lifelong learning and the prevention early and intervention strategy.

- Statutory position as lead member for Children
- Children's Safeguarding and prevention and early intervention strategies
- FCAF and referral and assessment processes
- Family intervention, fostering, adoption and looked after children including out of borough placements; corporate parenting lead
- Transitional arrangements from childhood to adulthood for young people with complex needs

- Lifelong Learning and lead member for Education & 14-19 Strategy including early years, schools, special schools, and pupil referral units.
- School Admissions and Appeals
- Member of the Health and Wellbeing Board
- School catering; School place planning; School effectiveness; School music service; contributing to Children, Young People and Families Partnership; Think Family Steering Group; Troubled Families agenda
- Integrated Youth Support Services

(3) Adult Social Care and Health (D. Roche)

This portfolio retains the oversight of all commissioning activities and provision of adult social care, public health functions and the interface with NHS. The main thrust will be to provide services in a personalised manner around the citizen and to lead on the integration of local health and adult social care services.

- Adult Social Services including adult safeguarding, services for older people, a range of services to meet the needs of people with learning disabilities, support for people with mental health issues and dementia, and services to support people with physical disabilities
- Arrangements from childhood to adulthood for people with complex needs.
- Lead member of the implementation and effective operation of the Health and Wellbeing Board
- Lead member for preparation of the Joint Strategic Needs Assessment with health partners
- Lead for liaison with health partners to lead on the integration of local health services including prevention/early intervention activity
- Health Watch Implementation and Liaison
- Public Health, including overseeing the Health Protection Plan, prevention and improvement

4) Jobs and the local economy (D. Lelliott)

This portfolio has an emphasis on delivering jobs and strengthening the local economy combining, as well as strategic responsibilities around planning.

- All matters relating to Planning (including the Local Plan), Transportation, Building Regulations and sustainable transport initiatives
- Economic Development and Regeneration Strategy and Services.
- The development and Implementation of Economic Regeneration projects including Inward Investment and Business Growth.
- Town Centres, retail and commercial investment.
- Major town centre projects and development.
- Corporate Asset Management and issues relating to the development of land and buildings held within the corporate general fund portfolio
- Advising on the Council's bidding prospectus relating to economic and business growth schemes into City Region and national funding opportunities.
- External Affairs relating to business growth and inward investment.
- Leading on marketing and promotion of the Borough.
- All matters relating to car parking.

(5) Waste, roads and community safety (K. Sims)

This portfolio brings together services which are really important to citizens and have a significant impact on how Rotherham looks and affects people's perceptions of the place. It also takes a lead role in the reform of Licensing.

- Licensing
- Community Safety, Crime Reduction and Anti-Social Behaviour Strategies.
- All matters relating to litter, street cleansing and grounds maintenance, including mechanical sweeping and litter collection and graffiti removal, and grounds maintenance of green spaces
- All matters relating to Waste Management, collection and recycling.
- Highways schemes, repairs and maintenance, including all highway inspection, design, network management, enforcement, Public Rights of way, street lighting, winter maintenance, and road safety including educational initiatives
- Environmental health, food hygiene, cemeteries, crematorium and mortuary services
- All matters relating to drainage.

(6) Neighbourhood working and Cultural Services (T. Yasseen)

This portfolio is concerned with new ways of working for the council to deliver services in partnership with our local neighbourhoods, in accordance with the council's draft vision statement. Specific areas of responsibility are:

- Area Assemblies and Neighbourhood Development and Management
- Representing the Council on partnerships as requested by the Leader, including Parish Council Liaison and the voluntary and community sectors
- Social Inclusion and deprived neighbourhoods
- Customer and Cultural Services, including libraries, heritage, theatres and arts, customer access strategy, service centres and welfare provision
- All matters relating to Leisure Services, recreation and sport.
- Development of events programmes in Parks, green spaces and recreational facilities
- Armed Forces
- To lead on member development (and member support, alongside the portfolio holder for Corporate Services and Finance)
- The 'Digital by Default' agenda (alongside the portfolio holder for Corporate Services and Finance)

(7) Housing (E. Wallis)

This portfolio is responsible for the council's housing stock and strategy, increasing access to affordable housing and regulation of private sector landlords.

- Responsibility for management, improvement adaptation and any enforcement matters relating to the housing stock
- Housing Strategy and affordability policies

- Asset Management in relation to council housing & land assets
- Planning for future housing need (alongside the portfolio holder for Jobs and the Local economy)
- Selective Licensing and regulation of private landlords

(8) Corporate Services and Finance (S. Alam)

This portfolio is concerned with the proper and efficient working of the council and its processes. Specific responsibilities are:

- Oversight and delivery of the Corporate Improvement Plan
- To lead on day-to-day working of financial activity, and to support the Leader in development of the Budget
- Human resource strategies, policies and procedures
- To lead on all matters relating to Finance, HR and Legal and Democratic Services
- To lead on the Corporate Performance Management arrangements
- To lead on ICT, particularly on new ways of working
- To lead on Internal Audit and Risk Management
- To be responsible for corporate Commissioning and Procurement strategies and implementation.
- To lead on Health, Safety and equalities at Work
- To lead on Emergency planning issues
- To work alongside the portfolio holder for neighbourhood working and Cultural services in relation to members support.

CALL-IN

Call-in

Publication of Cabinet decisions

- 1) A decision of the Cabinet, a committee of the Cabinet, or an individual member of the Cabinet will be published, including where possible by electronic means, and be available for inspection at the Town Hall ordinarily within three working days of the decision being made.
- 2) At the same time as decisions made in accordance with subparagraph (1) are published, all of the members of the Council and the education representatives will be notified and sent copies of the records of the decisions by the Principal Democratic Services Officer.
- 3) A notice sent under subparagraph (2) will bear the date on which it is published and state that any decision specified in the notice will come into force on the expiry of 7 working days after its publication ("the notification period"), and may then be implemented, unless the decision is called-in.

