

CABINET AND COMMISSIONERS' DECISION MAKING MEETING
Monday, 11th July, 2016

Present:- Councillor Read (in the Chair); Councillors Alam, Beck, Hoddinott, Lelliott, Roche, Watson and Yasseen.

Also in attendance were Commissioners Bradwell, Kenny and Myers. Councillor Steele (Chair of Overview and Scrutiny Management Board was also in attendance)

An apology for absence was received from Commissioner Ney.

29. DECLARATIONS OF INTEREST

There were no declarations of interest from Commissioners or Cabinet Members.

30. QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public directed a question to Commissioner Myers in respect of virtual meetings for the purpose of decision making by the Commissioners and why the decisions taken by Commissioners Kenny and Myers in May 2016 had been considered to be urgent.

In response, Commissioner Myers indicated that he did not recognise the term 'virtual meeting' and referred to the two parallel systems of decision making that were in place at the Council following the appointment of Commissioners and the return of some executive powers in February 2016. The Commissioners were not subject to the provisions of the Council's Constitution, whereas the Cabinet, when exercising its executive decision making powers, would be required to operate within the constitutional framework.

The member of the public asked a supplementary question of Commissioner Myers in respect of whether he had received advice from the former Monitoring Officer of the Council regarding decision making by Commissioners.

In response, Commissioners Myers reiterated his previous responses to the question which had been aired at the previous two Cabinet and Commissioners' Decision Making Meetings. He further explained that when the Commissioners arrived in Rotherham it was necessary to establish protocols to discharge their responsibilities and those protocols had been approved by the former Monitoring Officer, who had accepted and understood that Commissioners operated outside of the Council's Constitution.

31. MINUTES OF THE PREVIOUS MEETINGS HELD ON 26 MAY 2016 AND 6 JUNE 2016

RESOLVED:

That the minutes of the Cabinet and Commissioners' Decision Making Meetings held on 26 May 2016 and 6 June 2016 be agreed as true and correct records of the proceedings.

32. RECOMMENDATION TO RELOCATE THE INTERMEDIATE CARE PROVISION AT NETHERFIELD COURT

Consideration was given to a report which sought to absorb the intermediate care provision provided at Netherfield Court into Lord Hardy Court and Lord Davies Court and to consequently decommission Netherfield Court.

It was reported that on 14 March 2016 authorisation was given to commence consultation on a proposal to absorb the intermediate care provision currently provided at Netherfield Court into Lord Hardy Court and Davies Court. The proposal had estimated that £312,398 would be generated in service efficiencies, as well as allowing better deployment of other intermediate care therapy and social work resources. It was noted that the proposal had further strategic value for the Council as it would prevent the need for investment in Netherfield Court which was an ageing building.

It was noted that the consultation process had included affected staff, partners in the Rotherham Foundation NHS Trust and the Rotherham Clinical Commissioning Group. Feedback from the consultation had highlighted the positive service at Netherfield Court and a need to ensure that the same or enhanced quality intermediate care services could be provided from the alternative locations. Overall, the consultation had not raised any issues which would change the recommendation to relocate the provision.

It was noted that the Overview and Scrutiny Management Board had asked that consultation take place with the Carer's Forum and Healthwatch in addition to staff and health partners. It had also commented that future consultations should, as a matter of course, involve professional bodies where changes are made to services with client users. The Overview and Scrutiny Management Board also requested that an update be provided to the Health Select Commission three months after implementation.

Commissioner Myers agreed:

1. That the intermediate care provision at Netherfield Court be absorbed into Lord Hardy Court and Davies Court.

2. That Netherfield Court be decommissioned in line with the agreed Council protocol.

33. COMMISSIONING AND PROCUREMENT OF ADVOCACY SERVICES 2016 - TENDER UPDATE

Consideration was given to a report which sought approval to award the statutory and generic advocacy contracts to bidders that achieved the most marks in respect of quality and price.

It was reported that arrangements to secure both statutory and general advocacy services for adults in Rotherham were complex and the reviews of advocacy services in 2015 had resulted in a revised service delivery model, which would increase capacity and capability and achieve a more streamlined service.

It was noted that the new arrangements would secure statutory advocacy inclusive of independent Care Act Advocacy, Independent Mental Capacity Advocacy and Independent Mental Health Advocacy with all statutory advocacy types under one contract. It was further noted that general or generic advocacy would be secured in separate contract arrangements.

It was reported that approval to award the statutory and generic advocacy contracts to successful bidders would be required to ensure that new advocacy services could be mobilised in a timely manner. The transition point where incumbent providers cease to provide the existing service and when the new services commence would occur on 1 September 2016.

Commissioner Myers agreed:

1. That the report be noted.
2. That contract for statutory advocacy and generic advocacy be awarded to Cloverleaf Advocacy.

34. CHILDREN & YOUNG PEOPLE'S SERVICES (CYPS) 2015/2016 YEAR END PERFORMANCE

Consideration was given to a report which provided a summary of performance under key themes for Children's Social Care Services at the end of the 2015/16 reporting year.

