

**COUNCIL MEETING
25th January, 2017**

Present:- The Mayor (Councillor Lyndsay Pitchley) (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Andrews, Atkin, Beaumont, Beck, Bird, Brookes, Buckley, Clark, Cooksey, Cowles, Cusworth, B. Cutts, D. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Evans, Hague, Hoddinott, Ireland, Jarvis, Jepson, Jones, Keenan, Khan, Lelliott, McNeely, Marles, Marriott, Napper, Price, Read, Reeder, Roche, Sansome, Senior, Sheppard, Short, Simpson, Steele, Taylor, Julie Turner, Tweed, Walsh, Williams, Wilson, Wyatt and Yasseen.

95. MINUTE'S SILENCE - LEONNE WEEKS

The Council stood in silence as a mark of respect following the recent death of Leonne Weeks from Dinnington.

96. ANNOUNCEMENTS

The Mayor reported she had attended over seventy engagements since the last Council Meeting, including an appointment with Ray Matthews, and attended many Christmas concerts and carol services.

The Mayor referred to a open mic charity event on the 2nd February, 2017 at Rotherham Trades Club and encouraged as many people to attend as possible.

The Mayor shared information on her recent trip to China where she led a convention to promote digital health care with representatives from Rotherham and the Sheffield City Region on behalf of the British Embassy.

The Mayor invited the Leader to share any announcements of his own and he was pleased to report on the unanimous guilty verdict which saw five men convicted of child sexual exploitation during 1999 to 2001. A sixth man had also pleaded guilty. The Leader's thoughts were with the survivors and their families and his thanks given to the Police and individual staff who had brought this case to justice.

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fenwick-Green, Mallinder, Rushforth, Russell, John Turner, Watson and Whysall.

98. PETITIONS

The Mayor reported that two petitions had been submitted, but had not met the threshold for consideration by Council, and would be referred to the relevant directorate for a response to be prepared. The petitions were:-

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- From 67 residents regarding road safety on Warren Vale Road, Swinton asking the Council and the Police to investigate and take action on concerns.
- From 15 residents requesting the Council to install measures to prevent parking on the blocked paved pavement on Rectory Gardens, Todwick.

Councillor Sansome, having received the petition from residents on Warren Vale Road, urged the Council and the Police to undertake a study of this section of highway and to take any action necessary.

Councillor Sansome had also circulated consultation documentation regarding Children's Anaesthesia and stressed the importance of sharing with residents' the proposals and the need to respond.

99. COMMUNICATIONS

No communications were received.

100. DECLARATIONS OF INTEREST

The following Declarations of Interest were received:-

Minute No. 112 (Housing Rents 2017/18)

- Councillor Allcock declared a personal and disclosable pecuniary interest on the grounds of being a Council tenant and family members tenants. He would leave the room and not participate in any debate or decision.
- Councillor Andrews declared a personal and disclosable pecuniary interest on the grounds of being a Council tenant and family members tenants. She would leave the room and not participate in any debate or decision.
- Councillor Atkin declared a personal interest on the grounds that a family member was a Council tenant.
- Councillor Cusworth declared a personal interest on the grounds that family members were Council tenants.
- Councillor Hague declared a personal interest on the grounds that family members were Council tenants.
- Councillor Lelliott declared a personal and disclosable pecuniary interest on the grounds of being a Council tenant and family members being tenants. She would leave the room and not participate in any debate or decision.
- Councillor Keenan declared a personal interest on the grounds that family members were Council tenants.
- Councillor Marles declared a personal interest on the grounds that family members were Council tenants.

- Councillor McNeely declared a disclosable pecuniary interest on the grounds of being a Council tenant. She would leave the room and not participate in any debate or decision.
- Councillor Napper declared a personal interest on the grounds of family members being tenants. He would leave the room and not participate in any debate or decision.
- Councillor Reeder declared a personal and disclosable pecuniary interest on the grounds of being a Council tenant. She would leave the room and not participate in any debate or decision.
- Councillor Senior declared a personal interest on the grounds that family members were Council tenants.
- Councillor Short declared a personal interest on the grounds of family members being tenants. He would leave the room and not participate in any debate or decision.
- Councillor Williams declared a personal interest on the grounds that family members were Council tenants.
- Councillor Wyatt declared a personal and disclosable pecuniary interest on the grounds of being a Council tenant and family members being tenants. He would leave the room and not participate in any debate or decision.

Minute No. 118 (District Heating Scheme Charges 2017/18)

- Councillor Cusworth declared a personal interest on the grounds that family members were in receipt of this heating. She would remain in the room and speak, but would not take participate in the vote.

101. MINUTES OF THE PREVIOUS COUNCIL MEETING

Resolved:- That the minutes of the meeting of Council held on 7th December, 2016, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Lelliott

102. PUBLIC QUESTIONS

(1) The question from Mr. Coughlan fell as he was unable to be present.

(2) Mrs. Davies asked why was a housing estate allowed to be built on the tip's doorstep when the tip is known to contain dangerous substances?

Councillor Hoddinott in responding to this question thanked all the members of the public and Ward Members for raising their concerns and for submitting the motion to highlight the Council's position. There were serious concerns about the lack of regard by the Environment Agency for not consulting with the Council on the reward of the permit and how the Environment Agency was being called upon to revoke.