Decisions that may be called-in

- 4) Any decision of the Cabinet may be called-in unless it is –
 - in the form of a recommendation to the full Council;
 - an urgent decision (as defined by rule 14 (2)) and the reason for urgency is recorded in the body of the decision;
 - a decision of the Adoption Panel;
 - concerned with procedural matters; or
 - in connection with an appeal.
- 5) Where a Cabinet decision takes the form of an approval of details only, the principle having been established by an earlier Cabinet decision, then call-in shall be confined to those details.

Call-in of decision for scrutiny

- 6) During the notification period –
 - in the case of a decision that does not relate to an education function, a member of the Council who is supported by at least five other members may request the chairman of the OSMB to call-in the decision for scrutiny by that board; and
 - in the case of a decision that relates to an education function, a member or education representative who is supported by five members or five education representatives (or a combination of both members

and education representatives) may request the chairman of the OSMB to call-in the decision.

- 7) If the decision relates to an education function, the education representatives will be invited to the meeting of the OSMB where the call-in will be considered.
- 8) The chairman of the OSMB will record –
 - the decision to which the call-in relates;
 - the name of the member, or in the case of a decision that relates to an education function the name of the member or education representative, requesting call-in of the decision;
 - the names of the members, or in the case of a decision that relates to an education function the names of the members or education representatives or members and representatives, supporting the request;
 - the reason for the call-in; and shall provide the Statutory Scrutiny Officer with those details and request him or her to confirm that the decision is subject to call-in.
- 9) The Statutory Scrutiny Officer will notify the decision-maker and the strategic director of the directorate concerned of the call-in request and advise him or her that implementation of the decision be delayed until conclusion of the call-in process.
- 10) Where appropriate, and after consulting the chairman of the OSMB, the Statutory Scrutiny Officer will add the call-in request to the agenda for the next following meeting of the board.

Reference back of decision

- 11) Where having considered the decision the OSMB is still concerned about it, the board may refer it back to the decision-maker for reconsideration, setting out in writing the nature of its concerns, or refer the decision for consideration by the full Council.
- 12) If the decision is referred back to the decision-maker, he, she or they must reconsider the decision within ten working days and either amend it or not amend it before making a final decision, which will come into force and take effect on that date.

Date on which decision to come into force and take effect

- 13) If after deciding to call-in a decision, the OSMB–
 - does not consider the decision at the next following meeting of the board or commission, or
 - meets to consider the decision called-in but does not refer the decision for consideration by the full Council or back for reconsideration by the decision-maker,

the decision shall come into force and take effect on the date of the board or commission's meeting.
- 14) If the full Council –

- meets but does not object to the decision called-in and referred by the OSMB
- meets but does not refer the decision back for reconsideration by the decision-maker

the decision shall come into force and take effect on the date of the Council meeting.

Decision referred back by Council

- 15) If the full Council objects to a decision called-in and referred to it by the OSMB the Council will refer the decision back to the decision-maker together with the Council's views on the decision, and the decision-maker may amend the decision or not before reaching a final decision and implementing it.
- 16) If the Cabinet as a whole or a committee or sub-committee of the Cabinet made the called-in decision, a meeting of the Cabinet or committee or sub-committee (as the case may be) will be convened within ten working days of the Council's request to reconsider it.
- 17) If an individual made the called-in decision, that individual will reconsider the decision within ten working days of the Council's request to reconsider it.

Call-in and urgency

Urgent Cabinet decisions

- 1) The call-in procedure shall not apply where the decision being taken by the Cabinet is urgent.
- 2) A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.
- 3) The record of the decision and notice by which it is made public shall state whether, in the opinion of the decision-maker, the decision is an urgent one and therefore not subject to call-in.
- 4) The Chair of Overview and Scrutiny Board must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 5) In the absence of the Chair, the Vice Chair's consent must be obtained and in the absence of both the Chief Executive's consent, or her nominee's consent in her absence, must be obtained.

Reporting and monitoring urgent Cabinet decisions

- 6) Where the Chair of Overview and Scrutiny Management Board, Vice Chair or Chief Executive consents to exempting a decision from call-in on grounds of urgency, the Statutory Scrutiny Officer will be informed as soon as possible after the decision is made.
- 7) Decisions taken as a matter of urgency must be reported to a meeting of the full Cabinet, together with the reasons for urgency.
- 8) The operation of the procedures relating to scrutiny, call-in and urgency will be monitored annually, and a report submitted to the full Council with proposals, if necessary, for review of the procedures.

Appendix 3

**Questions from the Public at Cabinet Meetings –
Recommended Procedure**

1. At the start of each meeting of the Cabinet, 20 minutes be allocated for members of the public (other than Members of the Council) to put questions.
2. Subject to 3 below, an individual shall be permitted to ask one question only.
3. Following the answer to the original question, a questioner may ask one supplementary question. This may not introduce any new issue and shall only be by way of seeking further or clearer information regarding the original question and the answer given.
4. Questions should only concern matters which are within the Council's area of responsibility or influence.
5. Questions:-
 - (a) Must be reasonable and fair.
 - (b) Must not be defamatory, offensive or abusive.
 - (c) Must not seek personal information regarding individual employees or users of Council services.
 - (d) Must not relate to individual employment issues.
 - (e) Must not relate to matters on which there is a pending right of appeal.
 - (f) Must not relate to matters subject to litigation.
6. The Chairman may decline to answer any question, whether for non-compliance with the above guidance or otherwise. The Chairman may curtail any debate which is considered to be inappropriate or not constructive.
7. Subject to compliance with the above guidance, all individuals shall be treated equally and have fair access to the meeting.

