



# Annual Council

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**Friday, 19 May 2017**

**2.00 p.m.**

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

**Rotherham**  
Metropolitan  
Borough Council 

# WELCOME TO TODAY'S MEETING

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## GUIDANCE FOR THE PUBLIC

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

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

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

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

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

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

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

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## FACILITIES

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

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

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

Contact:- James McLaughlin, Democratic Services Manager  
Tel:- 01709 822477  
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Date of Publication:- 11 May 2017

# COUNCIL

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Friday, 19 May 2017 at 2.00 p.m.  
Council Chamber, Town Hall, Moorgate Street, Rotherham. S60 2TH

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THE MAYOR (Councillor Lindsay Pitchley)  
DEPUTY MAYOR (Councillor Eve Keenan)

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CHIEF EXECUTIVE (Sharon Kemp)

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## MEMBERS OF THE COUNCIL

### ANSTON AND WOODSETTS

IRELAND, Jonathan C.  
JEPSON, Clive R.  
WILSON, Katherine M.

### KEPPEL

CLARK, Maggi  
CUTTS, Dave  
HAGUE, Paul

### SITWELL

COWLES, Allen  
SHORT Peter, G. J.  
TURNER, Julie

### BOSTON CASTLE

ALAM, Saghir  
MCNEELY, Rose M.  
YASSEEN, Taiba K.

### MALTBY

BEAUMONT, Christine  
PRICE, Richard  
RUSHFORTH, Amy L.

### SWINTON

CUSWORTH, Victoria  
SANSOME, Stuart  
WYATT, Kenneth J.

### BRINSWORTH AND CATCLIFFE

BUCKLEY, Alan  
CARTER, Adam  
SIMPSON, Nigel G.

### RAWMARSH

BIRD, Robert  
MARRIOTT Sandra  
SHEPPARD, David R.

### VALLEY

ALBISTON, Kerry  
REEDER, Kathleen  
SENIOR, Jayne E.

### DINNINGTON

MALLINDER, Jeanette M.  
TWEED, Simon A.  
VJESTICA, John

### ROTHER VALE

ALLCOCK, Leon  
BROOKES, Amy C.  
WALSH, Robert J.

### WALES

BECK, Dominic  
WATSON, Gordon  
WHYSALL, Jennifer

### HELLABY

ANDREWS, Jennifer A.  
CUTTS, Brian  
TURNER, R. A. John

### ROTHERHAM EAST

COOKSEY, Wendy  
FENWICK-GREEN Deborah  
KHAN, Tajamal

### WATH

ATKIN, Alan  
ELLIOT, Jayne C.  
EVANS, Simon

### HOLDERNESS

ELLIOTT, Michael S.  
PITCHLEY, Lyndsay  
TAYLOR, Robert P.

### ROTHERHAM WEST

JARVIS, Patricia A.  
JONES, Ian P.  
KEENAN, Eve.

### WICKERSLEY

ELLIS, Susan  
HODDINOTT, Emma  
READ, Chris

### HOOBER

LELLIOTT, Denise  
ROCHE, David J.  
STEELE, Brian

### SILVERWOOD

MARLES, Steven  
NAPPER, Alan D.  
RUSSELL, Gwendoline A.

### WINGFIELD

ALLEN, Sarah A.  
ELLIOTT, Robert W.  
WILLIAMS, John

# Council Meeting Agenda

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**Time and Date:-**

Friday, 19 May 2017 at 2.00 p.m.

**Venue:-**

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

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**1. ELECTION OF CHAIRMAN.**

To elect a Chairman for the ensuing Municipal Year.

**2. VOTE OF THANKS TO THE RETIRING MAYOR (COUNCILLOR LYNDSEY PITCHLEY)**

To pass a vote of thanks to the retiring Mayor.

**3. ELECTION OF VICE-CHAIRMAN.**

To elect a Vice-Chairman for the ensuing Municipal Year.

**4. ANNOUNCEMENTS**

To consider any announcements by the Mayor or the Leader.

**5. APOLOGIES FOR ABSENCE**

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

**6. PETITIONS**

To report on any petitions received by the Council.

**7. COMMUNICATIONS**

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

**8. DECLARATIONS OF INTEREST**

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

**9. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 1 - 36)**

To receive the record of proceedings of the ordinary meeting of the Council held on 8<sup>th</sup> March, 2017 and to approve the accuracy thereof.

**10. MINUTES OF CABINET AND COMMISSIONERS' DECISION MAKING MEETINGS (Pages 37 - 57)**

To note the minutes of Cabinet and Commissioners' Decision Making Meetings held on 13<sup>th</sup> March and 10<sup>th</sup> April, 2017

**11. RECOMMENDATION FROM CABINET - REVIEW OF NEIGHBOURHOOD WORKING (Pages 58 - 76)**

To consider recommendations from Cabinet in respect of the Capital Programme and the Constitution arising from the review of Neighbourhood Working.

**12. RECOMMENDATION FROM CABINET - REVIEW OF PETITION SCHEME (Pages 77 - 99)**

To consider a recommendation from Cabinet in respect of amendments to the Council's petition scheme.

**13. REVIEW OF THE CONSTITUTION (Pages 100 - 107)**

To consider a report in respect of the review of the Constitution.

**14. MEMBERSHIP OF POLITICAL GROUPS ON THE COUNCIL, POLITICAL BALANCE AND ENTITLEMENT TO SEATS (Pages 108 - 118)**

To report on the establishment of political groups, the political balance of the Council and the entitlement of each group to seats on the authority's committees.

**15. NOTICE OF MOTION**

The Proper Officer has not received any notice of a motion under the provisions of Standing Order 10(4)(b).

**16. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

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

**17. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN**

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

**18. STANDARDS AND ETHICS COMMITTEE (Pages 119 - 123)**

To receive and consider reports, minutes and recommendations of the Standards and Ethics Committee.

To confirm the minutes as a true record.

**19. AUDIT COMMITTEE (Pages 124 - 133)**

To receive and consider reports, minutes and recommendations of the Audit Committee.

To confirm the minutes as a true record.

**20. HEALTH AND WELLBEING BOARD (Pages 134 - 147)**

To receive and consider reports, minutes and recommendations of the Health and Wellbeing Board.

To confirm the minutes as a true record.

**21. PLANNING BOARD (Pages 148 - 160)**

To receive and consider reports, minutes and recommendations of the Planning Board.

To confirm the minutes as a true record.

**22. LICENSING BOARD SUB-COMMITTEE (Pages 161 - 166)**

To receive and consider reports, minutes and recommendations of the Licensing Board Sub-Committee.

To confirm the minutes as a true record.

**23. URGENT ITEMS**

To consider any other public items which the Mayor determines are urgent.

**24. EXCLUSION OF THE PRESS AND PUBLIC**

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

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

**25. DATE AND TIME OF NEXT MEETING**

To note that the next meeting of the Council will take place on Wednesday 12 July 2017 at 2.00 p.m. in Rotherham Town Hall.

A handwritten signature in black ink that reads "Sharon Kemp." The signature is written in a cursive, flowing style.

**SHARON KEMP,**  
Chief Executive.

**The next meeting of the Council will be on XX at 2.00 p.m. at the Town Hall.**

**COUNCIL MEETING**  
**8th March, 2017**

Present:- The Mayor (Councillor Lyndsay Pitchley) (in the Chair); Councillors Alam, Albiston, Allen, Andrews, Beaumont, Beck, Bird, Brookes, Carter, Clark, Cooksey, Cusworth, Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Fenwick-Green, Hoddinott, Ireland, Jarvis, Jepson, Jones, Keenan, Khan, Lelliott, McNeely, Mallinder, Marles, Marriott, Napper, Read, Reeder, Roche, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Steele, Taylor, Julie Turner, Tweed, Vjestica, Walsh, Watson, Williams, Wilson, Whysall, Wyatt and Yasseen.

**124. ANNOUNCEMENTS**

The Mayor was delighted to present Nicola Ford and Caroline Ramsden with certificates of commendation by the Presiding Judge following their evidence in a recent CSE trial.

Members of the Council joined the Mayor in showing their appreciation in a round of applause.

The Mayor also welcomed newly elected Councillors Carter and Vjestica to their first Council meeting.

The Mayor on International Women's Day reported on her activities since the last Council meeting, which included attending eighty one engagements with a further one this evening.

Over the past six weeks, the Mayor had visited nursing homes and schools and hosted visits to the Town Hall including cubs and scouts. There had also been a charity night at the Trades Club which also involved the Mayor singing. There had been a number of highlights since the last Council meeting which included celebrating Chinese new year, visiting the food bank, visiting 218 squadron drill team who had had the U.K.'s foot drill competition, the opening of a new shop in the town centre - Jaded Heart and attending the real ale festival at Magna.

The Leader confirmed he had no further announcements when invited by the Mayor.

**125. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Allcock, Atkin, Buckley, Cowles, D. Cutts, Hague, Price, Simpson and John Turner.

**126. 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:-

- 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.

**127. COMMUNICATIONS**

**128. DECLARATIONS OF INTEREST**

The following Declarations of Interest were received:-

**Minute No. 137 (Notice of Motion – Save Rotherham Post Office)**

Councillor Tweed declared a personal interest on the basis that he was employed by Royal Mail, but in an entirely separate entity.

**Minute No. 149 (Questions to Cabinet Members and Committee Chairmen)**

Councillor Cusworth declared a personal interest on the grounds that she was asking a question of a Cabinet Member, but was also a Governor at Brookfield Academy, the subject of her question.

**129. MINUTES OF THE PREVIOUS COUNCIL MEETING**

**Resolved:-** That the minutes of the meeting of Council held on 25<sup>th</sup> January, 2017, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

**130. PUBLIC QUESTIONS**

(1) Mr. D. Smith, on International Women's Day, wished to offer his congratulations to the Mayor in the manner in which she had represented this town over the past year. In relation to his question he asked with the amount of houses built in Dinnington over the last ten years why was it that RMBC have only collected just under £24,000 from one developer.

Councillor Lelliott explained the residential developments that had taken place in Dinnington generally provided for affordable housing on sites that did not generate additional Section 106 contributions. However, £55,000 including the £24,000 referred to by Mr. Smith had been received for public transport initiatives.

In a supplementary question Mr. Smith referred to nearly £200,000 being received over the years in Section 106 monies in Dinnington. Very little, if any, had been spent on Dinnington's infrastructure. He was also in receipt of a letter which indicated the Council did not have to consider the opinions of the Town Council. Bearing this in mind having spent £87,000 of Section 106 monies on travel passes just imagine what £87,000 could be spent on. Taking this in to account how could you expect a Parish Council in Rotherham to trust the Council to run the Community Infrastructure Levy and deal with it properly.

Councillor Lelliott explained the Council could only work with the figures provided. However, officers had been asked to provide a full answer in writing to Mr. Smith and the Cabinet Member offered to have a meeting after Council to go through this in more detail. Different developments depend on Government legislation and whether or not Section 106 contributions could be triggered as to the viability of the development sites. Some money had been used for sustainable transport initiatives and a full answer in writing could be provided on this. The Community Infrastructure Levy policy had been approved by Council and once the Town Council received their 25% they would appreciate how efficient and open and transparent you had to be to spend Government monies.

(2) Mr. P. Thirlwall firstly wished to thank the Chief Executive for including on the Mayor's letter the motions appearing on the agenda and how easier it was in the public gallery to follow the debate, secondly reminded the Leader he was still awaiting a response from him and Councillor Lelliott on how CIL money was intended to be spent and whether it could be used on reversing the disastrous Bramley traffic system and thirdly, Councillor Watson indicated some time ago that he was looking at revising Standing Orders, but if not completed yet could consideration be given to looking at the 50 word limit for questions from members of the public.

He referred to the basic annual allowance claimed by Councillors which was £11,605. As the UKIP Leader of the Opposition, Councillor Cowles claimed a further £8,717.

He asked could the Leader explain what extra duties Councillor Cowles performed to warrant claiming the extra allowance and what benefits were received by the Tax Payers of Rotherham?

The Leader was conscious Mr. Thirlwall was still waiting for a letter from himself and Councillor Lelliott on Bramley. On the issue on a review of Standing Orders this was being considered by the Constitution Working

Group. The basic allowance and special responsibility allowances, where applicable, including the Leader of the Opposition, were considered by an Independent Remuneration Panel and then approved by full Council.

There was no role description defined within the Council's Constitution covering the additional duties received by the Leader of the Opposition. As well as leading the major Opposition Group, Councillor Cowles was also the Vice-Chair of the Overview and Scrutiny Management Board and sat on the Joint Improvement Board with Commissioners.