The following examples of good and improved performance from the previous 12 months were reported:

- Multi-Agency Safeguarding Hub (MASH) response rates were high: 96.5% at contact and 92.8% for referrals received in the full year
- The assessment backlog of 313 had been eradicated and at year

end there were no open assessments over 45 days

- Assessments completed in 45 working days improved from 70.1% in 2014/15 to 92.8% in 2015/16, with in-month performance reaching 98.4%.
- Children in Need (CIN) with up-to-date plans improved from 65.1% in 2014/15 to 98.6% in 2015/16.
- In month data for up-to-date Child Protection Plans (CPPs) is regularly above 98% and at year end was 100%
- Percentage of Initial Child Protection Conferences within 15 working days had improved from 65% in 2014/15 to 88.3% for 2015/16.
- A review of all long term CPPs had reduced the percentage open for two years from 4.2% in 2014/15 to 0.8% in 2015/16.
- A reconfiguration of services had increased management oversight and ensured that caseloads were consistently at manageable levels for workers across the service
- The performance of Looked After Children (LAC) visits over the year against national minimum standards was 96.5%, however against the very aspirational local 28 day target of 90% performance at 80.2% needed to improve
- The new national measure relating to days between 'becoming LAC and adoption placement (A1) is performing significantly better than the government benchmark with a reduction from an average of 661 days in 2013/14 to 338.5 in 2015/16
- The number of Care Leavers with an up to date Pathway Plan had increased by nearly 20% to 97.5%
- Although further improvement work would be required on Health and Dental assessments, performance compared to the previous year had improved considerably. Health had improved to 92.8% compared to the previous year's 81.4% and Dental was at 94.5% compared to 58.8%
- There had been good improvement within the year with 97.8% of LAC having a Personal Education Plan in place compared to 68.7% at the end of March 2015. 95% had a plan in place which was less than six months old compared to 76% in March 2015.
- The work of The Evolve Team (CSE) was consistently of a high quality with audit outcomes being assessed as good or better and with 100% visits undertaken.

A number of key areas for further improvement were also identified as follows:

- The number of Section 47 investigations was high and was the subject of an intensive review at the time of writing the report.
- The re-referral rate to social care at 27.9% for March and 30.9% for the entire year was high compared to statistical neighbours and national benchmarking data.
- The timeliness of LAC reviews for the year was 83.3%, which represented a drop on the previous year's position of 94.9% , and

was due to performance issues earlier in the year.

- Whilst there had been a significant increase in the number of Personal Education Plans during the year, the educational progress of LAC needed to improve significantly.
- The quality of practice was still not consistently good, which had been supported by the results of audit activity, which showed 25% of case work meeting the high standard set by the authority.

In reflecting on the report, both Commissioner Bradwell and the Cabinet Member highlighted the dramatic improvement in services during the last year, but also referred to the need to continue to improve. I

Commissioner Bradwell agreed:

1. That the report and accompanying dataset in respect of the 2015/16 year end performance of Children and Young People's Services be noted.
2. That the work of staff in Children and Young People's Services to improve performance and services be acknowledged.

35. FOSTER CARERS PAYMENT FOR SKILLS SCHEME

Consideration was given to a report which sought approval to commence consultation with existing foster carers in order to prepare a new payment scheme for Rotherham foster carers.

It was reported that the borough had a shortage of all foster care placements, but particularly foster care placements for adolescents. Increasing the number of in-house foster carers would be critical to ensure that Rotherham:

- had a range of suitable placements available to meet current and future placement needs
- was able to reduce overall placement costs and avoid more expensive Independent Fostering Agency (IFA) and out of borough residential placements
- was able to meet the needs of individual children and young people in our care by creating stable, secure and high quality family placements
- supported children and young people in our care to maintain contact with birth families, essential services and their local community

A new payment scheme, co-produced with foster carers, would be an important aspect of the Sufficiency Strategy and would help to modernise and transform the fostering service so that it would be fit for purpose and able to attract and maintain sufficient foster carers to meet the needs of local children and young people in care.

Commissioner Bradwell agreed:

1. That officers undertake a formal consultation for a period of six weeks with foster carers regarding the rationale and options for a revised scheme, with a view to that scheme being implemented in October 2016.
2. That a further report be submitted detailing the outcome of the consultation with a view to determining the proposed new scheme in September 2016.

36. ROTHERHAM TOWN CENTRE MASTERPLAN

Consideration was given to a report which sought approval to tender and procure a spatial masterplan for Rotherham town centre.

It was reported that the masterplan proposal would build upon and have a broader brief than the supplementary planning document for the town centre. It would identify the key development sites in the town centre core and adjoining areas and would focus far more on the delivery options for each of the key sites and identify funding and likely delivery options. The brief would also focus on transport issues in more detail, including the preparation of a car parking strategy for the town.

The updated Masterplan would be a forward looking document that would underpin the Council's future vision for the wider town centre, identifying new threats and opportunities, strengths and weaknesses. It would be an important tool in marketing the wider town centre to potential investors and to encourage further regeneration and improvement.