Summary Sheet

Council Report

Title **Authorisation of Officer to Appear in Court Proceedings**

Is this a Key Decision and has it been included on the Forward Plan? No

Strategic Director Approving Submission of the Report

Stuart Booth, Acting Strategic Director Finance & Corporate Services

Report Author(s)

Robert Cutts, Revenue & Benefits Manager

Ward(s) Affected ALL

Executive Summary

This report seeks authorisation from the Council under section 223 of the Local Government Act 1972, for a newly recruited Technical Officer to the Council's Account Management Team to appear in the Magistrates' Court on behalf of the Council.

Recommendation:

It is recommended that Vivian Wadsworth be authorised under section 223 of the Local Government Act 1972 to prosecute, defend or appear in proceedings on behalf of the Council in the Magistrates' Court.

List of Appendices Included

Not applicable

Background Papers

Not Applicable

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Main Report

Authorisation of Officer to Appear in Court Proceedings

1. Recommendations

It is recommended that Vivian Wadsworth be authorised under section 223 of the Local Government Act 1972 to prosecute, defend or appear in proceedings on behalf of the Council in the Magistrates' Court.

2. Background

- 2.1 The Council's Account Management Team is responsible for seeking recovery of Council Tax and Business Rates arrears. That Team consists of Technical Officers whose role includes regularly appearing in the Magistrates' Court to represent the Council and conduct applications for liability orders to attempt to recover those arrears.
- 2.2 Whereas only certain qualified legal persons, such as solicitors and barristers, normally have a right of audience before a Magistrates' Court, a local authority has the power under section 223 of the Local Government Act 1972, to authorise officers to appear on its behalf to prosecute, defend and conduct proceedings in the Magistrates' Court.

3. Key Issues

- 3.1 The Council's Account Management Team has recently recruited Vivian Wadsworth to the post of Technical Officer. In order for her to fulfil all her duties she requires authorisation from the Council under section 223 of the Local Government Act 1972, to appear on its behalf to prosecute, defend and conduct proceedings in the Magistrates' Court.

4. Options considered and recommended proposal

The officer concerned cannot lawfully appear in the Magistrates' Court on behalf of the Council without proper authorisation. Therefore, the recommended proposal is that Vivian Wadsworth be authorised by the Council to appear on its behalf to prosecute, defend and conduct proceedings in the Magistrates' Court.

5. Consultation

The recommended proposal does not require any prior consultation.

6. Timetable and Accountability for Implementing this Decision

Assuming the proposed recommendation is passed by the Council, at that stage the officer concerned will have completed all her necessary training and it is intended that she will start to appear in the Magistrates' Court on behalf of the Council at the next scheduled court hearing.

7. Financial and Procurement Implications

There are no financial or procurement implications as a result of the proposed recommendation which could be implemented within existing budgets.

8. Legal Implications

Council officers (other than solicitors/barristers) are required to be properly authorised by the Council under section 223 of the Local Government Act 1972, before they have the right to appear on behalf of the Council in the Magistrates' Court.

9. Human Resources Implications

There are no human resource implications.

10. Implications for Children and Young People and Vulnerable Adults

The recommended proposal does not involve any implications for children, young people or vulnerable adults.

11. Equalities and Human Rights Implications

The recommended proposal does not have any equalities or human rights implications.

12. Implications for Partners and Other Directorates

The recommended proposal does not have any implications for partners and other directorates.

13. Risks and Mitigation

The passing of the recommended resolution will ensure that all proceedings conducted by the officer in the Magistrates' Court will be lawful.

14. Accountable Officer(s)

Robert Cutts

Approvals Obtained from:-

Acting Strategic Director of Finance and Corporate Services: Stuart Booth

A handwritten signature in black ink, appearing to read 'S Booth', with a stylized flourish at the end.

Director of Legal Services: Neil Concannon

Head of Procurement (if appropriate): N/A

HR Business Partner: Simon Cooper

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

HEALTH AND WELLBEING BOARD
25th November, 2015

Present:-

Councillor David Roche	Advisory Cabinet Member, Adult Social Care and Health (in the Chair)
Louise Barnett	Rotherham Foundation Trust
Graeme Betts	Interim Director Adult Care and Housing
Tony Clabby	Healthwatch Rotherham
Dr. Richard Cullen	Clinical Executive, Rotherham CCG
Chris Edwards	Chief Officer, Rotherham CCG
Ruth Fletcher Brown	Public Health Specialist, RMBC
Kate Green	Policy Officer, RMBC
Michael Holmes	Policy Officer, RMBC
Tracy Holmes	Communications and Marketing, RMBC
Alison Iliff	Public Health Specialist, RMBC
Stella Manzie	Commissioner and Managing Director, RMBC
Paul McCurry	South Yorkshire Police (representing Jason Harwin)
Tracey McErlain-Burns	Chief Nurse, Rotherham Foundation Trust
Zena Robertson	NHS England (Yorkshire and Humber)
Councillor Stuart Sansome	Chair, Health Select Commission
Kathryn Singh	RDaSH
Jon Tomlinson	Better Care Fund, RMBC
Councillor Gordon Watson	Deputy Leader
Janet Wheatley	Chief Executive, Voluntary Action Rotherham
Sue Wilson	Performance and Planning, RMBC
Councillor Taiba Yasseen	

Observers:-

Chris Bland	
Sandi Keene	Chair, Adult Safeguarding Board
Councillor John Turner	

Apologies for absence for absence were received from Jason Harwin, (South Yorkshire Police), Julie Kitlowski (Rotherham CCG), Ian Thomas (RMBC).

31. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

32. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the press and public present.

33. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the meetings held on 26th August and 30th September, 2015, be approved as a correct record subject to the correction of Conrad Woreham to Conrad Wareham.

Further to Minute No. 16(b), it was reported that confirmation had been received from NHS England that the CaMHS Transformation Plan had been fully signed off.

34. FOR INFORMATION

CAMHS Transformation Plan

As reported at Minute No. 33, the Plan had been signed off.

Communications

A new Twitter account was now active and would be used during the meeting to tweet updates and share information on what the Board was discussing. Any further suggestions on how to effectively engage with the public would be welcomed.

The Board's website was out of date and need a refresh. Consideration was being given as to how best to do this ensuring it was useful and engaging for the public and stakeholders.

Discussions were taking place with regard to the development of a local newsletter to share work of the Board with the public and stakeholders.

Physical Activity Event

Physical activity in Rotherham had recently received financial support from Sport England to develop a range of partnership projects.

There had been a wide range of regional sessions/literature referencing the positive approaches and outcomes achieved by local authorities who had focussed on increasing physical activity. As a result it was hoped to hold a local event to share good practice with support and funding from the LGA.

Health and Wellbeing Board Member Survey

The LGA had produced a survey for Health and Wellbeing Board members.

It was not felt appropriate at the current time given the development the Board had just undergone but could be used in 6 months' time.

Additional Health and Wellbeing Board

An additional meeting was to be held on 13th January, 2016 and would have a Children and Young People focus.

Health and Wellbeing Board Chairs

A network of Board Chairs was to be set up for the Yorkshire region.

Healthwatch Rotherham

Tony Clabby reported concerns with regard to CaMHS and the eligibility threshold for Learning Disability Services in Rotherham. These issues would be picked up outside of the meeting.

35. HEALTH AND WELLBEING STRATEGY

Further to the meeting on 30th September, 2015, Alison Iliff, Public Health, reported that discussions had taken place with regard to the mechanism for implementation of the Strategy ensuring a commitment across all partner organisations and maximised use of existing partnerships to deliver the Strategy aims.

The report highlighted:-

- Development of the Strategy action plan
The Children's Partnership Board action plan would also form the action plan for Aims 1 and 2 of the Strategy. The Board sponsor for the two aims (who would likely to also sit on the Children's Trust Board) would use the wider Children's Partnership to help deliver the Strategy action plans

Work would take place to identify any existing partnership actions relating to Aims 3, 4 and 5 and, to help identify where the Health and Wellbeing Board could add value to specific actions and consider what was already in place locally, a series of one-off development workshops were proposed. Aim 3: Mental and Emotional Health and Wellbeing would be trialled first.

- Role of Board members
A Board sponsor to be nominated for each of the Strategy aims who would champion the topic, work at a strategic level to raise the profile of the work being done, drive local delivery, address barriers and ensure strategic links/connections were made and exploited. The sponsor would retain ultimate responsibility for the delivery of their aim(s).

Board sponsors would be asked to nominate a representative on the Steering Group for their aim.

- Health and Wellbeing Steering Group
Would support and steer the work of the Board, co-ordinate the work of the Strategy and action plans and inform the Board's future work programme.

Healthwatch Rotherham would also be represented to ensure connection with local people and it would be chaired by the Director of Public Health.

It was proposed that the Steering Group be divided into two, the first as above and the second being a much smaller group to develop the work programme.

Discussion ensued on the report with the following comments made:-

- Ian Thomas, Interim Strategic Director, Children and Young People's Services, would be the link between the Children and Young People's Partnership Board and the Health and Wellbeing Board
- Should the nominated representative come from a different organisation than the Board Sponsor?
- Ensure that reports submitted were specifically for the Board only and not being discussed on multiple occasions by other meetings

Resolved:- (1) That the implementation plan and governance arrangements for the Health and Wellbeing Board 2015-18 be approved.

(2) That nominations for Board sponsors and nominated person be forwarded to Kate Green by Friday, 4th December, 2015.

(3) That the first development workshop be held on Aim 3: Mental and Emotional Health and Wellbeing.

(4) That the Health and Wellbeing Strategy be circulated with any comments thereon submitted to Kate Green by Friday, 4th December, 2015.

36. BETTER CARE FUND

Chris Edwards, Rotherham CCG, submitted the second quarterly Better Care Fund report which was due for submission to NHS England on or before 27th November, 2015.

Following the submission of the first quarter information, NHS England had completed a regional feedback on BCF performance. This showed that Rotherham was not an outlier in any areas of the BCF and, in line with just under half the localities, were still working towards two of the national conditions i.e. implementing seven day working and using the NHS identifier.

The quarterly return showed that Rotherham's plans to meet the two outstanding national conditions were on track and that performance on most metrics (where data was available) were on target. However, performance on preventing non-elective emergency admissions (target of 7,382) had not been to plan and there had been an increase (7,503) rather than the planned decrease. As a result no performance related pay had been awarded. However, it was a reduction on the previous quarter's performance (7,745).

Resolved:- (1) That the second quarter report be approved for submission to NHS England in accordance with the 27th November, 2015, deadline.

(2) That the regional feedback from NHS England on quarter one be noted.

37. SUICIDE PREVENTION AND SELF-HARM ACTION PLAN UPDATE

Further to Minute No. 81 of the meeting held on 18th May, 2015, Ruth Fletcher-Brown, Public Health Specialist, presented a progress report on the actions detailed in the Rotherham Suicide Prevention and Self Harm Action Plan.