In a supplementary question Mr. Thirlwall pointed out the difficulty for the opposition to achieve anything as they did not have a whip, which meant no control. As a responsible opposition party Mr. Thirlwall thought an alternative budget would be submitted. If no alternative budget then this was remiss of the party and may have been one of the reasons for the Leader of the Opposition special responsibility. Whilst it might be they say no notice would be taken of their budget as they would not win the vote, but when he himself was an Independent Member, Mr. Thirlwall had submitted an alternative budget, which whilst lost to the vote, saw the contents he had suggested implemented in the following year.

The Leader was not sure what the Opposition would present today, but the people of Rotherham had the right to elect who they wanted to represent them.

(3) Mr. J. Jackson asked did the Council accept, that directly due to their own agreed/voted budget setting, that it had/was, implementing and operating a harmful council tax policy that removed JSA benefit from homeowners and not rental JSA claimants, thus forcing a situation where such groups were required to use charity food banks?

The Leader explained Mr. Jackson had asked a similar question at Cabinet a few weeks ago. He clarified the award of JSA (Job Seekers Allowance) made by the Department for Work and Pensions (DWP) in accordance with their rules and would not be affected in any way by the Council's Budget and Council Tax setting or its local Council Tax Support scheme.

The question was in relation to the raising of Council Tax and the level of support and whether this impacted on home owners differently to those who rented those properties. On checking it did not matter if you were a home owner or rented a property, unless you owned more than one property and the capital meant you were expected to pay more council tax.

The Leader was acutely aware of the impact of council tax rises on people on low incomes and was why the Council had maintained a relatively generous system of council tax support. For three quarters of residents across the country the impact of council tax rises would be greater for

people who received council tax support. The proposals before Council today maintained the level of support.

In a supplementary question Mr. Jackson referred to the Mayor's good work in the borough and was delighted to see in the newspaper a recent event she had attended to raise money for a charity food bank. What was the point of the Mayor raising money for a charity food bank when the Council was removing it and forcing people to go to the food banks due to income shortages.

The Leader understood the question, but explained the proposal to be presented today meant for the average council tax payer (54%) of the borough they would pay an extra 85p a week whereas people in receipt of council tax support this figure dropped to 8p per week. 8p for some people was still a lot of money, but for some people this was lower more than was available than in some places in the country.

The Leader explained if he could he would change the Government system or revert back to the previous system giving full council tax benefit to those on very low or no incomes, but under the present budget situation the current support scheme would be maintained.

(4) Mr. R. Beecher confirmed he was a firefighter with seventeen years' experience, the last fourteen of which had been served here in Rotherham on Fitzwilliam Road as part of Green Watch.

He referred his question to the Leader of Rotherham Council and asked if he was aware of the Fire Authority's latest proposal to significantly reduce fire cover at night time here in Rotherham by removing the second appliance and the time scale for the implementation of such cuts.

The Leader thanked Mr. Beecher for his service to the people of Rotherham which was greatly appreciated. He was aware of the Fire Authority's proposals to reduce staffing numbers around the second Rotherham appliance, which was part of the Integrated Risk Management Plan which was coming to an end and consulted upon five years ago. This formed part of the implementation of that plan covering the period up to 2017.

In a supplementary question Mr. Beecher referred to the Integrated Risk Management Plan and it was correct it was part of the consultation. However, the consultation was purely a financial assessment since which the Fire Authority had £24 million in a reserve fund out of an operating budget of £49 million, which meant nearly half of its budget was in reserves.

Response times were increasing not only locally but nationally and fire deaths within this brigade had doubled in the last twelve months, which it was felt were linked.

The Fire Authority had asked residents of Rotherham for an increase in its funding through the council tax of 1.9% to raise a further £410,000. The removal of the second appliance had no cash savings proven and admitted by the ASCO, which would lead to significant increase in the risk not only to the residents of Rotherham, but also to fire fighters. My colleagues and I do not want to be stood here in twelve months' time addressing this Council saying we told you so. On behalf of fire fighters in South Yorkshire Mr. Beecher strongly urged the members of this Council and others to engage and talk with Fire Authority members to seriously rethink these dangerous and unnecessary cuts.

The Leader was not an expert on determining where spend and the risk lay. However, he would take away the concerns raised to day and discuss this with the Fire Authority representatives in the way that he suggested.

(5) The Mayor explained the question from Mr. Carbutt was to the South Yorkshire Fire and Rescue Representative, but as both Council representatives were attending the National Fire Authority Conference the response from them would be supplied in writing.

Mr. Carbutt explained he was a Brigade Official for the Fire Brigade's Union and used to attend with Councillors Atkin and Buckley and other Section 41 Members the LGA Conference, but had he been allowed to attend the Conference he could have put the question to them.

He, therefore, indicated the issue of second appliance response times was not mentioned in South Yorkshire Fire and Rescue's latest proposal for an integrated risk management plan and asked if he could be informed of the predicted increase or decrease following the removal of the second night time appliance at Rotherham Fire Station.

Due to the consultation period ending before the next Council meeting in a supplementary question Mr. Carbutt indicated that with the wait and resources, appliances and fire fighters' equipment and the speed of attack of vital fire factors, the successful outcome was whilst firefighting. The removal of the second appliance pole time night time was an asset that the people of Rotherham could ill afford to lose. The public consultation period was only six weeks. It could have been twelve weeks and the service have been asked to look at the appliance response times since the 16<sup>th</sup> December, 2016 and still have not received them. The previous IRMP's response times have been received, but not the predictions following the removal of the second night time appliance in Rotherham. It was vitally important that these were received.

The Fire Brigade Union believed that the public consultation period was insufficient and the information required to provide an informed response as a representative body had not been afforded to the Fire Brigade Union in the correct manner. Would Councillors instruct Fire Authority Members, Councillors Atkin and Buckley, to extend the consultation period and

mandate from this Chamber to revisit the proposals for Rotherham Fire Station and a guarantee was given to work with the Fire Authority Members if they would meet with the Union on providing alternatives so that a balanced budget could be achieved by 2020.

**131. 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 13<sup>th</sup> February, 2017, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

**132. BUDGET AND COUNCIL TAX 2017-18**

Further to Minute No. 171 of the meeting of the Cabinet/Commissioners' Decision Making Meeting held on 13<sup>th</sup> February, 2017, consideration was given to the report which proposed the Council's Budget and Council Tax for 2017/18 based on the outcome of the Council's Final Local Government Financial Settlement, budget consultation and the consideration of Directorate budget proposals through the Council's formal Budget and Scrutiny process (Overview and Scrutiny Management Board) alongside a review of the financial planning assumptions within the Medium Term Financial Strategy.

The Leader of the Council confirmed this was the third time that he had had to deliver the budget and the seventh year of Tory austerity and spoke about:-

- 1,700 jobs lost from Rotherham Council over that time period. Potentially another 1,000 to go over the coming three years as another £66 million budget gap was being faced.
- The biggest changes to Local Government funding not just of our lifetimes, but of anyone's lifetime.
- The unprecedented situation of Central Government telling Councils that if they want to meet the growing need of elderly and vulnerable adults – as we do – then we must send the bill to Council tax payers.
- Members having to reflect deeply on the needs of their community, on their priorities, in order to draw together the proposals.
- The thousands of conversations with staff and residents over the last two years resulting in the new Council vision. It's about our home, about our community, and what kind of place we want to live in.

- Committing an additional £10 million towards improving child safeguarding to recruit more permanent children's social workers, and better equip them for the challenges that they face, recruit more foster carers and support more families to keep children out of care.
- Two years ago additional investment was given to survivors of Child Sexual Exploitation in Rotherham the support that they had long waited for. More than 400 survivors have accessed that support and it would continue.
- The crisis in funding for Adult Social Care and the particular pressures that affect our service. Over the last ten years the adult population of Rotherham had grown by less than 2%, but the population aged over 65 had grown by 10%.
- Through the Adult Social Care levy, investment would be made in meeting the needs of vulnerable young people who were becoming independent adults, and protect services that would otherwise have to be restricted.
- Protecting street cleansing and grounds maintenance in villages and localities. The first £5 million capital investment in the 2020 Roads Programme had already seen an additional 150 roads across the borough resurfaced, and the Council was committed to delivering a further £10 million over the next three years.
- Taking responsibility against the people who litter the environment and who should pay the cost of cleaning it up, with more fines and prosecutions with tougher enforcement.
- Protecting the revenue funding for the economic development team, and standing behind capital investment commitments towards revitalising the town centre. Alongside the commitment to devolution, work will continue with neighbours to help to secure the next generation of jobs and employment.
- In the last year, more than 4000 people relied on the Food for People in Crisis scheme.
- Balancing this budget requires that the council continues to shrink and money would have to be saved on back office support services, on the estate of buildings, tough decisions around Public Health contracts, including ceasing Council funding for the Ministry of Food.
- More revenue would be raised from some more commercial parts of the Council's operations, like the Civic Theatre and Rother Valley Country Park.
- The level of subsidy provided to school support services would shrink.

In setting the proposed 2017/18 Budget, Council were asked to approve an increase of 1.99% in the Council's basic Council Tax and a further 3% increase for the Adult Social Care precept; a combined increase of 4.99% for 2017/18.

Although this report contained proposals to balance the revenue budget for 2017/18, further work needed to be undertaken to bring forward proposals for future years to enable the Council to establish a clear and sustainable financial plan which addresses the estimated £42m financial gap that remained over the next two years (2018 to 2020).

This Budget incorporated over £10m of additional investment in Children's safeguarding and over £3m of additional direct investment in Adult Social Care alongside indirect budget increases resulting from increased costs of current service provision. It will enable the reinstatement of the Joseph Rowntree Foundation Living Wage rate from April 2017 for the Council's own staff and will also provide £100k funding to help to partially mitigate the impact of Welfare Reform on the most vulnerable – through the provision of a budget for food parcels and crisis loans.

Whilst doing this, the Budget minimises, as much as possible, the adverse impact on universal services (those which benefit all Rotherham residents as opposed to targeted services for people with specific needs) and also provided some additional income streams related to leisure activities. The Budget would provide resources to support and enable the delivery of the specific savings included within this report and to assist with the development and delivery of the further £42m savings that are required over the next two financial years.

This report also provided feedback from both public and partners in relation to the budget proposals that were published on the Council's website for consultation until 3<sup>rd</sup> January, 2017 (Section 5).

Councillor Jepson congratulated officers on the comprehensive documentation presented as part of this item, but could not support the budget proposal going forward due to the concerns and financial penalties for Town and Parish Councils throughout the borough.

Councillor Carter described the Labour Party dominance in Rotherham and risk he believed they were taking in presenting this budget with the current low borrowing rates and prices increasing which, from experience, would lead to interest rates going up.

He described the struggle from another decade of Conservative rule and the forecasts of Labour losing its stronghold. Rotherham's reputation had been damaged, people were struggling and he warned about financial mismanagement. He believed the Labour Party were increasing debt by taking an extension out on Rotherham's mortgage which would have to be paid back at some point. The proposals were for a 5% rise in Council Tax under an administration who had not collected £8 million in Council Tax

and Business Rates forcing working families to pay more whilst letting businesses off the hook. He urged Members to reject the budget and he himself would be voting against.

Councillor Beck referred to Appendix 3b of the Capital Programme for 2017/18 and the fund of £7.5 million, which was to replace Council houses lost through the Right to Buy Scheme which forecasted at 160 homes for this next year.

The Council in Rotherham was committed to delivering and creating a strong housing market that everyone could access and for those that could not access the housing market there were services here prepared to support them. Every effort was being made to create more housing for people in the social housing sector where they needed it most and on this basis he was fully in support of the budget.

Councillor Steele described the cuts enforced on this Council by the initial Coalition Government and the now Conservative Government. Rotherham was having to manage on less money, but would continue to protect the most vulnerable, protect the elderly and protect the young.

He expressed his surprise at the comments made by Councillor Carter at his first Council meeting and would have liked to have seen his alternative budget had he submitted one. Whilst the whole Budget had been scrutinised and agreed there were still some concerns, but this would be supported and monitored over the next twelve months.

Councillor Cooksey referred to the austerity programme which illustrated vast power differentials between local and national Government, the burden transfer of responsibility onto Councils, the biggest squeeze on spending by local authorities by 37% which would fall further and how poorer the area the greater its needs and reliance on government grants which saw Rotherham within the 20% of the most deprived areas suffering with things such as child poverty and lower life expectancy. Austerity was not a political choice and not a necessity. The Tory Government must be held responsible for the cuts.