It was noted that the recommended approach would be achieved through a masterplanning process that would allow all of the regeneration opportunities to be looked at in a holistic manner, to allow the clear articulation of what could be delivered, when it could be delivered and how it could be funded.

Commissioner Kenny agreed:

That officers be authorised to seek the services of appropriately qualified professionals to prepare a town centre masterplan for Rotherham.

37. RATIONALISATION OF PROPERTY ASSETS - SCHEDULE OF PROPERTY DISPOSALS

Consideration was given to a report which sought approval to dispose of a schedule of three low value assets in the borough.

It was reported that land located off Milton Street and Fitzwilliam Street in Swinton could be disposed of on the open market via auction sale, which

would produce a de-minimus capital receipt. It was also reported that the land located to the rear of 17 East Avenue, Swinton and land located to the rear of 23 Valle Road, Swinton could be disposed through private treaty sales to the adjoining owners of both parcels of land, which would produce two de-minimus capital receipts.

Commissioner Kenny agreed:

1. That the Assistant Director of Planning, Regeneration and Transport be authorised to dispose of the assets as detailed within the report.
2. That authority be delegated to the Assistant Director of Planning, Regeneration and Transport to negotiate the terms of the disposal of the assets, as detailed within the report.
3. That authority be delegated to the Assistant Director of Legal Services to complete the necessary documentation for the disposal of the assets.

38. PROPERTY LEASE FOR THE ASPIRE PUPIL REFERRAL UNIT (PRU)

Consideration was given to a report which sought approval for the Council to take on a new lease of the premises at Hutton Park Vocational Centre on Eastwood Trading Estate to enable the transfer of Aspire secondary Pupil Referral Unit (PRU) from the existing premises at Catcliffe.

It was reported that the secondary PRU on the Catcliffe Primary School site was causing some friction in the local community due to its locality adjacent to the primary school. Aspire had identified an alternative unit at Hutton Park Vocational Centre on the Eastwood Trading Estate that was considered to be an excellent facility, which was on a main bus route which would allow for the independent travel of young people.

It was noted that consultation had begun on 16 June 2016 for a four-week period with relevant interested parties, including parents of young people at Catcliffe PRU site and Catcliffe Primary School, ward councillors and other key stakeholders.

Commissioner Kenny agreed:

That the following recommendations be agreed in principle, subject to the outcome of the consultation with interested parties which was due to end on 14 July 2016:

1. The proposal of a new lease to Rotherham Borough Council to allow the transfer of the PRU from the Catcliffe site.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate terms of the lease with the

landlord of Hutton Park.

3. That the Assistant Director of Legal Services be authorised to complete the necessary documentation following the outcome of the consultation exercise related to the Department of Education Guidance (April 2016) and negotiation of the lease.

39. TRANSFER OF TRUSTEESHIP OF SWINTON RECREATION GROUND

Consideration was given to a report which sought approval to transfer the trusteeship of the Swinton Recreation Ground from the Council to Swinton Sports and Health Group.

It was reported that the Swinton Sports and Health Group had requested an asset transfer of Swinton Recreation Ground to allow them to apply for funding to improve the site for recreation for local people. This had not been possible under the Community Asset Transfer arrangements due to the site being held in trust by the Council, rather than the Council owning the freehold.

It was noted that the Colliery Industry Social Welfare Organisation (CISWO) had certain legal responsibilities relating to recreational charities across the UK, including Swinton Recreation Ground. Following receipt of legal advice, CISWO had indicated that it would support an application to transfer trusteeship to a local body such as the Swinton Sports and Health Group.

It was further reported that the transfer of the asset would remove any future Council liability for the site, whilst it would remain available for local people to use for formal and informal recreation in line with the governing principles for the site.

It was recommended that the site be transferred as it would assist in the long term viability of the recreation round and potentially allow for future grant opportunities, whilst protecting the Council against any future maintenance liabilities for the area of land.

Commissioner Kenny agreed:

1. That the trusteeship of the Swinton Recreation Ground be transferred to Swinton Sports and Health Group, including the transfer of all fixed assets within the site.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the terms of the transfer.
3. That the Assistant Director of Legal Services be authorised to complete the necessary transfer documentation.

40. ADOPTION OF ROTHERHAM TOWN CENTRE SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to a report which summarised the results of the public consultation undertaken on the draft Rotherham Town Centre Supplementary Planning Document and recommended the adoption of the final document.

It was reported that the preparation of and consultation on the SPD had to be undertaken in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. Before the local planning authority could adopt the SPD it must undertake public consultation for not less than four weeks. The draft SPD was endorsed for public consultation by Commissioner Kenny on 14 March 2016 and the period of consultation ran from 18 April to 16 May 2016.

It was further reported that the consultation processes were welcomed and a number of suggestions had been received which would help to improve the accuracy and clarity of the document.

Commissioner Kenny agreed:

1. That the results of the public consultation on the draft Rotherham Town Centre Supplementary Planning Document be noted.
2. That the Rotherham Town Centre Supplementary Planning Document be approved and adopted.

41. IMPLEMENTATION OF THE SHEFFIELD CITY REGION DEVOLUTION DEAL AND SCHEME CONSULTATION

Consideration was given to a report which provided an update on the implementation of the Sheffield City Region Devolution Deal and Scheme consultation.