The report set out the actions/areas of development undertaken under each of the eight areas:-

- Increase local level of understanding suicide and establish reporting mechanisms to strategic partners
- Reduce risk in high risk groups – children and young people
- Tailor approaches to improve mental health in specific groups
- Reduce access to medication
- Better information and support to those bereaved by suicide
- Support media in delivering sensitive approaches to suicide and suicidal behaviour
- Data collection and monitoring
- Workforce development

Discussion ensued with the following highlighted/raised:-

- A meeting with Head Teachers was still awaited to discuss the response plan – information had been sent to Safeguarding leads
- The social marketing campaign for young people had been developed and was awaiting graphics
- The Rotherham Self-Harm Practice Guidance 2015 was ready for circulation
- Mental Health First Aid was a nationally recognised course for anyone working with adults or young people. Funding had been received from the CCG and Public Health for 2015/16 but no commitment going forward
- Training and workforce development was an issue - there were only 2 Youth trainers and 3 Adult trainers in the whole of Rotherham. Part of the CaMHS work was to look at workforce learning and a more robust co-ordinated approach to training. It was very important to get youth trainers in place
- Promotion of the training to employers

- Samaritans were used as a support organisation but there were resource issues
- Publicity campaigns were with the Graphic Team for finalisation and once complete would have a scheduled timetable against them
- Death by suicide was a long term issue for families who needed long term support. The pathway for adults needed to be looked at as it was quite often a year after the death that an inquest was held. A leaflet had been drafted which contained all the detail of the services available as well as discussions with South Yorkshire Police who were looking at services Force-wide.
- Information available to support witnesses/bystanders
- Consideration should be given to the many other opportunities for offering advice including Councillors
- National resource, "Help is at Hand", had been sent to all GP surgeries
- When there had been a self-harm incident/suspected suicide within a school and the Community Response Plan activated, partners had worked together very effectively and a multi-agency meeting held. The feedback from the schools involved had been really appreciative and they had felt fully supported and equipped to deal with the incident

Resolved:- (1) That the actions taken by the Rotherham Suicide Prevention and Self Harm Group be noted.

(2) That the Office of National Statistics data on suicides and undetermined deaths from 2009-2014 be noted.

(3) That the recommendations for future activity be endorsed.

(4) That the Suicide and Self-Harm Community Response Plan be included on the agenda for the next available Head Teachers' meeting.

(5) That discussion take place on promotion of the training available to employers with a report back to the next Board meeting.

(6) That an All Member seminar be held on Mental Health.

38. CQC INSPECTION ACTION PLAN FOR ROTHERHAM NHS FOUNDATION TRUST

Tracey McErlain-Burns, Chief Nurse, gave a powerpoint presentation on the CQC Improvement Plan as follows:-

Inspection Ratings

- Overall rating – requirements improvement
- Safe – requires improvement
- Effective – requires improvement
- Caring – good
- Responsive – requires improvement
- Well-led – requires improvement
- Overview of ratings:-
 - 26 Good
 - 33 Requires improvement
 - 5 Inadequate

Detailing ratings: Core Service Level

- Community Care Services
 - Community Health Services for Adults – overall requires improvement
 - Community Health Services for Children, Young People and Families – overall requires improvement
 - Community End of Life Care – Overall requires improvement
 - Community Dental Services – overall good
 - Community Health Inpatient Services – overall requires improvement
- Acute Core Services
 - Urgent and Emergency Services – overall requirements improvement
 - Medical Care – overall requires improvement
 - Surgery – overall requires improvement
 - Critical Care – overall requirement
 - Maternity and Gynaecology – overall requires improvement
 - Services for Children and Young People – overall inadequate
 - End of Life Care – overall good
 - Outpatients and Diagnostic Imaging – overall good

Improvement Action Plan

- Approved at Board of Directors in July 2015
- ‘Must Do’ actions from Requirement Notices
- ‘Should Do’ actions as advised by the CQC
- 17 ‘Must Do’ sections with 101 actions
- 12 ‘Should Do’ actions with 126 actions
- Each section has an Executive Lead and an Operational Lead responsible for delivering all actions in that section
- A Corporate Committee has oversight of all sections of the action plan

JSNA and CQC actions

- Starting Well
 - M7: Children’s Environments
 - M13: Infection Control in short break service
 - M14: medicines Management in short break service
- Developing Well
 - M15: Liaison between Contraception and Sexual Health Service and School Nursing Service

- Living and Working Well
M5: Elimination of Mixed Sex Accommodation
- Ageing Well
M2: Mental Capacity Act and Deprivation of Liberty Safeguards
M4: Do not attempt cardio-pulmonary resuscitation

Reporting Arrangements

- Monthly monitoring of all actions
- Updates against actions and evidence of completion of actions required from all Operational Leads monthly
- Board of Directors receives a monthly exception report of progress
- Corporate Committees monitor the progress against the sections for which they have oversight, escalating when required
- Progress is also tracked at the monthly Divisional Performance Meetings
- Weekly steering group meetings attended by all Operational Leads designed to assure the evidence of completion of actions and test that the outcome descriptors have been achieved
- Monthly progress updates on internet and intranet

Preparing for Re-inspection

- Mock inspections: 1 completed in November, another shortly
- 2 page staff briefings: pre-inspection briefings evaluated well so have been reintroduced highlighting the progress made since February 2015
- Challenging available evidence: via mock inspections, dip samples and the weekly steering group meetings
- Ensuring that completed actions deliver the outcomes required by CQC: via 1-2-1 meetings with Chief Nurse, mock inspections and dip samples
- Raising awareness: targeted communications campaign ensuring staff are mindful that CQC could re-inspect at any time

Discussion ensued on the presentation with the following issues raised/clarified:-

- The Trust overall faced capacity issues. There were shortages in certain occupation groups and a particular expertise set to lead the change that was expected
- Additional financial resources were being sought but the Trust was very committed and continually using innovative ways of working
- Volunteers from outside of the organisation were drawn upon for the mock inspections

Kathryn Singh, RDaSH, reported that the draft CQC report had been received. Due to the CQC's new working practice, the report would become a public document before the Quality Summit was held and an action plan produced. All partners would be briefed in advance.