Councillor Ellis echoed the views of her colleagues about why the Council was having to make cuts in services. She expressed her sadness on International Women's Day that the average Rotherham woman suffered in poor health for twenty-two years and the average man for twenty-one years with the expectation on Local Government to do their best.

This was an abdication of responsibility and a disgrace and also an abdication of UKIP's responsibility for not putting forward an alternative budget. It was a disappointment that last year the then Leader indicated the party had no business acumen and felt they could not present an alternative budget, which could be the same view as their present leader. More was needed from this present Government and more from the UKIP party, the main opposition.

Councillor B. Cutts described the current situation in the present Council as wanting more, more and more and drew attention to the position with children's homes, the current economics and the need to keep eyes open and look deeper. He would be objecting to the proposals.

Councillor Short responded on behalf of the UKIP Party who made a conscious decision not to submit an alternative budget, for one it would have been voted against, but secondly Members of UKIP had participated fully in the budget and the detailed savings proposals. He described the contribution to the preparation of the budget, which had little room for alternatives and the difficulty facing the authority through the use of reserves. Any figures quoted by the UKIP Party had been authenticated by officers. He referred to poor financial practices in the past and how this situation would no longer be allowed or accepted.

Overspends in Children and Young People's Services were well documented and he wished to comment on the financial position and going forward to what extent could the Council be confident to deliver in 2017/18 with no overspend, to what extent would the Council be able to deliver savings for 2018/19, the extent to identify and deliver sustainably the new savings gap of £40 m for the next two years. The proposed requirement of £3m per annum to replenish the reserves was quoted and he questioned the strategy to use reserves earlier and replenish later, whether it would be possible to replenish at a later date and what would be the position if not possible.

Questions had been raised with managers about the savings proposals and the confidence of delivery. This would very much depend on Cabinet Members holding officers to account and the need for remedial matters to bring budgets back into control.

Questions again were asked if the Council had sufficient reserves for unseen eventualities given the high reductions and whether it was safe to go below the level recommended.

In summary, Scrutiny had requested monthly budget monitoring reports and it was suggested that should there be an overspend officers come prepared with remedial action to what action was required to get budget under control.

The Budget proposals would be supported as it was recognised the Council had to allocate resources accordingly without putting itself in too much debt.

Councillor Roche endorsed the comments by the Leader about Adult Social Care and protecting the most vulnerable people in our town. Cuts were now impacting on front line services since all back office efficiencies had been realised. It was difficult to make comparisons with what other authorities were doing. Members were not happy having to make cuts, but there was simply nowhere else to go.

Councillor Sheppard indicated this was the seventh straight year of cuts, the cause of the cuts and how austerity decisions were not necessary, but political. Here in Rotherham difficult choices had to be made with the budget and how those most vulnerable could be protected.

Councillor Watson echoed Councillor Sheppard and Councillor Cooksey's comments and the political choice of austerity and the choices that had led to the preparation of the Budget today.

Cabinet Members had been questioned and scrutinised, but a sensible conclusion had now been reached with sound financial management which he had been party to, which included sensible decisions for Children and Young People's Services.

Councillor Sansome also passed comments on the practices of the coalition and current Government.

This Budget was not one anyone wanted to vote for as it was driven by the Government cuts and not by aspirations. However, as part of the Budget process financial reports had been requested on a monthly basis and had involved the Strategic Director for Finance attending to explain how she was keeping control of the spend.

Councillor Hoddinott responsible for Waste, Roads and Community Safety outlined the challenges facing services which had had to adapt to the cuts to the budget.

This year would see the continuation of the 2020 Roads Programme with an extra £10m funding to the resurfacing of the roads, which Members had fed into. In other areas close working would continue with businesses and residents in keeping areas looking smart through sponsorship and volunteering opportunities.

The point by Councillor Jepson was noted. There were huge opportunities to work together. These were no easy times, but this Budget protected services that mattered to residents, delivering services what Councillors were elected to do and most importantly provided for investment into Children's Services. Councillor Hoddinott was proud to vote for the Budget.

In response Councillor Read advised Councillor Jepson that the Parish Council grant given by Government had been folded into the Revenue Support Grant and whilst he could understand his and Parish Council concerns, it was not there any longer.

He welcomed Councillor Short's contribution and explained the savings were there to be delivered with no place to hide.

Councillor Read advised Members that the demand pressures on social care were causing difficulties, but the Council would face the difficulties over the course of the next few years.

Was this Budget sustainable, it was not known as the Council had never been in this position. However, comparatively Rotherham was in a good position and a long way from failing to discharge statutory responsibilities, but it was uncertain if this continuation of savings could be delivered.

Drawing attention to the reserves the proposals would allow for half of additional investment smooth over medium term, whilst minimising the impact on other services. It was right and proper that Members held officers to account.

Austerity was a political choice, endorsed by coalition and this Government and comments about taking risks from the budget and borrowing and Council Tax collection rates (which were in the top 1% in the country) were unfair criticism. The Council was in the right place for paying the cost of borrowing to assist with the capital programme and budget investments.

**Resolved:-** (1) That the Budget and Financial Strategy for 2017/18, as set out in the report and appendices, including the need to deliver £24m of budget savings and a basic Council Tax increase of 1.99%, be approved.

(2) That the Government's proposals for the maximum Adult Social Care precept of 3% on Council Tax for 2017/18 to fund additional costs and investment in Adult Social Care Services be approved.

(3) That the precept figures from South Yorkshire Police Authority, South Yorkshire Fire and Rescue Authority and the various Parish Councils within the Borough to be incorporated into Council Tax bills as set out in the Statutory Resolution in Appendix 6 be noted.

(4) That that an updated Medium Term Financial Strategy (MTFS) be brought back to Cabinet in 2017/18 after the accounts for 2016/17 have been closed.

(5) That the proposed use of reserves as set out in Section 3.5 be approved.

(6) That the comments and advice of the Strategic Director of Finance and Customer Services (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the Budget and the adequacy of reserves for which the Budget provides (Section 3.9) be noted and supported.

(7) That the consultation feedback from the public and partners following publication of Directorate budget savings proposals on the Council's website for public comment from 1st December 2016 to 3rd January 2017 (Section 5) be noted.

(8) That the use of in-year Capital Receipts to maximise capitalisation opportunities arising from service reconfiguration to deliver efficiencies and improved outcomes for clients and residents, and thereby minimise the impact of costs on the revenue budget as included in the Flexible use of Capital Receipts Strategy 2017/18 (Appendix 5) be approved.

(9) That the proposed Capital Strategy as presented in Section 3.7 and Appendix 3A and 3B, to a value of £280.240m be approved. This required prudential borrowing of £49.636m to fund non-HRA schemes over the five year period, for which provision has been made in the revenue budget for the associated financing costs.

(10) That the Capital Strategy budget be approved and managed in line with the following key principles:-

- i. Any underspends on the existing approved Capital Programme in respect of 2016/17 be rolled forward into future years, subject to an individual review of each carry forward by the Strategic Capital Investment Group.
- ii. In line with Financial Regulation 13.8, any successful grant applications in respect of capital projects will be added to the Council's approved Capital Programme. This will include projects that are included within the Development Pool, where funding has yet to be identified.
- iii. Capitalisation opportunities and capital receipts flexibilities will be maximised, with capital receipts earmarked to minimise revenue costs.

(11) That the prudential indicators and limits for 2017/18 to 2019/20 contained in this report. (Appendix 4 – Section 3.1 – 3.4) be approved.

(12) That the Minimum Revenue Provision Policy Statement which sets out the Council's policy (Appendix 4 – Annex A) be approved.

(13) That the Treasury Management Strategy for 2017/18 to 2019/20 and the Authorised Limit Prudential Indicator (Appendix 4 – Section 3.5) be approved.

(14) That the Investment Strategy for 2017/18 to 2019/20 (Appendix 4 – Section 3.5.5) be approved.

Mover:- Councillor Read, Leader

Seconder:- Councillor Alam

(The Mayor (Councillor Lyndsay Pitchley); Councillors Alam, Albiston, Allen, Andrews, Beaumont, Beck, Bird, Brookes, Clark, Cooksey, Cusworth, J. Elliot, M. Elliott, R. Elliott, Ellis, Fenwick-Green, Hoddinott, Ireland, Jarvis, Jones, Keenan, Khan, Lelliott, McNeely, Mallinder, Marles, Marriott, Napper, Read, Reeder, Roche, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Steele, Taylor, Julie Turner, Tweed, Vjestica, Walsh, Watson, Williams, Wilson, Whysall, Wyatt and Yasseen voted in favour of the proposals)

(Councillors Carter, B. Cutts and Jepson voted against the proposals)

### 133. REPORT OF THE RETURNING OFFICER

Consideration was given to a report of the Returning Officer reported that the persons indicated below had been elected Members of the Council at the election held on Thursday, 2<sup>nd</sup> February, 2017.

Forename (s)	Surname	Ward	No of votes polled
Adam Jonathon	Carter	Brinsworth and Catcliffe	2000
John	Vjestica	Dinnington	670

**Resolved:-** That the report of the Returning Officer be received.

Proposer – Councillor Read

Seconder – Councillor Watson

### 134. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND'S REVIEW OF WARD BOUNDARIES IN ROTHERHAM

Consideration was given to a report which confirmed the Council had now received confirmation that the Local Government Boundary Commission for England (LGBCE) was minded to recommend that fifty-nine councillors should be elected in future. The next stage of the Commission's review of ward boundaries was to consult on the future make up of electoral wards across the borough.

The report detailed what was involved in the next stage of the review and outlined a recommended approach for the Council, the importance of which was urged to Members, in readiness of submitting a warding arrangement proposal to the Local Government Boundary Commission for England.

**Resolved:-** (1) That the Local Government Boundary Commission for England's decision for fifty-nine councillors to be elected in Rotherham from May 2020 be noted.

(2) That the report and timetable for the remainder of the ward boundary review be noted.

(3) That authority be delegated to the Chief Executive, in consultation with the Constitution Working Group, to submit a proposal on behalf of the Council in respect of warding arrangements to the Local Government Boundary Commission for England.

Mover:- Councillor Read

Second:- Councillor Watson

**135. DISCLOSURE AND BARRING SERVICE CHECKS ON COUNCILLORS**

Consideration was given to a report which confirmed that all current Councillors serving on Rotherham M.B.C. have been subject to a check on offences and convictions by Disclosure and Barring Service.

**Resolved:-** That the report be noted.

Mover:- Councillor Read

Second:- Councillor Watson

**136. CALENDAR OF MEETINGS 2017-18**

Consideration was given to a report which set out the Calendar of Meetings for the 2017-18 municipal year, which would be adjusted accordingly should there be a need for a change.

Councillor B. Cutts asked that consideration be given to increasing the frequency of meetings of full Council in order to reduce the number of pages on each agenda.

The Leader confirmed the number of pages had increased as a result of ensuring all Members had all the relevant reports on which to make a decision.

Councillor Steele also pointed out that the Overview and Scrutiny Management Board had also moved its meeting date to a Wednesday instead of a Friday to maintain a more appropriate pre-scrutiny work flow from Cabinet.

Councillor Walsh pointed out that the order of business was not only for Members of the Council, but more transparent for members of the public.

**Resolved:-** That the Calendar of Meetings for the 2017-18 municipal year be approved.

Mover:- Councillor Read

Second:- Councillor Watson

**137. NOTICE OF MOTION - SAVE ROTHERHAM POST OFFICE**

Moved by Councillor Yasseen and seconded by Councillor Alam

That this Council notes the recent announcement to close Rotherham Post Office on Bridgegate, unless it can be franchised with a partner.

We call on the Post Office and Government to reverse this decision. We are concerned there are limited options for a franchise partner in town, meaning a closure is likely if this route is pursued.

The Post Office network has been reduced by more than 50% over the past 30 years and this is a step too far. Rotherham Post Office is very well used and the decision would be detrimental to customers. As a Crown Post Office it provides services that are not available elsewhere for example, with regards to driving licenses and passports, these would be a big loss to residents in Rotherham.

We call on the Council to write to the Post Office and Government outlining our concerns and encourage all Members to sign and promote the petition against this decision.

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

#### **138. NOTICE OF MOTION - ORGREAVE INQUIRY**

Moved by Councillor Steele and seconded by Councillor Williams

Rotherham Council condemns Amber Rudd, Home Secretary's rejection on 31st October 2016 in Parliament of an Orgreave Inquiry as a grave injustice. We believe the events of 18<sup>th</sup> June 1984 here in Rotherham at Orgreave demand there be an inquiry.