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The housing estate referred to was built within planning rules in force at the time. The concerns were shared about what the tip contained and assurances were being sought from the Environment Agency that the samples being provided were both reliable and accurate. In particular there were concerns about some of the history of this company and to this end third party involvement was being requested to provide the assurances that the sample testing was correct.

(3) Mr. Currie asked did the Council have the power to determine the routes used by Grange Landfill, when the environmental agency give the green light for tipping to go ahead?

Councillor Hoddinott confirmed the Council had no powers to determine which of these routes of access were used, unless, there were other safety hazards which presented a risk of injury. It was known that a junior football club used the area, but the Council was currently working very hard to ensure the legal position in relation to access to the site, was clarified with a common understanding of the issue.

In a supplementary question Mr. Currie asked would the Cabinet Member agree with him that it seemed unsurprisingly coincidental that a tip wanted to open when imminent proposed development at Bassingthorpe Farm was on the cards and whether a public consultation should be held. He was happy to receive this answer in writing.

Councillor Hoddinott would respond to this question in writing.

(4) Mr. Mckenna asked what guarantees could the Council give that Walkworth Wood (which is ancient woodland) would be protected should this tipping go ahead?

Councillor Hoddinott confirmed the Council was looking to the Environment Agency, who were the regulator for the proposed landfill site, to tackle any impact on local woodlands by the site. This was why the Council was requesting trusted analysis results so the returns to the Environment Agency were true and accurate. This would ensure all was being done to protect that area to avoid any run off or gas escapes and that appropriate measures were put in this area.

In a supplementary question Mr. Mckenna understood the Planning Department had it's hands tied due to a 1958 permit, but was considering, on behalf of the Droppingwell Action Group, writing to the Secretary of State for the Environment and asked for the Council's support.

Councillor Hoddinott referred to the motion submitted by Ward Members on this subject later on this agenda and confirmed that, should this motion be agreed by Council, she would gladly write to the Secretary of State to highlight the strength of feeling around this permit. One of the issues the Council was dealing was with legislation that was dated back to the 1950's. This was incredibly difficult to deal with and exposed some

national loopholes that did need to be addressed by the Secretary of State and which the Environment Agency needed to take on board.

(5) Mr. Webster referred to the 11th March, 2016, and a conference organised by Safeguarding Children Training and Consultancy Limited 'Coming out of the Darkness'.

Apart from Commissioner Newsam, he asked why was there no other representative from RMBC including the Council Leader, Councillor Chris Read, The Strategic Director of Children's Services, Ian Thomas, or any other Labour elected member?

Councillor Read, Leader of the Council, thanked Mr. Webster for his question. In addition to Commissioner Newsam, the Council was represented by two officers, Jo Smith, Post CSE Abuse Co-ordinator, and Clare Burton, Head of Commissioning. Mr. Thomas was involved in a prior engagement with young people and the Leader himself was also otherwise engaged chairing the Tata Task Force meeting that morning.

In supplementary comments Mr. Webster, having written an email with this question back in May, 2016, felt the answer was inadequate. The conference was run with speakers who were victims of CSE, Adele Gladman, Professor Jay, Louise Casey, Andrew Norfolk and leading children professionals. Mr. Webster had heard many times that the Council had learned from the mistakes of the past, however, still reading Ofsted reports Children's Services were still failing due to inadequate management. Absence from this important conference demonstrated this Council's lack of commitment to moving forward. Today this Council remained in denial and was still seeing the failure to get looked after children's numbers correct up to hundreds. No-one could say that they did not know from this chamber about CSE,

An Elected Member had spoken at the event, Councillor Senior, and Mr. Webster asked had she reported back to the Leader and Elected Members from this event, what conclusions did she report and did the Leader still stand by his responses regarding re-elected members.

Councillor Read, the Leader, apologised for the period of time taken for this email to be responded to and asked that this be forwarded on for his attention. He confirmed the Council did take improving Children's Services seriously and tackling CSE remained a top priority. He referred to other Local Authorities who had serious failings in their Children's Services, there was no quick fix to this. Mr. Webster's reference to Ofsted was correct that there was some criticism, but this was part of the improvement journey and remained the top priority.

(6) Mr. Vines referred to the last Council meeting where he asked the Leader a question regarding people who knew of CSE and kept quiet. His reply was somewhat at odds with two written versions already published

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and asked could the Leader please tell him the source of this apparent conflicting information in the answer he gave.

Councillor Read, the Leader, did not recognise any conflict in the previous answers he had given to the previous questions raised.

In a supplementary question Mr. Vines confirmed there was a conflict as the Leader said people only had an hour's session so had not learnt much in that time. If he read the Alexis Jay report it indicated that any Member that attended the conference could not say they did not know what was going on. This was also echoed in Councillor Senior's book, who was the administrator of the Conference, who could possibly answer on the Leader's behalf about the untruths in one report or the other.

Councillor Read, the Leader, was familiar with the criticism in the Jay report and understood the seriousness of it and again reiterated that if a Member had attended a seminar and fully understood the scale of the abuse, then it was actually inaccurate.

The Council took seriously the concerns and would continue to work and tackle CSE as its top priority. He welcomed Councillor Senior and confirmed the ultimate test for Councillors was if they could persuade the electorate that they were the right people to lead their communities, which was reflected by the people sat in the chamber.