Resolved:- (1) That the CQC Inspection Action Plan for the Rotherham NHS Foundation Trust be noted.

(2) That an update be submitted in 6 months dependent upon the timing of the re-inspection.

39. ADULT SOCIAL CARE VISION AND STRATEGY

Professor Graeme Betts, Interim Director of Adult Services, gave a presentation on the Vision and Strategy for Adult Social Care in Rotherham.

Adult Social Care

- Provision of Social Care for adults had undergone enormous change over the past generation with the pace of change accelerating over recent years as the demand for more personalised services continued to grow and traditional models of care seem to be outdated
- The approach was increasingly based on an asset model i.e. identifying with the person what they could do, what they had, who they knew and which community groups they were linked into, what their family and friends could do as carers and what the wider communities could offer
- Improving the help and support for individuals who needed it at any specific time benefited the whole community as they were likely to be family and friends of people requiring support or who may come to need it
- The changes had been reinforced by the introduction of the Care Act. There had been an increasing development of care based on a personalised model with people enabled to live in their own homes and to access services, facilities and buildings as part of the wider community
- The role of Adult Social Care had accordingly had to change and develop a strong partnership and influencing role.

Vision

- The ambition in Rotherham was that adults with disabilities, older people and their carers were supported to be independent and resilient with the desired outcomes, that they lived good quality lives and their health and wellbeing was maximised

- It was essential to recognise that during the course of someone's life there may be times when they required support and care and health services needed to be prepared to intervene on those occasions
- The aim should be to intervene appropriately to provide minimal support to enable the client to maintain their independence.

Strategy

- In order to achieve the vision it was fundamental that a network of support be created including Council services, health services, private and third sector services and voluntary, community and faith groups, as well as friends, family and neighbours
- Must recognise that the network of community resources needed development and investment and best delivered through a partnership with the third sector
- Need to ensure that there was a "front door" which listened and addressed what people were requesting in a way which would support them to take control of the situation for themselves e.g. provision of information/advice, equipment or undertaking of a self-assessment
- Aim of assessment to support the client to develop a solution which maximised them taking control and minimised interventions from the formal care sector
- Focus on building prevention, rehabilitation and enablement throughout the system as well as one-off interventions such as telecare to give people back control and independence
- Develop alternatives to traditional services e.g. promotion of Shared Lives, supported living, extracare schemes, homes suitable for older people, key ring schemes
- Seek to minimise the use of residential and nursing care whilst recognising that there was a place for it in a care and health economy
- Promote personalised services as alternatives to day services
- Promote the development of integrated commissioning and delivery of services
- Wide range of preventative services to reduce the need for intensive services plus investment in extra care and shared lives

Delivering the Strategy

- Need for a series of inter-related commissioning strategies to be developed involving Council services (especially Adults, Children's, Housing as well as Community Development and Community Safety), Health Services and other organisations where appropriate such as the Police
- The Health and Wellbeing and Adult Safeguarding Boards would own the Strategy and delivered through a range of Boards and groups
- The Department of Adult Social Services, as Statutory Office, would have responsibility for developing the Strategy and ensuring its delivery

Discussion ensued on the report with the following issues raised/clarified:-

- No decision had been made as yet but exploring different options for the service transformation
- The move to a locality model had started 18 months ago. Work was taking place with RDaSH who were configuring with the localities work
- There were 7/8 localities
- Role of the Safeguarding Adults Board to be extended

Resolved:- That the report be noted.

40. DATE, TIME AND VENUE OF THE NEXT MEETING

Resolved:- That a further meeting be held on Wednesday, 13th January, 2016, commencing at 2.00 p.m. at Oak House, Bramley.

PLANNING BOARD
10th December, 2015

Present:- Councillor Atkin (in the Chair); Councillors Astbury, Cutts, Godfrey, Middleton, Pickering, Roche, Sims, Smith, R.A.J. Turner and Whysall, with Councillor Khan (as substitute for Councillor Yasseen).

Apologies for absence were received from Councillors Lelliott, Tweed and Yasseen.

61. DECLARATIONS OF INTEREST

Councillor Pickering declared a personal interest in application RB2014/0165 (Erection of 75 No. dwellinghouses with associated parking and landscaping at land between Oldgate Lane / Doncaster Road, Thrybergh for Keepmoat Homes (Yorkshire) because he is a member of the Dalton Parish Council which will benefit from the agreement proposed to be made under Section 106 of the Town and Country Planning Act 1990 as part of any grant of planning permission. Councillor Pickering left the room and took no part in the Planning Board's consideration of the matter at this meeting.