It was reported that at a meeting on 27 June 2016, the Combined Authority had given approval to commence a statutory consultation process in respect of the Scheme to progress the devolution deal and an associated Governance Review that had been undertaken by the Sheffield City Region.

It was noted that the Scheme has set out the way in which a new Mayoral Combined Authority would operate in terms of its additional powers and functions and related changes in governance. The Scheme identified those functions which would be the responsibility of the City Region Mayor alone and those functions which would be discharged by the Combined Authority.

The need to undertake consultation was a statutory requirement in connection to the proposals contained within the Scheme and had been

designed to secure extensive opportunities for interested persons across the City Region to consider and respond to the proposals within the Scheme. There would be targeted activity within borough and the consultation was expected to commence shortly after the Combined Authority gave approval.

Resolved:

1. That the approval of the scheme to progress the implementation of the Sheffield City Region (SCR) Devolution Deal be noted.
2. That the proposal for the statutory consultation exercise, led by the SCR, in relation to the Scheme, including events and activity within the Rotherham Borough, be noted.

42. PHASE TWO RMBC CORPORATE IMPROVEMENT PLAN

Consideration was given to a report which sought endorsement of Phase Two of the Corporate Improvement Plan.

It was reported that there had been a requirement for the Commissioners to agree an improvement plan with Government within three months of their appointment. This led to the publication of the 'Fresh Start' Corporate Improvement Plan, which covered key improvement priorities for the Council over a two year period from May 2015 to May 2017. This Plan was endorsed by Council on 22nd May 2015, prior to its formal submission to Secretaries of State on 26th May 2015.

The Fresh Start Plan was divided into two phases, the first to May 2016, focusing on establishing the core building blocks of an effective local authority. There were a total of 132 identified actions within this first phase, the delivery of which was overseen by a Joint Board of Commissioners and Elected Members. The second phase, from May 2016, focuses on embedding strong leadership and a new culture "where the improvements made are embedded via revitalised political and managerial leadership which can deliver an aspirational and inspirational vision for a better Rotherham".

It was noted that a draft set of Phase Two objectives and actions were considered at the Joint Board meeting on 23rd May 2016, which reflected a number of ongoing priority actions, a number of actions in the first phase that had not yet been completed, as well as a re-assessed set of outline Phase Two actions from the original document.

The Joint Board continued to have a role in overseeing the performance and delivery of the Phase Two plan at its monthly meetings, with the Chief Executive, Senior Leadership Team and Assistant Directors collectively responsible for progress reporting to the Board.

Resolved:

That the Phase Two RMBC Corporate Improvement Plan be endorsed.

43. CORPORATE SAFEGUARDING POLICY

Consideration was given to a report which sought formal endorsement of the Corporate Safeguarding Policy for approval by the Council meeting on 13 July 2016.

It was reported that the Corporate Safeguarding Policy was part of a new suite of documents which would underpin the Council's 2016/17 Corporate Plan. The policy set out the Council's commitment to promoting safeguarding across the whole organisation and detailed the roles and responsibilities expected of every employee and specific services, as well as councillors.

It was noted that the policy would act as a resource for all employees working for Council and all councillors; supporting understanding of what safeguarding means and what to do in relation to safeguarding concerns.

It was noted that Overview and Scrutiny Management Board had reviewed the report at its meeting on 1 July 2016 and had recommended that political groups be instructed to mandate their members to undertake relevant training on safeguarding matters.

Resolved:

1. That the Corporate Safeguarding Policy be endorsed and recommended for formal approval by Council on 13 July 2016.
2. That the political groups of the Council be instructed to mandate their Members to undertake relevant training on safeguarding matters (including options for e-learning).

44. DEVELOPMENT OF CHILDREN & YOUNG PEOPLE'S SERVICES MEDIUM TERM FINANCIAL STRATEGY 2016-2021 - UPDATE

Consideration was given to a report which provided an update on the progress being made towards the development of a Medium Term Financial Strategy (MTFS) over the next five years for Children and Young People's Services.

It was reported that the draft MTFS for Children and Young People's Services set out ambitious plans to drive more cost effective practices through service transformation and deliver savings over the lifetime of the plan to March 2021. A programme of change had been developed covering 9 transformational strands which would deliver the benefits and

savings outlined in the MTFS:

- Children's Social Care Improvement
- Social Care Systems Improvement
- LAC Sufficiency Strategy Implementation
- Early Help
- Special Educational Needs and Disabilities
- Sustainable Education and Skills
- Commissioning (improvement through transformation of the market)
- Workforce development and organisational development
- Resource management and savings delivery

It was noted that the Council considered that the overall revenue requirement for Children's Services could be reduced significantly over a five year period, but would require further additional front loaded transformational investment to deliver further significant savings in 2018/19 and 2019/20.