(7) Mr. Marshall asked would RMBC instigate measures to maintain a duty of care to its leaseholders regarding:-

(a) Environmental monitoring:- e.g. noise, air pollution and testing for contamination of land between Millmoor Juniors F.C. and the existing tip.

(b) Safety of Grange Park visitors e.g. safe interface between heavy goods vehicles and pedestrian traffic.

Councillor Hoddinott responded by highlighting the impact this would have on Millmoor Juniors and Grange Park Golf Club and the need to work with them to ensure the Environment Agency did put measures in to maintain a duty of care. The Environment Agency needed to monitor what was happening on that site and at the moment the permit only required a report back annually.

The Council was asking for this to be more often, again with third party involvement and assurances that the monitoring was accurate and sound. In the past what happened on paper did not always happen in practice.

If the Council still remained concerned there was the possibility of monitoring itself, but this would need to be looked at in due course. The site looked a mess from the initial sampling activity and this, health and safety and access all needed to be worked through with Legal.

In a supplementary question Mr. Marshall asked if the Council was going to consider monitoring the contamination it needed to start doing baseline testing now before any testing commenced.

Councillor Hoddinott explained that in the first instance the Environment Agency needed to be pressured into ensuring correct sampling was undertaken with the option to intervene if this was not progressing.

(8) Mr. Smith asked who would be collecting the community infrastructure levy and how would it be distributed.

Councillor Lelliott confirmed the Council was the charging authority for CIL and so would collect the levy. The Council intended to implement the levy by bringing into force a CIL Charging Schedule in spring 2017.

The CIL Charging Schedule was passed by an independent Government examiner in July, 2016. The schedule was subsequently approved by the Council's Cabinet on 14th November, 2016 and adopted at the Council meeting on 7th December, 2016.

The Council had prepared a "Regulation 123 List", which indicated the infrastructure that the Council would fund or part fund using income from the levy. This list set out the Council's strategic priorities for CIL spend to support growth proposed by the Local Plan. A proportion of CIL income would also be distributed to parish and town councils in the Borough.

In a supplementary question Mr. Smith referred to the List 123 and expressed his concern at how out of touch it was. It listed sites that were either closed or were earmarked for allocated house and roads. He, therefore, asked why was it that the Council was allocated 85% of CIL or in Dinnington's case where it had a neighbourhood plan 75% with 25% allocated to the Town Council when really it should be the other way around.

Councillor Lelliott reiterated that the regulations were passed by an independent examiner, were within national policy and the money was then used to fund important infrastructure like hospitals, roads and schools. Dinnington would, therefore, receive 25% of CIL and could choose what it wished to use the funds for.

(9) Mr. Thirlwall prior to asking his question raised a couple of points – (1) relating to a complaint about sound quality in the public gallery where he wrote to the Leader after the HS2 debate where no-one could hear what was happening and suggested something needed to be done; (2) suggested that details of the motion later on this agenda be provided in addition to being included on the Council summons to assist members of the public; and (3) expressed his surprise that a candidate standing in the local election was asking a question since the Council meeting in April, 2016 was cancelled due to being in the purdah period.

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The Monitoring Officer confirmed Mr. Thirlwall was correct the Council meeting in April, 2016 was cancelled during the purdah period for the reason of the local and Police and Crime Panel elections. This by-election on the 2nd February, 2017 had not led to the cancellation of this meeting as there was an item on the agenda seeking approval for the Council tax base so this could feed into the budget before Members in March, 2017.

Mr. Thirlwall was invited to put his question and he asked was the Chair of Planning, Councillor Atkin, prepared to apologise to both himself and Members of the Council for the misleading answer he gave, regarding the wind turbine appeal, at the Council Meeting, held on the 7th December, 2016.

Councillor Atkin responded by confirming he was willing to apologise, but would offer his apologies to the Planning Inspector who he referred to as a "he" instead of "she".

In a supplementary question Mr. Thirlwall expressed his amazement at the response as he was accused by the Leader of being mischievous when Councillor Atkin was able to respond in way he had.

He read out what Councillor Atkin had said about information in the last paragraph, which he believed was further from the truth when in the first paragraph it referred to the "appeal being dismissed". He believed what had happened was Councillor Atkin repeated what the officer had said at a previous meeting and asked Councillor Atkin again, now he had heard what he had again said, would he apologise for misleading both him and Members of this Council for the misinterpretation he put forward acting as a puppet of the officers.

Councillor Atkin responded by agreeing to disagree with Mr. Thirlwall on this matter.

(10) Mr. Eyre, prior to asking his question, confirmed the motion referred to on this agenda was in the Council summons, but asked, given the size of the agenda, if consideration could be given to including the details of motions in the Mayor's letter. He referred back to his question where in May 2016, the proposed travellers' site, on green-belt land in Swallownest was rejected, amongst many reasons, one being it was an "inappropriate development in the green-belt". The plan has since re-surfaced, albeit scaled down and asked did this Council still agree with its decision, and would it uphold that previous judgement?

Councillor Lelliott confirmed the current application for the proposed Gypsy and Traveller site was still in its public consultation period so it would be premature to comment on the determination of the application at this stage, but it would be considered against the same criteria as the previous application – which included it being sited within the Green Belt.

A decision on the application was expected later in February.