This Council is appalled by the decision not to hold an inquiry into the policing of picket lines at the Orgreave coking plant 18th June 1984 Miners' Strike. With this ruling, Amber Rudd has shown great contempt for the Orgreave Truth and Justice Campaign, many former miners, their families and communities who for more than 32 years have waited for the truth and who have displayed huge courage and tenacity in trying to hold the authorities to account.

This Council observes that even the Independent Police Complaints Commission said in their redacted report released June 2015 "that there was "evidence of excessive violence by police officers, a false narrative from police exaggerating violence by miners, perjury by officers giving evidence to prosecute the arrested men, and an apparent cover-up of that perjury by senior officers".

This Council is astonished that in the light of such statements Home Secretary Amber Rudd concludes that there are few lessons to be learned by the current police forces from any review of these events, that no one died, there was no miscarriage of justice, no convictions and therefore there will be no inquiry.

This Council notes that 95 miners were arrested and charged with riot offences, but all were later acquitted amid claims that South Yorkshire Police had fabricated evidence. There were also widespread examples of pickets being beaten unconscious by police officers. The miners suffered such treatment simply for exercising their right to protest against the threat to their jobs, their industry and communities.

It is shameful that as yet, no-one has to answer for the events of that day. Monday 31<sup>st</sup> October 2016 was a bad day for justice. We do however salute the decision of the Orgreave Truth and Justice Campaign to continue with its fight for transparency and a full public inquiry.

This Council will write to the Home Secretary asking that she takes into account the opinion of this Council, accepts that there is wide spread public concern about the events at Orgreave and calls on her to order an inquiry into them.

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

**139. STANDARDS AND ETHICS COMMITTEE**

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

Mover:- Councillor McNeely

Second:- Councillor Khan

**140. AUDIT COMMITTEE**

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

Mover:- Councillor Wyatt

Second:- Councillor Walsh

**141. RECOMMENDATION FROM THE AUDIT COMMITTEE - PROCUREMENT AND APPOINTMENT OF EXTERNAL AUDITORS - 2018/19 AND BEYOND**

**Resolved:-** (1) That the recommendation of Audit Committee be approved for the Council to opt into the sector-led option for the procurement and appointment of external audit from 2018/19 onwards.

(2) That the Strategic Director of Finance and Customer Services be delegated authority to complete and submit the opt in form (Appendix A) to PSAA by the deadline of the 9th March, 2017.

Mover:- Councillor Wyatt

Second:- Councillor Walsh

**142. HEALTH AND WELLBEING BOARD**

**Resolved:-** That the reports and minutes of the meetings of the Health and Wellbeing Board be adopted.

Mover:- Councillor Roche

Second:- Councillor Watson

**143. PLANNING BOARD**

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

Mover:- Councillor Tweed

Second:- Councillor Sansome

**144. LICENSING BOARD SUB-COMMITTEE**

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

Mover:- Councillor Ellis

Second:- Councillor Rushforth

**145. STAFFING COMMITTEE**

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

Mover:- Councillor Alam

Second:- Councillor Read

**146. RECOMMENDATION FROM STAFFING COMMITTEE - PAY POLICY STATEMENT 2017**

**Resolved:-** That the Pay Policy Statement for 2017-18 be approved.

Mover:- Councillor Alam

Second:- Councillor Read

**147. RECOMMENDATION FROM STAFFING COMMITTEE - LIVING WAGE**

**Resolved:-** That an increase in the Council's Living Wage rate to £8.45 from 1<sup>st</sup> April, 2017 and a commitment to an annual review to consider budget position and grading risks be approved.

Mover:- Councillor Alam

Second:- Councillor Read

**148. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

There were none.

**149. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN**

**(1) Councillor Cusworth** asked what support is the Council providing to Brookfield Primary Academy in Swinton, since Ofsted gave the school an overall rating of "inadequate" following their recent inspection in September, 2016.

Councillor Watson confirmed that since the Ofsted inspection, one of the Principal Advisors from the Local Authority had met with the Executive Head Teacher and co-constructed a package of support which was available to the Academy. As part of this, extra support had been given to Brookfield Academy to strengthen its safeguarding processes and systems. In addition, teaching staff have attended the Council's SATS preparation and moderation sessions and the Executive Head Teacher attended the recent Primary Head Teachers' meeting, which focused on elements of best practice.

In a supplementary question Councillor Cusworth understood the Council had previously offered support to the school, but this was not accepted. However, with a new Head Teacher in place could the Council give assurances that they and Wakefield Academy Trust were now working together.

Councillor Watson confirmed in part. Prior to the inspection the school decided it did not want to take advantage of the Rotherham's School Improvement Services offer. Since the inspection, however, the school had been willing to work with the Council and the Head Teacher and the Senior School Improvement Adviser had co-produced a package. However, at this moment in time financial approval from Wakefield Academy Trust was still awaited.

**(2) Councillor Carter** asked what was South Yorkshire Labour's united policy on devolution to the Sheffield City Region.

The Leader explained how the Combined Authority was made up of the Leaders of the four South Yorkshire authorities who wished to continue moving forward with the Sheffield devolution deal. The Combined Authority regretted the impact and judicial review from Derbyshire, but accepted the consequence of this whilst getting into the right place legally. This now meant that the election for Mayor would be moved back to 2018.

Leaders would continue to pursue what options they believed for their own local authorities and this was the view the Leader had taken on behalf of this authority.

In a supplementary question Councillor Carter asked why, when the South Yorkshire Members of Parliament had taken a different stance looking towards a Yorkshire-wide version, could the Leaders not agree this between them.

The Leader pointed agreement had been reached on the position of the Combined Authority. However, he pointed out to Members that each Leader had a responsibility to their own areas and to pursue a devolution deal in the best way. He was personally unconvinced about a Yorkshire model of devolution as it would prove difficult to get this. Some people may think it may be possible to do this and some people think it may be possible to achieve this and keep the Combined Authority for the Sheffield City Region with one Mayor for the whole of the Yorkshire area. All options would be examined as they came forward, but it was the Leader's view that the Sheffield City Region was the best option for Rotherham and only option being pursued at this time.

(3) **Councillor Napper** asked in the interest of democracy could the Leader tell the ratepayers of Rotherham why they were not given a referendum or vote on whether we should become a part of the Sheffield Region or not.

The Leader explained Rotherham became part of the Sheffield City Region when it was established in 2004. It was not a requirement of the legislation then for local authorities to decide whether it should hold a referendum.

The Leader assured Members that Rotherham was not becoming part of Sheffield, but on the basis of the economic footprint, with Sheffield as the big city in our area, to access funding and powers from Government to make decisions in our area of the country which would be more beneficial to ratepayers. The benefits could not be delivered in advance and people would make up their own minds if the decision to proceed was the right one. This was indeed a commitment made as a party back in May and the direction of travel the Council wished to proceed on.

(4) **Councillor Carter** asked what was the Council's preferred HS2 route through South Yorkshire?

Councillor Lelliott confirmed the Council's preferred HS2 route through South Yorkshire was via a station adjacent to the M1 Motorway near Meadowhall.

At the Council meeting on 7th September, 2016 (Minute No. 11A) the Council agreed a motion to this effect and the position had not changed since then.

In a supplementary question Councillor Carter asked what public consultation was performed on behalf of the Council to come to that Council position for that preferred route.

Councillor Lelliott explained consultation was undertaken by HS2 Ltd. via Area Assemblies and the public. The Council, however, had not undertaken any public consultation as the cost of consulting across the whole borough, during difficult financial times, would be colossal to

influence a decision which it may not have any control over. The Council believed the best economic option and benefits to the people of Rotherham was for a station adjacent to the M1 Motorway near Meadowhall and not the other options put forward.

**(5) Councillor Napper** asked what measures did the Council take to tackle housing fraud with regards to the right to buy, where someone had previously bought a Council house.

Councillor Beck explained purchasing a property under the Right to Buy when the applicant had already bought under the Right to Buy before was not in itself a form of fraud and the relevant legislation did not prevent this from happening. However, in such circumstances the applicant was obliged to formally declare any previous discount they have received on the claim form itself; this was so that the applicant's current eligible discount could be reduced accordingly. Failure to declare a discount previously received would be a form of fraud.

In a supplementary question Councillor Napper pointed out he had been led to believe this had happened on a couple of occasions where someone had obtained a Council house, lived in it and then got another one.

Councillor Beck asked if Councillor Napper was aware of any particular cases if he contacted him he would endeavour to look into this further.

**(6) Councillor Carter's question had been asked as a supplementary to Question No. 4.**

**(7) Councillor Napper** referred to fly tipping on the old Silverwood site of building waste, old settees etc. which were dumped out of site of the road/footpaths. This was private land owned by Ogdens Ltd. but was open to public access and asked what could RMBC do to help sites on this nature reserve.

Councillor Hoddinott explained the blight of fly tipping was a problem not just in Rotherham and Keep Britain Tidy had reported only this week of up to fifty incidents a day. Some of the examples given relate to professional fly tippers who were being paid and who were flaunting rules and dumping in places such as this.

Whilst the site was private land, the Council could assist landowners to protect their land from fly-tipping. This might include the use of barriers or boulders for example, to prevent access or assistance with evidence gathering and prosecution. Councillor Hoddinott would check officers were in touch with the landowners to help and support them to put measures in place and also catch those doing it.

**(8) Councillor Carter** asked what was the Leader's preferred HS2 route through South Yorkshire?

The Leader explained the preferred HS2 route which brought the maximum benefit to Rotherham and the whole of the Sheffield City Region was via a station adjacent to the M1 Motorway near Meadowhall.

In a supplementary question Councillor Carter asked, given that fact, the route proposed would cost £1 billion extra what services would the Council Leader cut to fund this Meadowhall Station.

The Leader believed the DfT had indicated they could save £1 billion to run a spur through the centre of Sheffield, but would need to electrify the route through the middle of Sheffield which would cost £500,000. There were a number of costs associated with taking a spur route through to Sheffield including protection across the Parkway. A formal statement had been submitted to Government as part of the consultation process pointing out that we think they were mistaken in terms of the cost analysis.

**(9) Councillor Napper** referred to a recent interview where the Minister for Housing stated that only in exceptional circumstances would the building of houses on Green Belt land be allowed and only after the available brown belt land had been used and asked what exceptional circumstances did the Bassingthorpe Farm Project have.

Councillor Lelliott explained the National Planning Policy Framework allowed for the alteration of Green Belt boundaries through the preparation or review of a Local Plan, which the Council had been doing and which could then identify key sites that could provide for new housing in the future.

The Bassingthorpe Farm site was removed from the Green Belt when the Local Plan Core Strategy was adopted in September, 2014. This was a key strategic site delivering over 2,000 homes. This was the only site available to deliver that level of housing and to fit in with the Local Plan which was currently sitting with the Local Planning Inspector for approval.

In a supplementary question Councillor Napper asked why in our current plan we were proposing to take 40 acres at Todwick for building and 30 and 16 hectares on Cumwell Lane as this was just eating up the Green Belt.

Councillor Lelliott pointed out that as part of the Local Plan key sites had to be identified. If not the Government would identify the sites for us. Originally the Government were instructing the Council to build over 20,000 homes, but following appeal this number was reduced to just over 14,000.

A decision on the Local Plan was due in May and this would then be brought to Members. It was the Council's intention to only want to build houses on the sites identified and to minimise building houses on the Green Belt.

**(10) Councillor Carter** asked what were the room hire fees charged by RMBC for the use of Town Hall rooms for party political meetings?

The Leader reported on the long standing arrangement where Elected Members were able to use the Town Hall meetings rooms for political and group meetings free of charge.

In a supplementary question Councillor Carter referred to political meetings and the intention in the budget to increase revenue from room hire and asked why the two political parties were holding political meetings in the Council rooms.

The Leader again explained about the long standing policy in Rotherham whereby Councillors were able to meet with their political colleagues free of charge.

**(11) Councillor Napper** asked when was the survey done to show that 81% of Rotherham residents were happy with Rotherham.

Councillor Hoddinott explained the survey in question was an independent survey commissioned by the Local Government Association (LGA) and conducted by Populus Data Solutions.

A statistically representative random sample of 520 Rotherham adults was interviewed by telephone and asked:-

"Overall, how satisfied or dissatisfied are you with your local area as a place to live?"

81% of respondents said that they were very or fairly satisfied with their local area as a place to live.

This was noted as there had been a rise in the number of residents saying they were satisfied with Rotherham which was something to recognise and be proud of.

In a supplementary question Councillor Napper pointed out that in the letters to the Rotherham Advertiser quite a few residents were not satisfied and did not like coming into Rotherham town centre which made you wonder why.