Resolved:

1. That the progress on developing a sustainable Children's Service, as set out in the CYPS Medium Term Financial Strategy 2016-2021, be noted.
2. That the 'critical' review work being undertaken by peers on the robustness of the draft MTFS and the identified investment pressures be noted.
3. That the proposed mechanism for the granting of any additional budgetary investment be noted.
4. That the comprehensive budget review being undertaken by the practice partner, to be reported on in September 2016, be noted.

45. HABERSHON HOUSE RESIDENTIAL & FIELD STUDY CENTRE

Consideration was given to a report which sought to facilitate an asset transfer of Habershon House to a voluntary organisation or consortia of partners to deliver activity that benefits the residents of Rotherham.

It was reported that the Early Help and Family Engagement Service managed two residential centres, Habershon House Residential and Field Study Centre at Filey and Crowden Outdoor Education Centre in Derbyshire. Habershon House Residential and Field Study Centre provided a range of outdoor and indoor educational activities, as well as accommodation on full board or a self-catering option for school and

youth groups, as well as private family hire.

It was noted that the services provided by Habershon House were non-statutory and were not targeted to vulnerable groups. Officers had reached the view that continuing to operate Habershon House Residential and Field Centre was not the most cost effective way of supporting the most vulnerable young people and their families and improving outcomes. It was considered that the private sector was better able to provide residential outdoor education facilities opportunities more affordably and to a higher standard than the Council. Therefore, it was considered that retaining the facility would not offer value for money or be sustainable.

Resolved:

1. That, subject to an agreement being reached by 30 November 2016, an Asset Transfer to a voluntary organisation or consortia of partners to deliver activity that benefits the residents of Rotherham be facilitated, in accordance with Option 3 set out in the paper.
2. That, in the event of no agreement being reached by 30 November 2016, Habershon House Residential and Field Study Centre be sold on the open market, as detailed in Option 1.

46. PROPOSAL TO INCREASE SECONDARY SCHOOL CAPACITY ACROSS THE BOROUGH TO MEET FUTURE INCREASED DEMAND

Consideration was given to a report which sought approval to increase the capacity of secondary schools in the borough to meet future rising cohort numbers.

It was reported that the local authority had a statutory duty to ensure a sufficiency of school places and satisfy parental first preferences as far as possible. Following the expansion of several primary schools within the borough, additional primary phase pupils would eventually add additional pressure to secondary school capacity.

It was recommended that the net capacity at a number of secondary schools be increased on a rolling programme within basic need funding parameters to meet current and future rising cohort demand. This approach would ensure that additional capacity could be provided at the identified schools in a timely and co-ordinated manner.

Resolved:

1. That, in principle, the proposals to increase the capacity at the secondary schools on a rolling programme to meet future rising cohort demand be agreed.

2. That Cabinet received more detailed reports regarding the specific proposals related to each school in due course.

47. PROPOSAL TO COMMENCE PROCEDURES TO ESTABLISH A PRIMARY SCHOOL ON THE WAVERLEY DEVELOPMENT SITE

Consideration was given to a report which provided an update on the educational infrastructure implications of the Waverley development and sought approval to commence procedures to establish a primary school on the site.

It was reported that the Council would need to undertake a series of information sessions for local residents, councillors, parish councils, neighbouring schools and governing bodies and other key stakeholders prior to commencing the process to appoint a preferred Academy/Free School sponsor for the school. A prospectus would need to be developed prior to the selection programme outlining the need for the new school and local community overview following the tried and tested Eastwood Village Primary School model.

It was noted that a panel representing stakeholders would be convened to engage in the identification of a potential sponsor, who would be required to deliver a presentation and answer a series of pre-determined questions focusing on key elements and aspects such as:

- Ethos and partnership working
- Ensuring pupil outcomes
- Inclusion
- Working with the local community

The preferred sponsor option would then be recommended to the Cabinet for approval and would then require ratification by the Department for Education. At that juncture, partnership working with the local authority could be established from the outset of the project in relation to the design, build and establishment of the new school.

Resolved:

That the commencement of procedures to establish a primary school on the Waverley development site be approved.

48. 2015/16 REVENUE, CAPITAL AND PRUDENTIAL INDICATORS OUTTURN

Consideration was given to a report which detailed the unaudited revenue, capital and Housing Revenue Account outturn positions for 2015/16, reviewed treasury management activity during the year and detailed the final 2015/16 Prudential Indicators.

The report outlined that the overall revenue outturn of £0.141m underspend inclusive of the Traded Services balances of £0.589m surplus and the unspent balances of £0.215m. It was reported that this represented a very positive outturn, particularly in the context of the significant investment in Children and Young People's Services whilst implementing significant financial savings across the Council.

It was noted that the Housing Revenue Account had underspent by £7.204m in 2015/16, whilst Schools outturned with a combined balance of £3.722m which would be carried forward to 2016/17 in accordance with regulations from the Department for Education. The Capital Programme outturn showed an underspend of £6.438m against the estimated spend.