In a supplementary question Mr. Eyre explained that anyone who campaigned on the last proposal or was involved like he and Councillor M. Elliott was or the Parish Council, would know of the fierce opposition. The three Rother Vale Councillors seemed silent on this issue. The site was unwanted and 500 objections indicated this and wherever a travellers' site was proposed in Rotherham residents were opposed to it. He asked if the Council would make it clear that they too were opposed to it and stop entertaining the prospect of one in the future.

Councillor Lelliott made a couple of points explaining that under the Local Plan the Council had a duty to provide a local site for the traveller community. The Local Plan was subject to examination at the moment. Secondly, residents could object which would be heard at the Planning Board for consideration. It would be unlawful of the Council to make any pre-determination of a decision prior to consideration by the Planning Board.

(11) Mr. Sylvester asked what was the Council's opinion of the impact of the landlords selective licensing scheme and of expanding it to:-

- (a) cover all RMBC Council estates and
- (b) all rented properties across the borough?

Councillor Beck thanked Mr. Sylvester for his question and wished to make a couple of points. The scheme had been in operation just over eighteen months and good progress was beginning to show where selective licensing was in operation. Members of the public were working closely to assist with the rolling out of the scheme.

Nevertheless, seven landlords had been prosecuted and convicted of offences for failing to licence houses with further prosecutions due in court in the next few months where there had been non-compliance.

Council properties were subject to their own standards of decency which the Council was obliged to fulfil. The Council had a good exemplary track record and the Decent Homes Programme saw high investment into Council properties.

Some boroughs across the country had opted for borough-wide schemes, however, in Rotherham there were specific issues in specific areas as identified where the scheme was currently in operation. Discussions were currently taking place with Ward Members and members of the public about problems in other areas. The Council would, however, learn how the scheme was operating so far and take lessons forward where it was identified that an expansion to the scheme may be possible.

In a supplementary question Mr. Sylvester referred to a recent street surgery at East Herringthorpe where 10% of the estate were private tenancies where properties had been sold under right to buy scheme and rented out. Residents reported problems with anti-social behaviour and declared they were often paying far more rent than equivalent Council properties.

Mr. Sylvester asked the Cabinet Member if he would consider charging the Improving Places Select Commission with undertaking a full review of the selective licensing scheme and give consideration to the practicalities of rolling out the scheme to East Herringthorpe to ensure all were subject to the same high standards.

Councillor Beck pointed out that any issues relating to anti-social behaviour would be investigated and this was indeed a criteria for selective licensing roll out. Other criteria included low housing demand and high turnover. East Herringthorpe was an area where right to buy had led to properties being rented out. Councillor Mallinder was not present today, but Councillor Beck gave his assurance that he would discuss with her the possibility of undertaking a piece of work for East Herringthorpe and other areas. He thanked Mr. Sylvester for raising the concerns.

103. MINUTES OF THE CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Resolved:- That the reports, recommendations and minutes of the meetings of the Cabinet/Commissioners' Decision Making Meeting held on 12th December, 2016 and 9th January, 2017, be received.

Mover:- Councillor Read

Seconder:- Councillor Lelliott

104. EXCLUSION OF THE PRESS AND PUBLIC

The Mayor reported that, should any Member wish to discuss the detail of the exempt information at Minute No. 106 (Recommendation from Cabinet – Boston Park Reservoir) the press and public would be excluded from the meeting.

105. RECOMMENDATION FROM CABINET - CAPITAL PROGRAMME - OPERATIONAL PROPERTY MAINTENANCE PROGRAMME 2016/17

Resolved:- That the inclusion of the schemes identified in Section 4.2 of the appended report in the Capital Programme 2016/17 be approved.

Mover:- Councillor Lelliott

Seconder:- Councillor Read

106. RECOMMENDATION FROM CABINET - BOSTON PARK RESERVOIR

Resolved:- That the inclusion of the project to undertake improvement works at Boston Park in the Capital Programme, to the value of the capital receipt, be approved.

Mover:- Councillor Yasseen

Seconder:- Councillor Read

107. RECOMMENDATION FROM CABINET - ADDITION OF BARKERS PARK CHANGING ROOMS TO THE CAPITAL PROGRAMME

Resolved:- That the inclusion of the Barkers Park Changing Room scheme in the Capital Programme be approved.

Mover:- Councillor Lelliott

Seconder:- Councillor Read

108. RECOMMENDATION FROM CABINET - UPGRADING OF FLUORESCENT STREET LIGHTING TO LED

Resolved:- That inclusion of the scheme in the Council's Capital Programme at a cost of £1.65m, to be funded by prudential borrowing, as an invest to save scheme, be approved.

Mover:- Councillor Hoddinott

Seconder:- Councillor Read

109. RECOMMENDATION FROM CABINET - CAPITAL FUNDING FOR THE DEVELOPMENT OF 30 HOUR CHILDCARE PLACES

Resolved:- That, subject to the funding bid being successful, the inclusion of the DfE capital funded projects into the Capital Programme, be approved in principle.