Councillor Hoddinott explained that from those surveyed 19% were still dissatisfied and may be disproportionally represented so there was still work to do to address the concerns and ensure that they were satisfied with Rotherham as a place to live.

**(12) Councillor Carter** asked what was the Council doing with Adult Social Care to ensure that the most vulnerable people in Rotherham received the care they deserve?

Councillor Roche explained the Council's priorities for Adult Services was for every adult to be secure responsible and empowered. The Adult Social Care Vision and Strategy set out the ambition that "adults with disabilities and older people and their carers in Rotherham were supported to be independent and resilient so that they could live good quality lives and enjoy good health and wellbeing".

The Strategy would enable these outcomes to be delivered and contained seven key elements:-

- We must ensure that information, advice and guidance is readily available (e.g. by increasing self-assessment) and there are a wide range of community assets which are accessible.
- We must focus on maintaining independence through prevention and early intervention (e.g. assistive technology) and enablement and rehabilitation.
- We must improve our approach to personalised services – always putting users and carers at the centre of everything we do.
- We must develop integrated services with partners and where feasible single points of access.
- We must ensure we "make safeguarding personal".
- We must commission services effectively working in partnership and co-producing with users and carers.
- We must use our resources effectively.

There was an Improvement Board in place to oversee the changes that were required to the Adult Social Care service.

There were several groups of vulnerable people in Rotherham and it would take a long time to explain the level of support provided to each of these groups. However, Councillor Roche was happy to meet with Councillor Carter if he required it. Large cuts to these services had introduced initially by the coalition and then more recently by the current Government. However, as a result of external reviews the direction of travel now seen in Rotherham was positive.

In a supplementary question Councillor Carter asked, given only fifty words was allowed for questions, could the Cabinet Member keep his answer brief next time.

**(13) Councillor Mick Elliott** referred to the recent news of progress on the Forge Island Site development which was most welcome, but asked when would this Council address the eyesore of the derelict and fire ravaged properties on Corporation Street?

Councillor Lelliott explained the Council was keen to see progress on this site, but progress was limited. If a property was deemed safe then nothing could be done unless a plan was in place for that building.

Over the last eighteen months numerous letters had been sent to the last known address of the owners of those properties. However, in order to purchase a property under Compulsory Purchase Order a plan must be in place for that property. As Members may be aware the Town Centre Masterplan was to be launched and once this identified the properties on Corporation Street the Compulsory Purchase Order process could commence. These were strict Government and legal guidelines that must be followed.

In a supplementary question Councillor Mick Elliott indicated that, although the Council was keen to regenerate the town and once the masterplan had been received from consultants, why were the Council not doing more and being more proactive with the demolition everyone knows about. Corporation Street was mentioned, but there were also eyesores on the corner of Hollowgate with scaffolding which had been around a building for a number of years and what must visiting fans think of the eyesore on the Guest and Chrimes site. He, therefore, asked if there were any plans to intervene to resolve the stalemate situation with that building.

Councillor Lelliott explained the building on the Guest and Chrimes site was Grade 2 listed, but this all came back to the plan and reiterated the Council had little control over properties they did not own.

The masterplan would underpin regeneration and discussions were taking place with developers in looking at key sites in the area. In terms of progress New York Stadium was a derelict site, but more could now be done with the purchase of Forge Island, the law courts and the new H.E. Campus on the old Doncaster Gate Hospital site.

**(14) Councillor Carter** asked what determined when a library was upgraded or refurbished?

Councillor Yasseen explained all Council properties were subject to a five year cycle of condition surveys, which determined what works were required to maintain the condition of the estate.

These condition works were then prioritised against the funding available with health and safety and keeping the building open the priority.

Councillor Carter was possibly alluding to the Brinsworth and Catcliffe library which was a portacabin internally and had existed for many years. Whilst being maintained it was old, small and really unfit for purpose. Over the past year discussions had been taking place with Polly Hamilton, Elenore Fisher, the Parish Council and Councillor Buckley regarding viable options for better library provision as part of the new Library Strategy, which would look to use buildings as a community hub providing more than one relevant service.

In a supplementary question Councillor Carter asked would the administration assure Brinsworth Library would be upgraded by the end of 2019.

Councillor Yasseen was unable to give the reassurance at this stage and outlined the important piece of work in the Place Review looking at localities which was being supported by the Cabinet. This would ensure that services were in the right place with the right level of provision. In addition two applications for funding had been submitted to Innovation Funding, which would facilitate some of the preliminary work in Brinsworth. Councillor Carter was urged to make contact and contribute to this work along with Councillor Buckley.

(15) Councillor Mick Elliott commended that Council Meetings and Committees were webcast to the public. It provided openness and transparency, but asked what was the cost of the service provider to Rotherham taxpayers?

The Leader explained that Council had a contract with Public-i who hosted many Council meetings and cost the Council £18,000 per year.

In a supplementary question Councillor Mick Elliott asked would it be more cost effective to upload the webcast image to You Tube like other Councils as the cost as far as he was aware would be minimal.

The Leader confirmed this had been looked at when webcasting had been introduced. The issue was around staffing and the organisational time required. The decision was based on our current system being the most cost effective way of doing it on a streaming basis.

**(16) Councillor Carter** asked what was the Council's policy for reviewing road safety measures on roads?

Councillor Hoddinott reported the Council was guided by the Safer Roads Partnership Safer Roads Casualty Reduction Strategy which looked at a number of factors, including the number of accidents in an area balanced against what could be done to re-model and improve road safety.

Councillor Carter referred to a pensioner being injured in the summer on Bawtry Road in Brinsworth and asked if the Council was waiting for someone to die before it reviewed road safety on this road.

Councillor Hoddinott understood Councillor Carter had been campaigning for local residents on this and asked that the petition in circulation be submitted so the Council could address those concerns.

(17) **Councillor Sansome** referred to a commitment at a recent OSMB concerning apprenticeships and further education for those children in care to be able to achieve the required grades and gain invaluable work experience and asked could the Deputy Leader advise if/how many have been successfully offered an apprenticeship and further education.

Councillor Watson referred to the Corporate Parenting Panel where it was reported that 72% of care leavers were in Education Employment or Training. This was much higher than the national average of 48%. Of the remaining 28%, 13% were unavailable for work due to personal circumstances, leaving 15% or thirty-three young people, who were actively seeking to engage in some sort of positive learning and development activity.

It was also very pleasing to report that twelve care leavers were in Higher Education, which was in line with national averages and plans were being developed to ensure all care leavers have access to an apprenticeship if this is the route they choose.

Often children who had been in care had not had a good educational experience and had not achieve the five A-C's GCSEs required. Work was now taking place on pre-apprenticeship programmes so by the time a young person arrived at apprenticeship age they had the right tools to obtain placements.

In a supplementary question Councillor Sansome asked if the other Directorates were offering the same commitment to deliver the same apprenticeships and work experience and suggested this be moved onto the work plan for the Improving Lives Select Commission.

Councillor Watson confirmed he was happy to work with the Improving Lives Select Commission and explained the Council's partner, Wilmot Dixon, was ringfencing sixteen apprenticeships for care leavers. This long train of work was happening alongside the Chamber of Trade and other departments.

(18) **Councillor Carter** referred to international companies moving to the Advanced Manufacturing Park, it was the image of Rotherham people would see and asked what was the Council doing about the appearance of that area?

Councillor Lelliott explained that it was marvellous that Rotherham was successfully associated with global brands like McLaren and Boeing who were choosing to invest here and strengthen the already world-class facilities at the Advanced Manufacturing Park.

Maintenance of the AMP site and common areas was managed by the landowner Harworth Estates through a service charge arrangement with the various occupiers and work was taking place with the developers to ensure a masterplan was in place that considered place-making and environment and importantly delivered high-quality development and a broad range of amenities in an attractive setting.

If there were any specific complaints or areas of concerns Councillor Lelliott asked that Councillor Carter pass these on.

**(19) Councillor B. Cutts** asked what was the annual cost of translation in Rotherham over the last five years and how was it incurred, but he confirmed he was content with the detail being placed in the minutes and did not require an answer being read out in full.

Councillor Read, the Leader, chose to explain the average annual cost of interpretation services over the last five years was approximately £188k per annum. 90% of the cost was allocated to the two social care departments for translation services for the borough's most vulnerable residents.

In a supplementary question Councillor B. Cutts asked if the year on year cost information could be set out in detail in writing and be included as part of the addendum to the minutes.

The Leader confirmed the detail would be forwarded onto Councillor Cutts.

**(20) Councillor Carter** referred to a lot of money being spent to try to improve the traffic flow around the Advanced Manufacturing Park and asked why had money been wasted on expensive unused traffic lights nearby?

Councillor Hoddinott welcomed the opportunity to share information about the traffic lights and explained the scheme to improve traffic flows around the Advanced Manufacturing Park at Waverley was designed and funded by Harworth Estates as part of planning requirements.

There have been delays in terms of switching on the traffic signals due to further design work being required. The developer's contractor was now finalising arrangements to fully implement the scheme, which would be extremely helpful for the safety of pedestrians.

In a supplementary question Councillor Carter referred to the changing layouts and signage at the Morrisons junction and the previous promises that the lights would be in operation for the New Year and asked why there was currently a delay and if a date had been set for the lights to be switched on.

Councillor Hoddinott again confirmed the delays were with Harworth's contractors. Further information on an operation date would be sought.

**(21) Councillor B. Cutts** asked what was the number of new "registered" foreign nationals living in Rotherham. He agreed to this information being provided in writing and pointed out not all the questions were directed from him, but were as a result of interest expressed by the public.

**(22) Councillor Carter** asked what was the Council doing to ensure that class sizes remained at or below an optimum maximum class size of 30 in primary schools in Rotherham?

Councillor Watson explained no infant class sizes (reception, year 1 and year 2) were allowed to be above 30 pupils to one qualified teacher ratio, under the DfE's infant class size legislation. The only exceptions allowed to this legally were classed as 'excepted pupils'. As the pupils move from infant to junior phase, class structures are maintained.

In a supplementary question Councillor Carter asked given some schools in Brinsworth and Catcliffe had class sizes of thirty four what class size did the Council deem unacceptable.

Councillor Watson explained any class sizes above the thirty limit were due to excepted pupils allocated as a result of a successful appeal by an independent appeals panel, if the child was looked after or previously looked after, or if a child's Social Health and Care Plan named a particular school. If Councillor Carter wished to discuss this further and put the details in writing the Deputy Leader was more than happy to assist.

**(23) Councillor B. Cutts** asked when the Commissioners were returning full control back to the Cabinet Member, why was there "no" member of the opposition present, was the meeting minuted and how do the public know if or what had changed?

Councillor Read, the Leader, confirmed he did not fully understand the nature of the question, but confirmed the returning of powers to the Council was subject to review by the Joint Improvement Board, chaired by the Lead Commissioner, which the Leader of the Opposition attended. It was also pointed out that any further return of powers by the Secretary of State to the Council on the recommendation of the Commissioners had been well publicised in the local media and within the Council and was available to members of the public via the Council's website.

In a supplementary question Councillor B. Cutts asked where members of the public could look for the information and be advised and what changed.

Councillor Read, the Leader, referred Councillor Cutts to the area where formal decisions were recorded by the Cabinet and Commissioners, the Forward Plan of Key Decisions and on the agendas for Cabinet/Commissioner decision making where it was fully documented who the decision maker was.

**(24) Councillor Carter** asked what distance did the Council deem acceptable for a child to have to travel to primary school?

Councillor Watson explained the DfE determined that two miles for primary schools and three miles for secondary schools was a reasonable distance to travel to school.

In a supplementary question Councillor Carter asked was it acceptable for some children from Waverley to travel past two primary schools.

Councillor Watson confirmed that without the details about the children it was impossible to determine if it was acceptable or not as it could well be the parents had chosen particular schools for their children.

This authority had an excellent track record in ensuring access to good schools locally, with consistently higher than national averages for families securing their first, second or third school and 94% received their first choice against the national figure of 67%. It was also pointed out there were no children who were not offered a place in their local catchment school, but the Deputy Leader was happy to look at individual cases.

**(25) Councillor B. Cutts** asked what was the updated circumstances with respect to RMBC re-purchasing the leases of the retail units between Corporation Street and Forge Island?

Councillor Lelliott reported that should a deal be agreed the Council would expect Heads of Terms to be complete by the June, 2017.

**(26) Councillor Carter** asked was it acceptable for primary school children to be forced to walk along a muddy unlit path to get to school?