Resolved:

1. That the Revenue outturn position of £0.141m underspend be noted.
2. That, in accordance with Council Policy, the carry-forward of Traded Services balances of £0.589m be approved.
3. That the carry-forward of the underspend of £0.215m to meet specific budget requirements and pressures set out in Appendix 3 of the report, be funded from the Transformation Reserve.
4. That the final revenue budget overspend of £0.448m be funded via a transfer from the Transformation Reserve.
5. That the Housing Revenue Account (HRA) outturn of £7.204m underspend be approved and transferred to the HRA Reserve.
6. That the carry-forward to 2016/17 of the combined schools' balance of £3.722m, in accordance with DfE regulations, be noted.
7. That the reserves position be noted.
8. That the final capital expenditure and resourcing position, incorporating expenditure of £81.893m (including £13.683m PFI and Finance Lease liabilities) against a final budget of £76.026m be approved, and the requests to re-profile the relevant scheme budget into 2016/17 be approved.
9. That the outturn Prudential Indicators position be approved.

49. MEDIUM TERM FINANCIAL STRATEGY 2016/17 - 2019/20

Consideration was given to a report which reviewed the Medium Term Financial Strategy 2016/17 to 2019/20 and detailed the developments relating to resource and spending projects since the MTFs was approved in March 2016, as well as the 2017/18 budget process and timetable.

It was noted that work had commenced on updating the MTFs to include the period to 2020 and to reflect recent and ongoing developments in the redesign of the local government finance system and to incorporate additional known budget pressures to identify an updated Funding Gap to be addressed by the Council of at least £42m to 2019/20.

It was proposed that the approach to the budget and identification of future savings would be based on a number of cross cutting themes:

- Driving organisational efficiency and improving value for money
- Building independence and resilience
- Leveraging in resources and income
- Working in different ways for improved outcomes
- Reviewing what the Council delivers in the community

It was further reported that the current resource and expenditure projections and the resulting estimated funding gap were based upon robust and prudent assessments of the future level of resources available to the Council, the cost pressures facing the Council and the factors affecting them. The funding gap outlined represented what was considered the most likely position, but would kept under review and updated as required.

Resolved:

1. That the updated Medium Term Financial Strategy for 2016/17 to 2019/20 be accepted and the contents of the report be noted, in particular the increase in the estimated funding gap for the next three years.
2. That the current uncertainty surrounding future funding streams pending the outcome of a number of Government reviews regarding the redesign of the local government finance system be noted.
3. That the spending pressures not currently included in the forecast be noted.
4. That the development of a three-year Budget based on the 5 strategic and cross-cutting themes be agreed.

50. NEW APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Consideration was given to a report which set out applications made by two registered charitable organisations, Crisis UK and The British Red Cross Society, for the award of a discretionary business rate relief in accordance with the Council's Discretionary Business Rates Relief Policy.

It was reported that given the discretionary nature of the relief requested, the Council had the discretion to either award or not award a discretionary rate relief. Both applications had been considered by officers in line with the qualifying criteria and other considerations set out in Policy. Having considered the financial position of both organisations, it was apparent that they did not require financial assistance and any relief would not be in the best interest of council tax payers and, as such, it was recommended that both organisations were refused such relief.

Resolved:

That the applications for discretionary business rate relief to Crisis UK and British Red Cross Society for the premises listed be refused.

51. CORPORATE FINANCIAL INFORMATION MANAGEMENT SYSTEM - MASTER SERVICES CONTRACT

Consideration was given to a report which sought an exemption from Standing Orders in order to renew a contract for the provision of the Council's Corporate Financial Information Management System.

It was reported that Advanced was the supplier of the Council's Corporate Financial Information Management System consisting of the following suite of integrated solutions:

- General Ledger, Accounts Payable, Purchase-To-Pay, Bank Reconciliation
- Collaborative Planning (Revenue and Capital monitoring)
- Version 1 (Optical Character Recognition and document store – invoices and purchase orders)

In October 2015, former Commissioner Manzie approved an exemption from Standing Order 48 to renew the Master Services contract with Advanced for one year to allow time to investigate and present options for the longer term. A period of soft market testing had concluded that the open marketplace had no appetite to participate in a formal tender process.

It was reported that discussions with Advanced had provided officers with confidence that the terms of the existing contract could be renegotiated to reduce costs and realise additional benefits and would enable the Council to avoid a lengthy and expensive procurement exercise and the cost of a new system.

Resolved:

1. That an exemption from Standing Order 48 be granted and the renewal of the Advanced Master Services Contract for five years be approved.
2. That the Master Services contract termination date be aligned with the co-dependant Managed Service contract with the option to extend both contracts for a further five years, subject to an ongoing VFM best case being presented.
3. That the Assistant Director of Financial Services be authorised to renegotiate the terms and conditions of the Master Services and Managed Services contracts.
4. That an EU VEAT notice be published.

52. REQUEST FOR EXTENSION OF TIMESCALES FOR IMPLEMENTATION OF ADULTS' LIQUIDLOGIC SOCIAL CARE CASE MANAGEMENT SYSTEM AND CAPITALISATION OF ADDITIONAL COSTS

Consideration was given to a report which sought approval of an extension of the proposed implementation date of the Liquidlogic Social Care Case Management System.