62. MINUTES OF THE PREVIOUS MEETING HELD ON 19TH NOVEMBER 2015

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

63. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

64. 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 75 No. dwellinghouses with associated parking and landscaping at land between Oldgate Lane and Doncaster Road, Thrybergh for Keepmoat Homes (Yorkshire) (RB2014/0165)

Mr. J. Moran (on behalf of the applicant Company)

PLANNING BOARD - 10/12/15

- Outline application for a single storey dwelling, including details of scale at land adjacent 2 Worksop Road Woodsetts for Paul Beighton Auctioneers (RB2015/1229)

Councillor C. Jepson (Ward Councillor, speaking on behalf of Woodsetts Parish Council who are objecting to the application)

Application to remove condition 10 (no right turn into and out of the site) imposed by application RB2014/1703 (details of the erection of 9 No. dwellinghouses and formation of access road) at The Croft, Worksop Road, South Anston for Firsure Ltd and Framecourt Ltd. (RB2015/1383)

Councillor C. Jepson (Ward Councillor, objecting to the application)
Letters of objection read out on behalf of Mr. C. Butterworth and also a resident of Yeoman's Way.

(2) That applications RB2015/0655, RB2015/1208, RB2015/1229, RB2015/1275, RB2015/1383 and RB2015/1391 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 RB2014/0165, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing:-

- the transfer of 15 No. dwellings to the Borough Council as 'affordable homes';

- a financial contribution of £39,491.25 towards the provision of annual (12 months) travel master passes for all dwellings commencing upon first occupation; and

- a financial contribution of £5,508.75 towards the improvement to existing public open greenspace within Dalton.

(b) That, consequent upon the satisfactory signing of the Section 106 Legal Agreement, planning permission be granted subject to the conditions set out in the submitted report and to the following additional condition (new condition 08), with subsequent conditions renumbered and an additional Informative 7 that relates to new condition 08:-

New Condition 08:

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent legislation which involves an amendment to or replacement of that Order, no works or operations shall take place in connection with the development hereby approved until a construction / traffic management plan specifying detailed arrangements for the management of the site have been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be

implemented and shall be kept in place, operated and adhered to at all time until the development is completed.

Reason

In the interests of highway safety.

Additional Informative 7:

07

The applicant's attention is drawn to the fact that in complying with condition 08 that the 'construction plan' shall incorporate (but not exclusively) the following details:

- i) full details of the contractor's means of access to the site.
- ii) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- vi) temporary warning and direction signing on the approaches to the site;
- vii) the completion of a dilapidation survey addressing Oldgate Lane and Cross Street.
- viii) a transportation strategy setting out calculations as to the volume of excavation arisings, maximum daily Heavy Goods Vehicle movements, anticipated haulage routes, and site access provisions in relation to implementing proposed site levels and the cut-fill balance.
- ix) details of the mitigation which will be put in place to minimise adverse environmental impacts associated with the implementation of the site groundworks and transportation of materials (ie: dust, noise, vibration and the deposition of mud on the road).

(4) That application RB2015/1180 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also to the amendments to certain conditions, as detailed below:-

(a) the wording of conditions 03, 04 and 13 shall be amended by the deletion of the words "Prior to the commencement of development hereby approved" and the substitution therefor of the words "Prior to the construction of the building".

(b) the deletion of condition and reason number 11 and the consequent re-numbering of conditions and reasons.

(Councillor Pickering declared a personal interest in application RB2014/0165 (Erection of 75 No. dwellinghouses with associated parking and landscaping at land between Oldgate Lane / Doncaster Road, Thrybergh for Keepmoat Homes (Yorkshire) because he is a member of

the Dalton Parish Council which will benefit from the agreement proposed to be made under Section 106 of the Town and Country Planning Act 1990 as part of any grant of planning permission. Councillor Pickering left the room and took no part in the Planning Board's consideration of the matter at this meeting)

65. VARIATION TO THE SECTION 106 AGREEMENT ATTACHED TO RB2008/1372 TO VARY THE CLAUSES WITHIN THE AGREEMENT THAT REQUIRE HARWORTH ESTATES TO PROVIDE LAND FOR A PARK AND RIDE FACILITY AT WAVERLEY NEW COMMUNITY (RB2015/1380)

Consideration was given to a report of the Director of Planning, Regeneration and Culture concerning the above application to vary the agreement, made under Section 106 of the Town and Country Planning Act 1990 (as amended), in respect of the Waverley New Community.

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

(2) That, in respect of this planning permission, the Council enter into a revised agreement with the developer under Section 106 and 106A (1) (a) of the Town and Country Planning Act 1990 (as amended) for the purposes of removing the obligation to provide land for the purposes of the Park and Ride facility, Transport Interchange and associated infrastructure.

66. PROPOSED TREE PRESERVATION ORDER NO. 3 2015 - LAND AT WELL LANE, WHISTON

Consideration was given to a report of the Director of Planning, Regeneration and Culture concerning the proposed confirmation and modification of Tree Preservation Order No. 3 (2015) on land at Well Lane, Whiston. The modification would exclude tree T1 (a Silver Birch) from the Order, because that tree is situated within 6 metres of a main sewer. The Order would consequently affect only the two trees being retained, both of which are Sycamore trees.

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

(2) That the serving of Tree Preservation Order No. 3 (2015) with modification to the site location plan and schedule to exclude tree T1 (Silver Birch) from the Order, at land at Well Lane, Whiston, under Sections 198 and 201 of the Town and Country Planning Act 1990, be confirmed.

67. UPDATES

(1) Members were reminded of the arrangements for a training session about planning and development issues, to be held at the Town Hall, Rotherham during the afternoon of Thursday, 10th December 2015.

(2) A report on the Government's consultation about the Planning and Housing Bill (House of Commons, 13 October, 2015) will be submitted for consideration by Elected Members during January, 2016. The Bill proposes to make provision about housing, estate agents, rent charges, planning and compulsory purchase.

PLANNING BOARD
7th January, 2016

Present:- Councillor Atkin (in the Chair); Councillors Cutts, Godfrey, Middleton, Pickering, R.A.J. Turner and Tweed, together with Councillors Khan and Sansome (as substitutes for Councillors Yasseen and Roche respectively).