Mover:- Councillor Read

Seconder:- Councillor Lelliott

110. RECOMMENDATION FROM CABINET - NOVEMBER 2016 FINANCIAL MONITORING REPORT AND MID-YEAR TREASURY REVIEW

Resolved:- (1) That the following schemes be included in the 2016/17 Capital Programme (paragraphs 2.13):-

- Capitalisation of Building Repair and Maintenance Costs - £157,00
- Capitalisation of costs relating to Pit House West - £85,000
- Capitalisation of Grass Cutter - Rother Valley Country Park - £35,000

(2) That changes to budgets identified in Appendix 3 for projects which are already included in the Approved Capital Programme be approved.

(3) That the position in respect of the Mid-Year Treasury Review be noted and the changes to the 2016/17 prudential indicators be approved.

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Councillor Reeder expressed her concern about Clifton Community School's conversion to a sponsored academy and the £1.2 m deficit balance falling on the Council.

Mover:- Councillor Alam

Seconder:- Councillor Read

111. **RECOMMENDATION FROM CABINET - CALCULATION OF THE COUNCIL TAX BASE FOR 2017/18**

Resolved:- (1) That Rotherham's Council Tax Reduction Scheme for 2017/18 be unchanged from 2016/17.

(2) That Council Tax discounts and premiums not be changed for 2017/18.

(3) 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 2017/18 shall be a total of 68,235.14 Band D Equivalent Properties.

Mover:- Councillor Alam

Seconder:- Councillor Read

112. **RECOMMENDATION FROM CABINET - HOUSING RENT 2017/18**

Resolved:- (1) That Rotherham's Council Tax Reduction Scheme for 2017/18 be unchanged from 2016/17.

(2) That Council Tax discounts and premiums not be changed for 2017/18.

(3) 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 2017/18 shall be a total of 68,235.14 Band D Equivalent Properties.

Mover:- Councillor Beck

Seconder:- Councillor Read

(Councillors Allcock, Andrews, Lelliott, McNeely, Napper, Reeder, Short and Wyatt declared personal and disclosable pecuniary interests on the grounds of being Council tenants and/or family members tenants. They all left the room and did not participate in any debate or decision)

(Councillors Atkin, Cusworth, Hague, Keenan, Marles, Senior and Williams declared personal interests on the grounds that family members were Council tenants)

113. RECOMMENDATION FROM CABINET - DISTRICT HEATING SCHEME CHARGES 2017/18

Resolved:- (1) That there be no increase to the unit charge for the pooled district heating schemes.

(2) That there be no increase to the pre-payment weekly charge for the pooled and unmetered scheme at Beeversleigh.

(3) That there be no increase to the unit KWh charge at the Swinton district heating scheme.

(4) That a further review of the performance of the pooled schemes be undertaken in 2017/18 including the extent to which full cost recovery has been achieved.

Mover:- Councillor Beck

Seconder:- Councillor Read

The three Ward Members for the Swinton area expressed their concerns for the high costs facing the Fitzwilliam tenants who were part of the district heating scheme. Tenants were looking to alternative options to keep warm, were on fixed incomes and suffering severe hardship and fuel poverty.

The Cabinet Member was, therefore, asked to undertake a full review of the charges based on a full year operation of the new meters, including any potential refunds to tenants, how the heat was used and how this compared to other offers, as a matter of some urgency.

Councillor Beck confirmed a full review of the performance of the pooled scheme would be undertaken in 2017/18, including the extent to which full cost recovery had been achieved.

(Councillor Cusworth declared a personal interest on the grounds that family members were in receipt of this heating. She remained in the room and spoke, but did not take part in the vote)

114. PROPOSED AMENDMENTS TO THE CONSTITUTION - FINANCIAL PROCEDURE RULES AND CONTRACT STANDING ORDERS

Consideration was given to a report which summarised the main changes proposed to be made to the Financial Regulations and Contract Standing Orders.

The Financial Regulations have been shortened and modernised and consequently converted into more active language with more responsibility given to the Chief Finance Officer and Strategic Director to manage the Council's finances in line with the Council's policy framework and budget and to be accountable to Members in doing so.

The Contract Standing Orders were updated to reflect the Public Contract Regulations 2015, the move to always using electronic tenders and the introduction of a procurement business case process for planning procurements along with a section on contract management.

Resolved:- (1) That the constitutional amendments relating to the Financial Regulations and Contract Standing Orders set out in appendices 2 and 3 to this report be approved.

(2) That the Financial Regulations be renamed Financial Procedure Rules and the Contract Standing Orders be renamed Contract Procedure Rules and that all relevant documents be amended to reflect this change in wording.

(3) That, subject to the proposed amendments being approved, the relevant renumbering of the documents be undertaken.

(4) That a review of the effectiveness of the changes be reported to the Standards and Ethics Committee by the end of the calendar year.

Mover:- Councillor McNeely

Seconder:- Councillor Read

115. NOTICE OF MOTION - WATSON'S TIP

Moved by Councillor Clark and seconded by Councillor Hague

This Council believes:-

- The Environment Agency should not have awarded a permit for the recommencing of waste disposal adjacent to Droppingwell Road on the Watson's Tip site.
- This action will have a detrimental impact on the local residents, organisations in the area and the environment. We are proud of our local amenity, which includes Millmoor Juniors Football Club and Peter Cowen's Golf Academy, and feel that the decision could put these organisations at risk.
- The Environment Agency, nor any regulatory body, can effectively regulate tipping at Watson's Tip, and the risks associated with the closed and capped section of the licensed site.