In its inspection findings in November 2014, Ofsted identified that Rotherham's social care case management system did not support good practice. In April 2015, a contract for the implementation of a new social care IT system for Children's and Adults' services was awarded to Liquidlogic, following a process of competitive tendering. The contract between Rotherham Metropolitan Borough Council (RMBC) and Liquidlogic was signed on 30th June 2015. A programme plan was developed which included a proposed implementation date of 8th February 2016 for the Children's system, and 12th April 2016 for the Adults' system.

It was recommended that the proposed implementation date be delayed, and set out the resource and budgetary implications of the extension. The extension would be required to enable additional rounds of data migration, allow completion and testing of the interface files required to pay and charge people, provide sufficient timescales to conduct robust testing of the whole solution and ensure that the project would not fail.

Resolved:

1. That a revised implementation date for the new Liquidlogic Adults' social care case management and ContrOCC finance systems of 13th December 2016 be agreed.
2. That an increase of £291,977 to the already approved capital allocation for this project in 2016/17 be agreed and that this be added to the Capital Programme.
3. That Council be recommended to approve an increase in the Capital Programme by £291,977.

53. RMBC CORPORATE EQUALITY AND DIVERSITY POLICY

Consideration was given to a report which sought endorsement of the revised corporate RMBC Equality and Diversity Policy and its recommendation for adoption by the Council.

It was reported that the corporate "Fresh Start" Improvement Plan included specific actions to re-establish a clear vision, values and strategic direction for the entire council in relation to equalities and diversity issues. Phase Two of the Improvement Plan committed the Council to ensuring that the authority's Corporate Equality and Diversity Policy would be reviewed with a new, revised policy in place by July 2016.

It was noted that the policy itself would help to ensure that the Council was compliant with its statutory equalities duties and work on a wider, strategic approach to equality and diversity issues was being developed. It was further noted that responsibility for equalities and diversity issues must not be seen as something that rested only at the corporate centre of the council, but rather should be embedded within all that the Council does, supported through the performance management process.

Resolved:

That the revised corporate RMBC Equality and Diversity Policy be endorsed and recommended for approval by Council on 13 July 2016.

54. INTRODUCTION OF THE NEW TENANCY AGREEMENT FOR ROTHERHAM COUNCIL TENANTS

Consideration was given to a report which sought approval of the new tenancy agreement for Rotherham Council Tenants.

It was reported that the Council, in consultation with its tenants, periodically revises its tenancy agreement to reflect changes in legislation and also adapt to changes in lifestyle and aspirations. The tenancy agreement was previously revised in 2008, at which time operational

management of the council's housing stock was undertaken by 2010 Rotherham Ltd. The housing stock was transferred back to the Council on 1 July 2011, but the current tenancy agreement remained in force throughout that period up to the present date.

It was further reported that the proposed tenancy agreement sought to address recurring operational issues by bringing clarity to the responsibilities of households and introducing a robustness to the operational management of properties and tenants. The revised agreement also dealt with any relevant legislative changes that had occurred since its last review.

Resolved:

1. That approval be given to the new Tenancy Agreement for Rotherham Council Tenants.
2. That the proposed next steps be noted.

55. LITTLE LONDON, MALTBY - NEGOTIATED ACQUISITION PROPOSAL FOR 9 - 55 CHURCHILL AVENUE

Consideration was given to a report which sought approval to acquire, through negotiation with the owner, the 24 long-term empty properties on Churchill Avenue in Maltby.

It was reported that the 'Little London' estate was privately owned with the majority of its 143 households renting privately. The properties on the estate were described as being of non-traditional construction with failing concrete roofs, being hard to heat and had suffered from a lack of investment. Residents and some landlords had pushed for change and had lodged a petition in April 2014 requesting that the Council took action to improve the area, which aligned with the authority's Housing Strategy objective to improve the quality of the private rented sector and bring empty homes back into use.

It was noted that the Council had initiated enforcement activity and community/landlord engagement over the previous two years, but had only had limited success, was resource intensive and was not providing sustainable improvements.

The report recommended negotiated acquisition which would enable the Council to:

- Remove dilapidated housing that was creating blight
- Raise confidence across the area and contribute towards reducing anti-social behaviour and environmental problem

Resolved:

1. That officers be authorised to negotiate with the owner to purchase the 24 properties, 9-55 Churchill Avenue, Maltby.
2. That the Assistant Director of Housing and Neighbourhood Services be authorised to purchase and refurbish the 24 units on Churchill Avenue, Maltby, through Housing Revenue Account (HRA) capital receipts.
3. That, in the event that negotiations are unsuccessful, a further report be submitted to Cabinet outlining the option to acquire the properties by Compulsory Purchase Order (CPO) as a last resort.

56. APPROVAL OF TENDER FOR EXTERNAL WORKS TO THE LANES, HERRINGTHORPE, ROTHERHAM

Consideration was given to a report which sought approval to award a tender for external works at The Lanes in Herringthorpe.

It was noted that there had been a number of problems in respect of the condition of the apartments and buildings at The Lanes and tenders had been sought from suppliers to undertake the external works required to the re-covering of the balconies and the flat roofs.

Detailed price submissions had been invited and evaluated by officers which had identified that the tender from the Hall Construction Group Ltd should be accepted and was recommended for award.