Councillor Watson explained there should be a safe walking route to any local school within a resident's catchment area for school. If there were concerns about a particular designated walking route, then if details could be provided, he would ask Officers to investigate further.

In a supplementary question Councillor Carter referred to some children from the Waverley estate walking along unlit muddy routes and would appreciate work on this to rectify the matter.

The Deputy Leader asked Councillor Carter to furnish him with details immediately after the meeting and he would start working on it the following day.

**(27) Councillor B. Cutts** considered this to be a misuse of yellow pages and asked what circumstances or condition dictated that the public should “not” be party to and know the content of the agreement to the transfer of part of Boston Castle Park from Rotherham Council to the Yorkshire Water (yellow pages 75-80 Council Meeting 25<sup>th</sup> January, 2017).

Councillor Yasseen corrected the assumption that the decision on this land transfer had already taken place, when negotiations were still ongoing as to whether the site was appropriate and that the right site was chosen. The two bits of information which were exempt from the press and public were the valuation of Yorkshire Water’s land and the valuation of the Council land, which was information that was not in the public domain.

Councillor B. Cutts believed the response he had received was typical of yellow pages being used unnecessarily. Almost the same circumstances were happening on the other side of town with all the public knowing about it. He asked who were the Friends of Boston Castle and were they members of the public. He had received confirmation that the people involved were members of the public, but we as a Council chose to put information on yellow pages. On the one hand members of the public were discussing and agreeing matters and yet, the same subject, was restricted to Members.

Councillor Yasseen explained the Friends of Boston Castle were in fact volunteers and again emphasised that the reasons for the restrictions were due to the good negotiations taking place with Yorkshire Water on site suitability, accountability, land transfer and contributions. Whilst no decision had yet been made the Council were wanting to ensure that matters were dealt with effectively and the best site was sought, whilst bearing in mind the possibility of Yorkshire Water’s right of compulsory purchase. The two bits of confidential information referred to were the valuation of Yorkshire Water land and the valuation of the Council-owned land. These details had not been shared with anyone in the public domain.

The Mayor suggested Councillor Cutts have a private discussion with Councillor Yasseen regarding this matter after this meeting.

**(28) Councillor Carter** asked could the Deputy Leader explain why he recently wrote that funds for a new Waverley school were being released as originally planned when the Cabinet approved changes in 2014 delaying the release of funds until 40% more houses were built, leading to a delay in building the school.

Councillor Watson confirmed that whilst the original plan in 2014 was approved a downturn in the economy meant the properties on the Waverley estate were not selling as quickly as intended and as such in 2014 the principal developers at the Waverley development requested a ‘deed of variation’ to the original Section 106 of the Town and Country

Planning Act financial agreement to the number of properties being occupied, which had resulted in more apartments than houses being built which had been occupied at the same time as the houses would have been. This meant the 2020 opening date for the school would still be hit and in the interim this Council had approved the extension to other schools in the catchment to accommodate the children from Waverley.

In a supplementary question Councillor Carter referred to the frustration of residents at Waverley and the delay in having to travel quite far to a school and asked if the Council could pledge to bring the school building project forward.

Councillor Watson explained the Council had no control of the building of the school and a 2020 completion date was anticipated. An independent panel had also been established which included residents of the Waverley estate. A recommendation would have to be made to the Regional Schools' Commission as to which academy would be appointed to allow the school to be built.

**(29) Councillor B. Cutts** referred to the bus station and Council on the 19<sup>th</sup> October, 2016 - Question 5 and then again on 7<sup>th</sup> December, 2016 - Question 4 regarding the repair for the sum of £10 million. He explained how in a casual conversation with people of understanding and knowledge they fell about laughing at a suggested repair fee of £10 million when it was expected to be under £1 million and he asked how could this situation come about, or was there another agenda?

Councillor Lelliott explained there were two separate issues regarding the Interchange. Firstly, the fire damage repairs of £1 million and then the concrete rot and refurbishment and upgrade to the Interchange. The total cost estimate for the project was currently £12.6M.

This cost included for repairs to the multi-storey car park, and the fire damage, together with refurbishment and temporary facilities that would need to be provided on the highway whilst the works were being undertaken. The responsibility lay with SYPTE to design the repair/refurbishment works and engage a contractor to implement them some time in October, 2017.

In a supplementary question Councillor B. Cutts referred to the refurbishment and whether this related to the floor and the car park or the damage to the electrics. He confirmed he was not interested in the response as he had some correspondence, which he was happy to share with the Mayor, which indicated the Council wanted to relocate the interchange.

Councillor Lelliott restated that the £1 million for the fire damage when a bus caught fire would be through an insurance claim and the £10 million related to the refurbishment of the interchange. A direct link could be provided on when the details were approved and when it would commence.

**(30) Councillor Carter** referred to finding out last year that some of Rotherham's vulnerable looked after children had been sent as far away as Portsmouth for overnight care and asked how many of these children have been sent outside of the local authority area in the past three months?

Councillor Watson confirmed that in the period from the beginning of December, 2016 to the end of February, 2017 there have been eighteen placements made outside of Rotherham. This number represented 4% of the total looked after children population. Placements outside the local authority area were often essential, depending on each child's individual needs. It was quite normal, for example, to place a child at risk of CSE outside the area, whilst they worked with the authorities to bear witness against their abusers in court. In such circumstances, it is important to protect children from any intimidation at the hands of alleged perpetrators. In other cases, children may be placed out of area in specialist placements that were not available within the local authority boundary. That, said the Council's strategy was to place as many children locally as possible.

In a supplementary question Councillor Carter referred to the 4% of looked after children and asked if the Deputy Leader was accepting that there should be fewer people going out or was this not the case.

Councillor Watson explained that over the three months eighteen children had been placed outside the borough. However, for historical reasons the percentage outside the borough was greater during the period when the Authority was not performing well. Young people currently placed outside the borough and doing well would not be moved, but over time the proportion of looked after children in Rotherham would steadily increase as the sufficiency strategy evolved.

**(31) Councillor B. Cutts** referred to two public town demonstrations on Saturday, 25<sup>th</sup> February, 2017 and asked who was responsible for the detailed programme and approval.

Councillor Read, the Leader, confirmed that the responsibility for the programme lay with South Yorkshire Police, the lead agency for dealing with the protests.

In a supplementary question Councillor Cutts asked again, whilst the Police were responsible for the programme, who approved it.

Councillor Read, the Leader, explained the Police and the demonstrators have to come to some agreement over the protest and the Police do that in consultation with other partners. However, the final approval of responsibility lay with the Police.

**(32) Councillor Carter** referred to Rotherham Councillors representing 3,125 voters on average. In Sheffield this number was 4,629. If Sheffield could manage to run one of the country's largest cities on this ratio, asked then why had Rotherham not reduced the number of Councillors accordingly?

The Leader explained that whilst comparisons between authorities could be useful in assisting the Local Government Boundary Commission for England determining an appropriate number of Councillors, the most important thing was about Councillors serving the interest of their communities and governance of the Council and having applied and met the test a small reduction in the number of Councillors had been agreed.

**(33) Councillor Carter** asked the Leader if he could please explain why the administration had made 123 staff redundant or retire early in this financial year and why this was necessary?

The Leader recognised the number of 123, but pointed out staffing had been reduced by 1700 since 2010 because the Government had enforced a long period of austerity, which included the people on Councillor Carter's election campaign.

**(34) Councillor Carter** asked how much has been spent on paying for B&Bs or hotels as emergency housing solutions in the last financial year?

Councillor Beck confirmed during 2015/2016, there was £2,269 spent to pay for rent in advance to secure bedsits to help single homeless people. The bedsits were linked to a hotel and are let on a six month assured short hold tenancy basis.

Only single homeless people who have approached Key Choices and have no other housing options available to them were referred to these bedsits.

## **WRITTEN ANSWER FOR COUNCIL**

**8<sup>TH</sup> MARCH, 2017**

### **Questions to Cabinet Members**

#### **Supplementary Question to Question 19 from Councillor B. Cutts**

If the year on year cost of translation in Rotherham over the last five years could be set out.

#### **Answer**

Below sets out the year on year cost covering the last five years as requested, broken down by directorate.

Sum of Actuals (£k)	Year						
Cost Centre Structure Level 3 Code & Description	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Grand Total
RCC2000: Children & Young Peoples Serv	27	59	125	146	185	223	765
RCE2000: Regeneration & Environment	1	3	9	6	5	5	29
RCN2000: Adult Care & Housing	46	38	41	3	14	13	155
RCR2000: Finance & Customer Services	5	3	6	4	9	44	71
RC22000: Historic Codes	2						2
<b>Grand Total</b>	<b>81</b>	<b>103</b>	<b>181</b>	<b>159</b>	<b>213</b>	<b>285</b>	<b>1022</b>

As per the Leader's response the average annual cost for the period 1.4.11 to 31.3.17 is £188k.

#### **Question 21 from Councillor B. Cutts to be replied to in writing.**

What was the number of new "registered" foreign nationals living in Rotherham. He agreed to this information being provided in writing and pointed out not all the questions were directed from him, but were as a result of interest expressed by the public.

#### **Answer**

The question relates to information which the Council does not collect or hold, and the police do not publish statistics on the number of foreign nationals registered.

European Union and Commonwealth citizens are not required to register with the police, nor are nationals of most other countries. The policy only applies to foreign nationals from 42 out of 194 countries, none of which are mentioned in the question.

**CABINET/COMMISSIONERS'  
DECISION MAKING MEETING  
13th March, 2017**

Present:- Councillor Read (in the Chair); Commissioner Sir Derek Myers, Commissioner Julie Kenny, Councillors Alam, Beck, Hoddinott, Lelliott, Roche, Watson and Yasseen.

Also in attendance was Councillor Steele, Chairman of the Overview and Scrutiny Management Board, along with Councillors Cowles and B. Cutts.

Apologies for absence were received from Commissioner Bradwell and Commissioner Ney.

**181. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**182. QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

**183. MINUTES OF THE PREVIOUS MEETING HELD ON 13 FEBRUARY 2017**

**Resolved:-** That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 13<sup>th</sup> February, 2017, be agreed as a true and correct record of the proceedings.

**184. TOWN CENTRE REGENERATION - STRATEGIC ACQUISITION OF THE FORMER ROTHERHAM MAGISTRATES COURTS**

Consideration was given to a report which sought approval for the acquisition of the former Magistrates Court building in Rotherham from Her Majesty's Court and Tribunal Service (HMCTS) in order to support the Council's strategic objectives for the regeneration of the town centre.

The Homes and Community Agency (HCA) dealing with the building on behalf of HMCS notified the Council it would be willing to transfer the ownership of the building to the Council, at a £1 consideration, so long as the transfer was complete by the 31<sup>st</sup> March, 2017.

The site of the Magistrates Court formed part of a much larger development opportunity which included Forge Island, the Weirside site and Riverside Precinct. The emerging Town Centre masterplan identified this larger strategic site as an opportunity for the Council to transform this part of town and it was for this reason that Option 1, of three options, was proposed and would allow for the delegation to the Strategic Director of Regeneration and Environment should it be considered necessary for the building to be demolished.

**Commissioner Kenny stressed the regeneration importance of this site and agreed:-**

1. That the acquisition of the former Rotherham Magistrates Courts under the terms detailed in this report be approved
2. That the option to demolish the building be delegated to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy and Commissioner Kenny.
3. That the Assistant Director of Legal Services be authorised to negotiate and complete the necessary legal documentation to enable the transfer of the building.
4. That funding for the costs associated with the acquisition of the building and the potential demolition be taken from the approved £17m town centre allocation in the Capital Strategy 2016-2021.

**185. PROPERTY DISPOSAL SCHEDULE**

Consideration was given to the report which sought approval for the disposal of a number of low value property assets namely 52 Allendale Road, Rotherham and garden land sale at 44 Danby Road, Kiveton Park,

Further information was provided on each of the property assets, key issues and the options for consideration.

**Commissioner Kenny agreed:-**

1. That the disposal of the property assets detailed in this report be approved.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the disposal of the assets using the appropriate method.
3. That the Assistant Director of Legal Services completes the necessary legal documentation for the disposal of the assets.

**186. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TARGETED CAPITAL FUNDING**

Pursuant to Minute No. 66 of the meeting of the Cabinet and Commissioners held on 11<sup>th</sup> April, 2016 consideration was given to the report which detailed the direction of travel for this funding and requested authorisation for the release of some smaller amounts to support the work that has already begun.