This Council notes with concern:-

- The lack of consultation from the Environment Agency with the Council and elected members before making the variations and consolidating the permit to Grange Landfill in relation to the recommencement of waste disposal activities at the Droppingwell site.
- The lack of consultation by the Environment Agency with local residents and organisations and the failure to attend a recent local public meeting.

- The Council has submitted significant evidence to the Environment Agency concerning the companies involved, financial matters, compliance, and previous fraudulent and dishonest activity in relation to disposing of waste to landfill.

This Council calls on the Environment Agency to:-

- Communicate effectively with all who will be affected by this variation.
- To re-examine its decision to permit the variations to the permit for Grange Landfill taking into account the evidence provided by the Council.

The conclusion of any such a review should inevitably lead to the Environment Agency taking steps to revoke the permit granted for tipping at the Watson's Tip site. Till then the Council will continue to raise the risks the site may pose to surrounding land, the environment and the public.

On being put to the vote, the motion was carried unanimously by the Council.

116. NOTICE OF MOTION - VOTER ID

Moved by Councillor Cowles and seconded by Councillor Simpson

That this Council resolves to fully support the proposal that voter, be it photo or council documents, be required to be presented at a polling booth before a vote is able to be cast, and that there is a crackdown on postal vote "harvesting".

That this Council asks the Secretary of State for Communities and Local Government to make the Metropolitan Borough of Rotherham and the areas of the constituencies of Rotherham, Rother Valley and Wentworth & Dearne which fall within the borough, a "Pilot Area" for the scheme's future implementation.

The motion was put, debated and LOST.

117. REVISED MEMBERSHIP ARRANGEMENTS 2016/17

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

Resolved:- (1) That Councillor Evans replace Councillor Bird on the Improving Lives Select Commission.

(2) That Councillor Bird replace Councillor Evans on the Health Select Commission.

Mover:- Councillor Sansome

Seconder:- Councillor Clark

118. SCRUTINY UPDATE

Councillor Steele provided an update on activity for the Overview and Scrutiny Management Board and Select Commissions during the last six months, using a range of different approaches to supplement the standard meetings, which included:-

- Task and Finish Groups – current Emergency Planning Group from Improving Places.
- Spotlight Reviews – Sub-Group of Health looked at future delivery of older people's housing and made ten recommendations to inform policy development and consultation.
- Visits to other Local Authorities.
- Focused single item meetings – new Tenancy Agreement at Improving Places.
- Improving Lives have revisited work on domestic abuse, undertaking an in-depth look at the refreshed strategy, and in particular pathway development and perpetrator programmes.
- The Board had focused on budget scrutiny, scrutinising the proposals for the coming year in detail whilst also requesting regular reports to monitor financial performance in year.
- Effective introduction of pre-decision scrutiny.
- Expertise of the CfPS, in particular with regard to key principles for scrutinising performance, which are being taken forward by all the panels in their work programme.

Future activity and work programmes would include:-

- Supporting the Youth Cabinet in a meeting with public transport providers to discuss improving access for young people.
- Annual Quality Accounts for NHS trusts.
- Exploring alternative delivery models for Children's Social Care.
- Scrutinising the Growth Plan and Selective Licensing.

Resolved:- That the Scrutiny update noted.

Mover:- Councillor Steele

Seconder:- Councillor Cowles

119. STAFFING COMMITTEE

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

Mover:- Councillor Alam

Seconder:- Councillor Lelliott

120. PLANNING BOARD

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

Mover:- Councillor Atkin

Seconder:- Councillor Tweed

121. LICENSING BOARD SUB-COMMITTEE

Resolved:- That the reports and minutes of the meetings of the Licensing Board Sub-Committee be adopted.

Mover:- Councillor Buckley

Seconder:- Councillor Hague

122. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

Councillor Cowles referred to the proposed changes to night time fire cover at Rotherham fire station which undoubtedly posed a greater risk to residents in terms of response times and immediate boots on the ground and asked, in this new era of transparency, why had there been no wider debate, all Wards were affected.

Councillor Atkin, Vice-Chair of South Yorkshire Fire and Rescue Authority, responded by confirming the proposals to change night time cover in Rotherham was part of South Yorkshire Fire and Rescue Authority's Integrated Risk Management Plan for the period 2013-2017.

These proposals were consulted upon in 2013 and have only just been implemented as part of the four year plan.

The new plan which would run from April, 2017 until 2021 was currently being worked on and Members of the Council would be provided with a report or invited to an information sharing seminar in due course.

In a supplementary question Councillor Cowles referred to incidents still happening at night and normally more protracted. Recently there had been an incident in East Herringthorpe, which without the quick response of Rotherham fire engines, this success story may have been quite different. The second fire engine would have come from Dearne, which would have been a slower response time some fifteen minutes later and by then it would have been too late. The proposed model was not a success in Barnsley despite attempts to implement it over the last eighteen months.

During period of Integrated Risk Management Plan from 2013 and now the council tax percent had increased by 1.97% year on year, fire deaths had significantly increased as had the number of serious fires and the reserves of the service were now held at £23m. It was unsure if businesses had been made aware or were concerned like Tata Steel that

they would receive a lower level of service in response to a fire so why was the service pushing to implement an unproven unacceptable model putting at risk the lives of Rotherham's residents.