Resolved:

1. That the tender submitted by Hall Construction Group Ltd, dated 24th March 2016, be accepted and approved.
2. That the increase in budget for Communal Works, including fire risk assessment works to allow sufficient funds to undertake the required works be approved.
3. That the reduction in budget for Munsbrough External Scheme, which will fund the additional works and costs on The Lanes, be approved.

57. NEIGHBOURHOOD AREA APPLICATION FROM DINNINGTON ST JOHN'S TOWN COUNCIL

Consideration was given to a report which detailed feedback on the neighbourhood area consultation and recommended approval of the application from Dinnington St. Johns Town Council as a relevant neighbourhood planning body and the designation of the parish as a neighbourhood area.

It was reported that Dinnington St. John's Town Council had applied to the Council to designate the parish as a neighbourhood area under the Localism Act 2011. Consultation on the neighbourhood area application had been undertaken in line with relevant legislation and regulations. It was noted that designation of the neighbourhood area would enable Dinnington St. John's Town Council to prepare a neighbourhood plan for the designated area and that no other parish or town council or neighbourhood forum could complete a neighbourhood plan for the same area.

It was further noted that thirteen responses had been received to the neighbourhood area consultation and all were in favour of the proposed designation.

Resolved:

1. That the results of the public consultation regarding the application for the designation of Dinnington St. John's Parish as a neighbourhood area be noted.
2. That the application from Dinnington St John's Town Council, as a relevant neighbourhood planning body, for the designation of Dinnington St John's Parish as a neighbourhood area be approved and this decision be publicised in line with the regulations.

58. CONTINUATION OF PUBLIC HEALTH SERVICES

Consideration was given to a report which sought an exemption under Standing Orders to tender for public health contracts which were due to expire on 31 March 2017.

It was reported that the contracts which required an exemption and extension were the public health services commissioned from Pharmacists and General Practitioners:

- Pharmacy supervised consumption of drugs prescribed as 'substitute medication' for opiate dependence, which had an annual contract value of circa £185,000
- Pharmacy provision of needles and syringes for use by injecting drug users, which had an annual contract value of circa £45,000
- Pharmacy provision of Emergency Hormonal Contraception, which had an annual contract value of circa £20,000
- GP provision of contraceptive services, Intrauterine Contraceptive Device and sub dermal implants, which had annual contract value of circa £176,000
- GP provision of chlamydia screening, which had an annual contract value of circa £10,000

- GP provision of 'Shared Care' for dependent alcohol and drug patients, the care package being shared between the GP and a consultant psychiatrist, with an annual contract value of circa £162,000.
- GP provision of Adult Alcohol screening targeted at specific health conditions, which had an annual contract value of circa £67,000
- GP provision of NHS Health Checks Programme for those aged 40 to 74, which had an annual contract value of circa £200,000.

It was noted that all of the services listed supported the delivery of the Health and Wellbeing Strategy, Public Health indicators in the Corporate Plan and The Public Health Outcomes Framework.

Resolved:

1. That an exemption from the requirement to tender be granted for the following sexual health contracts, IUCD, sub dermal implants and chlamydia screening within General Practice and EHC within pharmacies for the current contract which expires on 31st March 2017 and such contracts be extended for one year ending 31st March 2018.
2. That an exemption from the requirement to tender be granted for the contracts for the provision of drugs services: supervised consumption of methadone, needle exchange and Shared Care commissioned from GPs and pharmacies and such contracts be extended for one year ending 31st March 2018 and incorporated into the tender exercise for the Secondary Care Substance Misuse Services.
3. That an exemption from the requirement to tender be granted for the Adult Alcohol Screening contract commissioned from GPs which expires on 31st March 2017 and such contracts be extended for one year ending 31st March 2018.
4. That an exemption from the requirement to tender be granted for the NHS Health Checks contract commissioned from GPs which expire on 31st March 2017 and such contracts be extended for one year ending 31st March 2018.
5. That an exemption from the requirement to tender be granted for the Specialist Drugs and Alcohol Midwifery service commissioned from TRFT and the contract be extended for one year ending 31st March 2018.

59. EXCLUSION OF THE PRESS AND PUBLIC

That under Section 100(A)4 of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of such Act indicated, as amended by the Local Government (Access to Information)(Variation) Order.

60. RATIONALISATION OF PROPERTY ASSETS - FORMER GREASBROUGH ROAD DEPOT, NORTH DRIVE, GREASBROUGH, ROTHERHAM

Consideration was given to a report which sought approval to dispose of the former depot located at North Drive, Greasborough.

The report detailed options for the site which were given and noted that consultation had taken place with ward councillors.

Commissioner Kenny agreed:

1. That authority to dispose of the asset on the open market be delegated to the Assistant Director of Planning, Regeneration and Transport on the basis of options 3 and 3a, detailed within the report.
2. That authority be delegated to the Assistant Director of Planning, Regeneration and Transport to negotiate the terms of the disposal of the asset.
3. That authority be delegated to the Assistant Director of Legal Services to complete the necessary documentation for the disposal of the asset.