£500,000 had been allocated from the CYPS Capital Programme 2016/17 and approved to be spent to improve the buildings for the provision of services to children with Special Educational Needs and Disability (SEND). Having completed an initial consultative sufficiency study areas had been identified for immediate development. Further work on the sufficiency of provision for the future was already commissioned and would report in April, 2017.

**Resolved:-**

1. That up to £90,000 be released to the Social, Emotional and Mental Health (SEMH) Partnerships (up to £30,000 to each of three partnerships in the secondary sector).
2. That up to £90,000 be released to the SEMH Partnerships (£30,000 to each of three partnerships in the primary sector).
3. That it be noted that the funding will be taken from the approved £500,000 capital programme allocation for the SEND provision.

**187. PROPOSAL TO INCREASE CAPACITY AT WATH COMPREHENSIVE SCHOOL**

Consideration was given to the report which sought approval to increase capacity at Wath Comprehensive School to accommodate the current and future demand for places, subject to a successful planning application and would increase numbers to an additional thirty students for each year group.

The school had experienced a significant increase in pupil numbers in recent years and remained both successful and popular. The school was currently oversubscribed and the trend was set to continue in future years, but with effective planning student places would be allocated where needed and continue the trend of 94% of pupils achieving their first choice of school. Appendix 1 detailed current pupil numbers and capacity at the school.

**Resolved:-**

1. That subject to a successful planning application, approval be granted to the proposal to increase capacity at Wath Comprehensive School by the installation of additional teaching and learning spaces to increase capacity by 150 places to accommodate current and future pupil numbers.
2. That £1.3m of the £2.5m earmarked funding for increasing secondary school places in the Borough in 2017/18 approved by the Cabinet/Commissioners Decision Making Meeting of the 11<sup>th</sup> April 2016, be allocated to fund the proposed project at Wath

Comprehensive School and that this expenditure be re-profiled into 2018/19 to reflect the construction programme for this project.

**188. GENERAL ENFORCEMENT POLICY - MINOR AMENDMENTS**

Consideration was given to the report which referred to the adopted General Enforcement Policy.

Following work to strengthen the Council's enforcement functions, the General Enforcement Policy had been reviewed in order to ensure that the Policy remained up-to-date.

This report, therefore, requested the approval of a number of minor amendments within the Policy which, together with enhanced clarity, reflected the Council's progress since the review and update of 2016 and referred to:-

Update 1: Structural Changes

Update 2: Restoration of Licensing powers to the Council

Update 3: Clarification of the flexibility contained within the Regulator's Code which allowed officers to vary from the Policy and enforce at a later date.

**Resolved:-** That the suggested amendments to strengthen the Council's General Enforcement Policy made at 4.2, 4.3 and 4.4 of this report be approved for adoption.

**189. REGENERATION AND ENVIRONMENT FEES AND CHARGES**

Consideration was given to a report which detailed the proposed fees and charges for the Regeneration and Environment Directorate for 2017/18 and beyond and were reflected in the budget savings proposals included in the Council's Budget and Council Tax setting report, which were approved by Council on the 8<sup>th</sup> March, 2017.

The charges for each service within Regeneration and Environment were presented in Appendices 1 – 9. Where no increases were proposed to charges in 2017/18, charges would remain at the amounts approved by Cabinet and Commissioners' Decision Making Meeting on the 14<sup>th</sup> March, 2016. Within the proposed fees and charges, the following changes were specifically highlighted:-

- **Planning and Building Control Service** – proposals to introduce a new charge for property addressing.
- **Leisure and Green Spaces** - Fees and charges have been reviewed in the context of the known demand for individual services. As a result, a number of charges have been held at existing levels and others have been increased by at least the rate of inflation.

Charges are applied for the 2017/18 financial year; however, there are several exceptions to this:-

- Charges for Wedding Packages in Clifton Park for 2017/18 and 2018/19.
  - Car parking tariff at Clifton Park for over 3 hours during the summer and for the remainder of the year have been increased to reflect demand for this service.
  - Allotment rents giving tenants twelve months' notice of any increase.
- **Building Regulation Charges** – Building Control Application Fees have been reviewed and were proposed to be increased for the first time since April 2014.
  - **Market Service and Borough Fairs Charges** – Market Service charges have been, but it was recommended that rents for the Centenary Market Hall remain frozen for 2017, to ensure that the Market Service remains competitive and attractive to new businesses. However, an increase of £2.10 (10.6%) for Tuesday Street Market Casual Traders was proposed, to reflect the popularity of this market. In addition, in respect of Borough Fairs Charges, Appendix 4b, a 5% increase was proposed, to reflect the fact that charges have been frozen in recent years.
  - **Community Protection Charges** – Changes to the Housing Licensing fee structure were made in 2016/17. With the exception of charges for Houses in Multiple Occupation (HMO), which would increase by 1% to reflect salary cost increases, it was not proposed to increase any of the other charges in this area.

Consultation Fees would be at the appropriate hourly rate for the officer carrying out the work.

- **Library, Customer Services, Theatre Services and Heritage Services** - Heritage Services' charges would largely remain static in order to improve take up of these services.

Registration Services were able to set fees on a cost recovery only basis, for any non-statutory services they delivered and an increase was proposed from 1<sup>st</sup> April 2017.

No changes to fees and charges proposed for Library and Customer Services.

Theatre Services' fees and charges applied to theatre hire, equipment hire, specialist additional staffing support and ticketing, but negotiation of professional contracts would continue, with a £1 ticket fee for professional show bookings, to recover administration costs.

- **Commercial Waste Charges** – Proposed to increase commercial waste charges by 2.5%.
- **Business Regulation Charges** - Proposed that the fees for 2017/18 were increased in line with the 1% increase in staffing costs across the service.
- **Pest Control Fees** – The proposed fees have been set and were across a range of pest control.

It was suggested that officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business, where necessary, and include promotional discounts and negotiate individual charges to meet the needs of the business.

It was also noted there were no proposals to increase fees and charges for Highways Services, Parking Services, Licensing and for the hiring of directly managed community buildings. A review of these charges would be undertaken in 2017/18 and proposals for 2018/19 brought forward in due course.

This report was considered by the Overview and Scrutiny Management Board at its meeting on the 3<sup>rd</sup> March, 2017 and was supportive of the recommendations to Cabinet. It was also requested that a report detailing progress in respect of full cost recovery be submitted to the Board in September, 2017.

**Resolved:-**

1. That the following be approved:-
  - Fees and charges for the Planning and Building Control Service as set out in Appendix 1.
  - Fees and charges for Leisure and Green Spaces as set out in Appendix 2.
  - Building Regulation charges as set out in Appendix 3.
  - Market Service and Borough Fairs Charges as set out in Appendix 4.
  - Community Protection charges as set out in Appendix 5.
  - Library, Customer Services, Theatre Services and Heritage Service charges as set out in Appendix 6.
  - Commercial Waste charges as set out in Appendix 7.
  - Business Regulation charges as set out in Appendix 8.
  - Pest Control charges as set out in Appendix 9
2. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business where necessary.

3. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility to introduce promotional discounts and negotiate individual charges to meet the needs of the business.
4. That a report detailing progress in respect of full cost recovery be submitted to the Overview Scrutiny Management Board in September, 2017.

**190. FINANCIAL INCLUSION PLAN FOR ROTHERHAM COUNCIL TENANTS**

Consideration was given to the report which sought authority to approve the Financial Inclusion Plan for Council tenants given that there were a significant number of Rotherham Council tenants who did not have a bank account and financially excluded.

There were many barriers which prevented access to basic financial services and this plan aimed to remove those barriers, support people to become more independent and to take control of their own finances. It was evident that by improving financial capability and confidence this would contribute to reducing poverty, improving health and educational attainment as well as increasing skills and employability.

The plan would not stand alone to deliver solutions, but recognised that a co-ordinated approach bringing Council services, partners and agencies together would be more cost effective and achieve greater success in providing tenants and residents with the support required to enable them to access the benefits basic financial services could provide.

The plan would be implemented by housing staff in the remodelled Housing Income Team and Council Housing Allocation Officers.

Following further development of the corporate approach to tackling poverty it was intended to learn from implementation of the tenants Financial Inclusion Plan and where appropriate align resources and offer services irrespective of tenure.

This report was considered by the Overview and Scrutiny Management Board at its meeting on the 3rd March, 2017 and whilst was supportive of the recommendations to Cabinet some questions were raised over the sustainability of the plan if costs and rent arrears continued to increase and rental income declined. On this basis it was requested the Improving Places Select Commission monitor the implementation of the scheme.

Questions were also asked of the financial responsibility work with credit unions and confirmation received that work was already taking place to access to banking services.

**Resolved:-** That the Financial Inclusion Plan for Housing be approved for the period 2017 to 2020.

**191. STRATEGIC ACQUISITIONS, QUEENS AVENUE, KIVETON PARK**

Consideration was given to the report which sought approval to purchase nine x 2 bedroom houses and three x 2 bedroom bungalows at Kiveton Park from Redmile Homes. These properties were Section 106 planning gain units and would be purchased by the Council at approximately 58% of the open market value.

The forecasted completion dates were August 2017 for the houses and spring 2018 for the three bungalows. There was evidenced demand for both houses and bungalows in this location and resources were available in the Strategic Acquisitions budget.

This was part of an ongoing programme of acquisition of new Council homes to replace properties sold under "Right to Buy" and maintained stock levels.

**Resolved:-** That the purchase of twelve homes at Queens Avenue/Carlton Gate Drive, Kiveton Park from Redmile Homes, using the Housing Revenue Account Strategic Acquisition budget be approved.

**192. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-** That under section 100(A) of the Local Government Act 1972, the Public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to information) (Variation) Order 2006.

**193. RATES RELIEF FOR POTENTIAL COMPANY INVESTMENT**

Consideration was given to the report which set out in detail an application for rates relief, under Section 69 of the Localism Act 2011, for a new potential investor to the borough.

**Resolved:-** That a six month relief from business rates payments in the second year of occupancy, subject to the creation of 50 FTE posts in year one, be approved.

**CABINET AND COMMISSIONERS'  
DECISION MAKING MEETING  
10th April, 2017**

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

Apologies for absence were received from Commissioner Bradwell and Watson.

Also in attendance:- Councillor Steele (Chair of Overview and Scrutiny Management Board).

**194. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**195. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A member of the public asked a question in respect of the former Lead Commissioner's attendance at the General Election count for the three parliamentary constituencies within the borough area in May 2015. He referred to a previous question where former Commissioner Myers had indicated that he had not claimed expenses for attending the election count. However, the response received to a Freedom of Information enquiry had subsequently revealed that expenses had been claimed by former Commissioner Myers and had been approved by Commissioner Ney.

In response Commissioner Ney indicated that she was glad that a response to the Freedom of Information request had been received. She further indicated that she would review the point made and would follow up with the member of the public.

The member of the public indicated that former Commissioner Myers should return the payment made and any expenses incurred by the Council for his overnight stay in Rotherham. As a supplementary question, clarification was sought on how the expenses would be recovered and what checks and balances would be introduced to avoid such instances occurring in future.

In response, the Leader of the Council confirmed that Commissioner Ney would write back to the member of the public to answer the points raised.

**196. MINUTES OF THE PREVIOUS MEETING HELD ON 13 MARCH 2017**

**Resolved:-** That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 13<sup>th</sup> March, 2017, be agreed as a true and correct record of the proceedings.

**197. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-** That under section 100(A) of the Local Government Act 1972, the Public be excluded from the meeting should the appendices be discussed for Minute No. 204 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to information) (Variation) Order 2006.

**198. ROTHERHAM PLAN**

Consideration was given to the report which detailed how the Rotherham Plan had been developed as Rotherham Together Partnership's (RTP) long-term strategy for the borough. It provided a framework for partners' joint efforts to create a borough that was better for everyone who wanted to live, work, invest or visit here.

The plan was based around five "game changers": *building stronger communities, skills and employment, integrated health and social care, a place to be proud of and the town centre.*

Rotherham Together Partnership's supporting theme boards – the Health and Wellbeing Board, Business Growth Board, Children and Young People's Partnership and Safer Rotherham Partnership - would be central to its successful implementation. A reporting framework was being put in place to dovetail with theme boards' existing performance management arrangements.

**Resolved:-** That the Rotherham Plan be endorsed and consideration be given to the Council's role in ensuring its effective delivery, including the relationship with the Council Plan for 2017-20.

**199. FEBRUARY 16/17 REVENUE BUDGET MONITORING REPORT**

Consideration was given to the report which set out the financial position for the Revenue Budget at the end of February, 2017 and was based on actual costs and income for the first eleven months of the financial year and forecast costs and income for the remaining one month of 2016/17.