Councillor Atkin confirmed the service had to have an Integrated Risk Management Plan. He gave an example of where response times were related to managing budgets so within a restricted budget plan risk must be managed. It was impossible to predict the location of any fire, but interestingly for Rotherham station last week, which consisted of seven night shifts of thirteen hours each, over the seven nights the engines were only called out on seven occasions.

The service was, therefore, developing the new plan which all Members would be consulted upon.

123. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) Councillor M. Elliott reported Rotherham currently did not recycle plastic bottles and asked had recycling of plastic bottles been considered, costed and dismissed in the past?

Councillor Hoddinott clarified the Council did recycle plastic bottles, but not at the kerbside. Residents had the option to take bottles to their local household recycling centre, but any plastics placed in the normal black bin were separated out at the Manvers recycling site. All Members had been invited to this site and could observe first-hand how waste was dealt with what was separated out.

The recycling of plastic bottles was first introduced as a trial in 2003 at the kerbside recycling, however, in 2004 this was withdrawn and replaced with the current contract. The contracts were now coming to an end and approval had recently been sought for a twelve month extension to review recycling options. There was demand from public to recycle bottles and officers were looking at the options to including this in the recycling provision moving forward.

Councillor M. Elliott confirmed he had visited the recycling centre at Manvers and found it very informative. He referred to 35.8 million plastic bottles being disposed of each day of which only 19.8 million were recycled which meant 16 million were not. He asked if there was any enthusiasm with other councils to recycle plastic bottles.

Councillor Hoddinott confirmed there all options were currently being considered. The Council needed to do all it could to encourage people to recycle to assist in reducing the waste going to landfill and plastic bottles were a key part of this.

(2) Councillor Sansome's question - how could the Council justify charging 8.7p per KW/h to Council tenants, through the District Heating Scheme on the Fitzwilliam Estate in Swinton, when the average market

price was 4.18p per KW/h – had been answered as part of the debate at Minute No. 113.

(3) Councillor Jepson after contacting Streetpride last year regarding the frequency of cleaning certain streets in Anston and Woodsetts was informed that in some instances this had not taken place for twenty-one months and it would be another two months before this would be carried out and asked the Cabinet Member if she thought this was acceptable?

Councillor Hoddinott considered twenty-one months to be unacceptable and had contacted the Service to be informed the roads were swept every twelve months and that Anston and Woodsetts area was swept in April/May, 2016. If Councillor Jepson did not believe this to be the case then the Cabinet Member reiterated that she was more than happy to meet with Councillor Jepson and the Service to see how this could be addressed.

In a supplementary question Councillor Jepson presumed the Council only had the one street cleaning vehicle serving the whole of the Borough. Under the Local Plan more houses would be built which meant more roads and asked whether consideration had been given to the investment of more machinery. He appreciated there were often problems with cars parked, but suggested the Service urgently look into investment of its street cleaning machinery.

Councillor Hoddinott confirmed the Council had two sweepers serving the Borough, but investment into new machinery had been raised by staff. The Assistant Director was looking into further options going forward. Again Councillor Hoddinott invited Councillor Jepson to provide examples of where street cleansing was not working to see where this could be addressed.

(4) Councillor Cusworth reported on the 20th April last year, dog owners queued outside Swinton Library to have their pets microchipped free of charge by the Dogs Trust. A grand total of 180 dogs were chipped that day. She asked how successful had the partnership with the Dogs Trust been across the Borough.

Councillor Hoddinott explained the Dog's Trust/RMBC partnership event at Swinton was one of five events which took place throughout 2016. The team saw 378 dogs, of which 349 dogs were micro-chipped.

In a supplementary question Councillor Cusworth asked if the Council had any plans to work with the Dogs Trust in the future.

Councillor Hoddinott confirmed discussions ongoing with the Dogs Trust this year and four more events were being planned. Dates would be circulated to Ward Members in due course.

COUNCIL MEETING - 25/01/17

(5) Councillor Cowles referred to a recent forward plan meeting where the Section 151 Officer reported that she had been trying to do shared services deals with other authorities as they offered value for money for tax payers and asked why did the Council think other Local Authorities were not prepared to join us to provide a lower cost service.

Councillor Alam explained the Council was open to working in collaboration with other local authorities and other public sector organisations and already had shared arrangements for some services already in Doncaster, Sheffield and North Yorkshire.

The Section 151 Officer had sought to progress shared service discussions with the other three south Yorkshire authorities for Procurement, but none were interested in pursuing this.

In a supplementary question Councillor Cowles referred to shared services where costs of between 10% and 20% would be reduced after implementation. He asked if the Cabinet Member could use his influence with other leads to get authorities to join Rotherham to get a more effective low cost service for taxpayers.

Councillor Alam explained the Council would always try to work with partners to secure best value and would continue where it made sense, but he could not force other partners to join us.

(6) Councillor Jepson asked given that the Labour Party's official policy was a total ban on fracking, would the Leader confirm that fracking in the Rotherham Borough was banned.

Councillor Read, the Leader, explained that Labour Party policy was not law, but explained that should Rotherham receive an application for fracking it would have to consider this in light of national policy.

In a supplementary question Councillor Jepson was unsure if the Leader was aware that in the southern part of the Borough some areas were already licensed for site exploration and many Town and Parish Councils were being bombarded by one particular company. There would be applications in the pipeline over the next few years, but asked if and when there was a change in Government if applications had been granted in Rotherham how this would be squared if there was then a ban on fracking.