Apologies for absence were received from Councillors Astbury, Lelliott, Roche, Sims, Smith, Whysall and Yasseen.

68. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

69. MINUTES OF THE PREVIOUS MEETING HELD ON 10TH DECEMBER 2015

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 10th December, 2015, be approved as a correct record for signature by the Chairman.

70. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

71. 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:-

- Change of use of former library, former Council offices and erection of a three storey building to form a residential institution (Use Class C2) at Rawmarsh Branch Library/RMBC Council Offices, Rawmarsh Hill, Parkgate for Action Housing (RB2015/1169)

Mr. D. Palmer (on behalf of the applicant Company)

Councillor C. Vines (Ward Councillor, on behalf of local residents, objecting to the location of this development)

Mrs. T. Uttley (objector)

Mrs. L. Leech (objector)

(2) That applications RB2015/1169 and RB2015/1408 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3) That it be noted that application RB2015/0012 has been withdrawn by the applicant.

72. COURTESY CONSULTATION FROM SHEFFIELD CITY COUNCIL - ERECTION OF A MOTORWAY SERVICE AREA AT SMITHY WOOD, COWLEY HILL (ADJOINING JUNCTION 35 OF M1 MOTORWAY), CHAPELTOWN, SHEFFIELD (RB2015/1379)

The Director of Planning, Regeneration and Culture submitted a report concerning the courtesy consultation from Sheffield City Council in respect of the application for planning permission for the erection of a motorway service area including proposed facilities building, hotel, filling station, parking facilities for all vehicles, access and circulation internal roads, structured and natural landscaping with outside picnic space and dog walking area, associated infrastructure and earthworks (Town and Country Planning (Environmental Impact Assessment) Regulations 2011 Schedule 2 proposal) at Smithy Wood, Cowley Hill (adjoining Junction 35 of M1 Motorway), Chapeltown, Sheffield for the Extra Motorway Service Area Group.

Members noted that this matter has been deferred, pending the receipt of additional information from the applicant company and a further report will be submitted to a future meeting of the Planning Board.

73. PROPOSED TREE PRESERVATION ORDER NO. 2 (2015) AT LAND AT 16 TURNER LANE, WHISTON

Consideration was given to a report of the Director of Planning, Regeneration and Culture stating that an Order was made in June, 2015 (Tree Preservation Order No. 2, 2015) for the protection of a Silver Birch tree, situated on land at 16 Turner Lane, Whiston, within the Whiston Conservation Area.

The report stated that, in April 2015, an application (reference RB2015/0505) had been submitted to fell the Silver Birch tree. After assessment, the Council's Tree Services Manager concluded that the tree met the requirements for protection by a new Tree Preservation Order and that Order was made in June 2015.

The submitted report contained both the objection received to the making of this Tree Preservation Order, as well as the comments of the Council's Tree Services Manager, prepared in response to the objection. The report concluded that, after due consideration, no evidence had been provided to substantiate the reasons not to confirm the Order and that the Order had been made in accordance with Government guidelines. For these reasons the Order was recommended for confirmation without modification.

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

(2) That the Planning Board confirms Tree Preservation Order No. 2 (2015) without modification, at land at 16 Turner Lane, Whiston, under the provisions of Sections 198 and 201 of the Town and Country Planning Act 1990.

74. UPDATES

(1) Members were reminded of the arrangements for a training session about planning and development issues, to be held at the Town Hall, Rotherham on Thursday afternoon, 18th February 2016.

(2) Members received information about the process for the making of Tree Preservation Orders (TPO). The presentation included details of TEMPO (Tree Evaluation Method for Preservation Orders), the evaluation method used by many Local Planning Authorities for assessing the suitability of trees for a Tree Preservation Order.

STAFFING COMMITTEE
Monday, 18th January, 2016

Present:- Councillor Watson (in the Chair); Commissioner Sir Derek Myers, Councillors Alam, Read and C. Vines.

17. CHILDREN AND YOUNG PEOPLE'S SERVICES SENIOR MANAGEMENT

Consideration was given to the report presented by Simon Cooper, H.R. Manager, and Ian Thomas, Strategic Director of Children and Young People's Services, which detailed the proposal to delete a post of Assistant Director and replace with a Deputy Director post which would have a broader remit and Deputising function for the Strategic Director. This would enhance senior management capacity in the service.

Recent recruitment activity for senior managers identified the challenge of recruiting suitably qualified and talented individuals in this specialist and critical area.

The appendix to the report illustrated benchmarking of salaries for appointments in Children's Social Care. In light of salaries currently being offered at this most senior level and in order to attract suitably qualified and experienced candidates it was proposed that a salary level of £120k be offered for the new role and for the Assistant Director post to be deleted in an effort to attract candidates who were suitably qualified and experienced.

Commissioner Sir Derek Myers was in agreement with the establishment of this new position to assist in the long term sustainability of Children's Services.

Recommended:- That the creation of a new Deputy Director post in Children and Young People's Services at the proposed level of £120k be approved.

18. VOLUNTARY SEVERANCE UPDATE 2016

Consideration was given to the report presented by Simon Cooper, H.R. Manager, which provided an update to the voluntary severance scheme where it had been agreed to provide employees with a time limited opportunity to apply for voluntary severance in order to help the Council towards addressing the £41m funding gap it was facing over the next three years.

In terms of the overall position and the potential for compulsory redundancy every employment opportunity was being explored to keep the reductions to a minimum, but this could not be guaranteed.

Resolved:- That the position following the recent opportunity for employees to apply for voluntary severance be noted.