Councillor Read, the Leader, explained that this would depend on the legislation, but it was anticipated the burden would fall on those companies to end those practices. Any application submitted now would have to be judged on its merits.

(7) Councillor Cowles referred to recent local fly tipping. The Council was prepared to spend £200k in Eastwood so there should be £200k for Sitwell. At the last meeting the Cabinet Member dismissed £200k from a

budget of £3m as pin money and presumed £200k for Sitwell would not be a problem.

Councillor Hoddinott reported all estimates were within a £3 million budget with a time for action approach to tackle issues around fly tipping and enforcement. Councillor Cowles raised the issue of fly tipping in Eastwood, which were responded to, but if he had any similar issues in his own Ward the Cabinet Member was more than happy to sit down with him and look how to take the time for action approach in Sitwell.

In a supplementary question Councillor Cowles referred to how the Eastwood Project was going, not well since the original plan was a joke, with no defined tasks, no defined cost, no communication strategy and no success criteria. He asked if the Cabinet Member was attending the Rotherham South Area Assembly to provide an update and to tell the residents resources were being withdrawn from Eastwood and advise on the stability of which focused on ticket wardens from Doncaster. He had received notification of another load of waste dumped in Eastwood which continued. Fly tipping continued, back yards were full of waste, the street cleaner was present daily, the night time singers were still singing and anti-social behaviour was carrying on. He asked if this was that what success looked like and at what cost.

Councillor Hoddinott explained about the commitment to go back to the Area Assembly in February, 2017 where an update would be provided on the Eastwood Plan and would provide the detail. This was a long term project with a plan to progress. Councillor Cowles provided a long list of issues in Eastwood from information he received from residents, which would be dealt with. However, the Cabinet Member was still waiting for an email regarding the fly tipping in Whiston, which would be dealt with. More information was provided by Councillor Cowles on complaints in Eastwood, but nothing from his own Ward.

(8) Councillor Jepson asked could the Cabinet Member supply him with the cost of creating and maintaining the Bluebell Way as well as any figures that related to the number of people using it and was the existing signage and map information to be improved so that it could be more easily followed than at the moment.

Councillor Hoddinott confirmed the Bluebell Way Trail was first created in 2011 and to date £11,254.80 had been spent on signage, way markers, gates and motorcycle barriers. Unfortunately, usage was not logged at this location.

The Cabinet Member was pleased to report the Public Rights of Way Team were proposing to promote the route this spring as part of their doorstep walks and rides series and they had indicated they were more than happy to meet with Councillor Jepson to see what improvements could be made.

Councillor Jepson appreciated the opportunity to be involved, but suggested this 2011 project receive the appropriate publicity as it had not been properly promoted in the past. He asked if some consideration could be given to the route, and any possible redirection, as it was not always attractive to some users as it included rural and urban pathways through some housing estates.

(9) Councillor Atkin asked what help could the Council give to the residents and business people of Wath Upon Dearne and surrounding areas to oppose the closure of their branch of the Yorkshire Bank and had since learnt that the HSBC was also closing so both banks would be lost.

Councillor Lelliott expressed her concern about the wider implications on jobs and the local economy with the removal of the two banks on the high street. Contact had been made with John Healy, M.P., and officers, including the Area Assembly Team to see what action could be taken in terms of writing letters and lobbying reminding the banks of their commitment to the high street. A meeting would be arranged with officers and the Cabinet Member was more than happy to provide support alongside Ward colleagues.

Councillor Atkin confirmed he was in receipt of an email about the setting up of a meeting. He had visited Wath town centre and had spoken to residents about the banks' closures and the setting up a petition. He was pleased to hear that the local M.P. had been contacted.

(10) Councillor Cowles explained he had attended two 'Stop HS2' meetings at Bramley. Members of the Labour Group had also attended, but it seemed they were not against HS2, they simply wanted it moved into other people's back yard and asked can the Leader confirm precisely what your party's position was in relation to HS2.

Councillor Read, Leader, confirmed this matter had been discussed at length and a formal position by this Council had been adopted against the current proposal for the M18 route, but were in favour of one that provided the maximum benefit to the people of South Yorkshire.

Councillor Cowles pointed out that if the Leader had attended the debate at Radio Sheffield before Christmas he would have realised that the alternative route via Meadowhall was a dead duck. The senior guy from HS2 reported that in reality the only route the Government was considering was the eastern route via Hellaby and Mexborough.

If the engineering report was read Meadowhall was clearly no longer a serious alternative. The local Members of Parliament had stated that only Meadowhall offered anything for Rotherham, Barnsley and Doncaster. However, only through Freedom of Information questions had it revealed that Sheffield spent £6,000 providing breakfast for HS2 staff and a further £190,000 of public money trying to persuade HS2 to move the station to the city centre. So much for Sheffield City Region and Labour friends. He

asked when was the Leader going to stand up for Rotherham and stop trying to fool people that he supported them when he clearly did not.

Councillor Read, the Leader, confirmed he would continue to advocate the position about bringing jobs to the region and boost the economy and connectivity of Rotherham where he could. He would continue to pursue bringing the best national piece of investment into the area. If Councillor Cowles wanted to walk away from this then that was his choice.