The revenue position, compared with the revised budget approved by Council on 7<sup>th</sup> December, 2016, showed a forecast overspend of £2.017m. This forecast overspend had reduced by £526k since the December monitoring report to Cabinet.

It was currently anticipated that this level of forecast overspend could be funded from a combination of in-year capital receipts and capitalisation of some spend in relation to Highways.

The additional budget approval was to be funded from reserves and the extent to which in-year revenue spend across the whole Council could or could not be reduced, would affect the eventual call on reserves. The above expected position was positive in that the expected call on reserves was lower than that which was reported within the December financial monitoring report.

To help further mitigate the potential impact on reserves the robust procurement and recruitment controls remained in place.

The majority of the approved budget savings for 2016/17 have or were being achieved, the main exception being the £1m saving from the review of staff terms and conditions of employment agreed by Council in March, 2016 which would not now be delivered in 2016/17. Positive, constructive discussions with the Trade Unions have been taking place about how this saving could be achieved and it was expected that the £2m FYE savings would be achieved from April 2017. The non-delivery of the 2016/17 £1m saving was reflected in the forecast outturn in this report.

There was also a significant forecast overspend (£5.375m) on the Dedicated Schools Grant (DSG), split between the High Needs Block £5.292m and the Schools Block of £0.083m. Whilst this overspend did not directly affect the Council's financial position at this time, this position must be addressed to avoid any risk to the Council in the future. The pressure on the High Needs block was presented to the Schools Forum meeting on 17<sup>th</sup> March, which also considered the draft SEND Sufficiency Strategy and Financial Plan which would address the remaining deficit and future level of provision. In 2017/18 the forecast deficit carry forward would be partially mitigated by the transfer of £3m from the Schools Block into the High Needs Block, leaving an estimated £2.3m deficit, which would need to be met from an expected re-basing and uplift for Rotherham of the High Needs Budget from 2018/19 following implementation of the new High Needs national Funding Formula.

Clifton Community School was now scheduled to convert to a sponsored Academy on 1<sup>st</sup> May (it was reported previously that the conversion would take place first in February and then in March 2017). The school had an estimated deficit of £1.2m. A reserve of £1.2m was created in finalising the 2015/16 accounts specifically to mitigate deficit balances falling on the Council as a result of sponsored academy conversions during 2016/17.

In response to reduced Government funding, the Council needed to find savings of £24m in 2017/18 and then needed to identify around a further £42m savings in the following two years. A robust budget for 2017/18 including £24m of savings was approved by Council on 8th March, 2017.

Control over spending was critical to a robust medium term financial strategy as unplanned spending impacts on reserves levels which were the bedrock of a financially stable organisation and unplanned spending depletes reserves.

Appendix 1 to this report showed the detailed reasons for forecast revenue under and over spends by Directorate.

It was noted that the Overview and Scrutiny Management Board had made the following recommendations, which were supported by the Cabinet:

- a) That Cabinet be advised that the recommendations be supported.
- b) That Cabinet continue to monitor the budget on a monthly basis to identify potential variances at an early stage and implement management actions to deal with potential overspends or underspends.
- c) That Overview and Scrutiny Management Board receive a quarterly financial budget monitoring report.

**Resolved:-** (1) That the current 2016/17 forecast overspend of £2.017m be noted after the allocation of additional in-year budget and that the Council anticipates a balanced outturn position will be achieved through a combination of continued management actions, use of in-year capital receipts and capitalisation of highways spend. (Paragraphs 3.2 -3.3)

(2) That the detailed Dedicated Schools Grant (DSG) High Needs Sufficiency Strategy and Financial Plan be noted to address the remaining deficit and future level of service provision which were discussed and consulted upon at the 17<sup>h</sup> March, 2017 Schools Forum meeting. (Paragraph 3.15).

(3) That the approved capital programme forecast to underspend by £9.038m in 2016/17 be noted. Underspends in the Children and Young People's Service, Regeneration and Environment and Finance and Customer Services Directorates will in the majority of cases be re-profiled into 2017/18, however the underspend in the Adult Care & Housing Directorate is the result of changes to Government policy leading to a reduction in available funding which has required a review of HRA investment. (Paragraph 3.40)

## 200. NON DOMESTIC RATES RELIEF – REVISED RELIEFS

Consideration was given to the report which detailed the Government announcement of changes to specific business rates reliefs for 2017-18 in the 2016 Budget and Autumn Statement and the proposed changes affecting rural rates relief and local newspaper offices. The Government had asked that Councils use their discretionary relief powers under section 47(3) of the Local Government Finance Act 1988 to:-

- Award 100% relief to rural business rate payers with effect from April this year, resolving an anomaly in the relief system.

- Award a temporary discount to offices used by local newspapers, where the office space was used wholly or mainly for journalists and reporters.

The Government have stated that they would reimburse the Council for the actual cost of granting these additional reliefs.

In addition, information had been circulated by the Government in respect of a new 100% mandatory business rates relief for Telecom fibre optic infrastructure. Although this was planned to take effect from April 2017, details of the changes have yet to be confirmed in legislation and relief would, therefore, be backdated to the start of the financial year once details were known and the legislation was in place.

**Resolved:-** (1) That discretionary relief powers be used to award 100% relief to rural ratepayers with effect from 1st April, 2017.

(2) That a temporary discount be awarded to eligible local newspapers for the 2017-18 and 2018-19 years, subject to State Aid rules.

(3) That, pending confirmation in legislation, the Government's intention to allow 100% relief for Telecom fibre optic infrastructure from April 2017 be noted.

## 201. REVIEW OF PETITIONS SCHEME

Consideration was given to the report which confirmed the Council adopted a petitions scheme in May, 2010 in accordance with the Local Democracy, Economic Development and Construction Act 2009. This scheme was subject to a subtle change following the review of Standing Orders in 2014. However, a more fundamental review of the scheme was required as part of the wider review of governance in the Council.

The report set out opportunities to amend the scheme to improve its operation and its wider understanding amongst Members, officers and the public.

It was noted that the Overview and Scrutiny Management Board had made the following recommendations, which Cabinet supported:

- a) That the Cabinet be advised that the recommendations be supported.
- b) That petitions with 600 signatures be referred to Overview and Scrutiny Management Board for review or investigation and lead petitioners be given 15 minutes to present the petition to that meeting.

- c) That, where appropriate, petitions be logged corporately as complaints.

**Resolved:-**

- (1) That the existing Petitions Scheme be replaced with guidance on petitions (as set out in Appendix B)
- (2) That a log of petitions be maintained on the Council's website detailing the nature of the petition, the directorate referred to, the response provided to the lead petitioner and the action taken.
- (3) That a period of up to 15 minutes be allocated at the beginning of Council meetings for members of the public to formally present their petitions to the Mayor.
- (4) That associated constitutional changes be incorporated within the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers.
- (5) That petitions with 600 signatures be referred to Overview and Scrutiny Management Board for review or investigation and lead petitioners be given 15 minutes to present the petition to that meeting.
- (6) That, where appropriate, petitions be logged corporately as complaints.

**202. UPDATE ON THE DELIVERY OF SPECIALIST HOUSING**

Consideration was given to the report which detailed how Rotherham's 2016-19 Housing Strategy was approved by Cabinet in February, 2016, and included a chapter on 'specialist housing' with the key objectives focused on the housing needs of older people. Although these objectives remained relevant, there have been a number of significant developments since the production of the Housing Strategy including:-

- Increased pressure on Council budgets and a more urgent requirement to reduce Adult Social Care expenditure.
- A general movement away from the term 'specialist housing', in favour of consideration of homes that are designed in such a way that people can continue to live there as they develop support needs, or as their needs change. The home therefore adapts with the person through minor modifications, rather than people needing to move out, or the home requiring major adaptations.
- A more ambitious housing growth programme with recently secured financial resources from government to deliver a range of new tenures.

- Consideration of the needs of a wider cohort including people with physical and learning disabilities.
- The Government's proposed introduction of Local Housing Allowance caps for supported housing is causing great uncertainty in the market with providers considering new development financial viability and long term sustainability.

A more focused set of strategic objectives had, therefore, been developed for specialist housing, to complement and enhance the Housing Strategy, and this was presented to Cabinet for approval. Appendix 1 set out outcomes, objectives and a detailed action plan.

The report demonstrated the key contribution housing could make to improving people's health and wellbeing, preventing people from requiring residential care, and savings on adult social care expenditure.

The Council had ambitious housing growth plans, to achieve the overall target of 900 new homes each year and it was essential that appropriate targets for housing for adults with support needs were established, across a range of tenures and types, to ensure the needs of Rotherham's residents could be met now and in the future.

**Resolved:-** That the revisions to the strategic objectives and action plan within the Housing Strategy 2016-19, included at appendix 1, be approved.

## 203. MUNSBOROUGH TENDER REPORT

Consideration was given to the report which sought approval for RMBC to accept and proceed with the winning tender for external works for 200 properties at Munsbrough, Rotherham.

The tender submission covered essential external upgrade works and repairs to domestic properties, including roof, fascia and fall pipe renewals, re-pointing of brickwork, installation of new bin stores and repairs to concrete/metal balustrades to various properties at Munsbrough, Rotherham.

Following formal evaluation the preferred tender was submitted by **Geo Houlton & Sons Ltd**, dated 23<sup>rd</sup> December, 2016. Details of all the bids submitted and reviewed were listed in Appendix A.

The tendered work covered essential capital investment improvements ensuring the buildings remained safe and sustainable.

**Resolved:-** (1) that the tender submitted by Geo Houlton & Sons Ltd, dated 23<sup>rd</sup> December 2016 (see Appendix A) be accepted and approved.

(2) That an increase to the budget, as detailed in Appendix B, be approved.

**204. APPLICATION FROM MALTBY TOWN COUNCIL TO START THE PROCESS OF DEVELOPING A NEIGHBOURHOOD PLAN**

Consideration was given to the report which detailed how Maltby Town Council had notified the Council of their intention to produce a neighbourhood plan covering the Parish of Maltby. It was proposed that the Council approve the application from Maltby Town Council as a relevant neighbourhood planning body and the designation of Maltby Parish as a Neighbourhood Area.

**Resolved:-** (1) That the neighbourhood area application from Maltby Town Council as the relevant neighbourhood planning body be approved.

(2) That the Parish of Maltby be designated as a Neighbourhood Area.

**205. COMMUNITY OCCUPATIONAL THERAPY SERVICES - EXTENSION TO CONTRACT**

Consideration was given to the report which confirmed the Community Occupational Therapy (COT) service was a jointly commissioned service between the Council and the Rotherham Clinical Commissioning Group (CCG), via a pooled budget arrangement under a Section 75 agreement covering the Better Care Fund (BCF).

The COT Service was currently delivered under a block contract agreement by The Rotherham Foundation Trust (TRFT) and the current contract would expire on 31<sup>st</sup> March, 2017.

The service provided assessments for adults, older people and children who were permanently or substantially disabled and their carers. The overall cost of COT services in 2016/17 was £746,000 per annum, with the Council contributing £372,000 towards the service and the CCG contributing £374,000 per annum. The Council was the lead commissioner for this service and was accountable to the Health and Wellbeing Board and the Better Care Fund Executive Group.

A formal review had recently been completed by the Council and CCG in order to:-

- (a) Ensure that the service was meeting the needs of customers and their carers.
- (b) Reduce the waiting times for assessment.
- (c) Reduce the number of customers being referred to the service by signposting them to alternative services at the first point of contact.
- (d) Carry out analysis of performance data to predict demand and capacity of service.

- (e) Carry out analysis and evaluation of customer and carer satisfaction rates and outcomes.
- (f) Examine whether the service promotes Value for Money.

The review demonstrated that the COT service was carrying out assessments for low level/single need customers and that resources needed to be diverted towards providing assessments to support complex needs (e.g. moving and handling techniques to support carers, prescribing major adaptations). In addition to this, it was identified that Assistant Practitioners/OT Assessment Officers (formerly known as Technical Officers/Social Services Officers) could be upskilled to carry out assessments for level access showers, straight stair-lifts and ramps and that the level of paperwork completed was onerous and needed to be streamlined.

It was, therefore, recommended that the contract for the Community Occupational Therapy Service be extended for one further year to allow alignment with the Adult Care Development Programme (including the BCF Work Programme) and the evolving Specialist Housing Strategy. Within the extended period to April 2018, providers would be expected to achieve all recommendations highlighted in the COT review report and to work with the Council and the CCG to implement new models of service delivery.

The Lead Commissioner arrangements for the Community Occupational Therapy Service were proposed to be assigned to the Clinical Commissioning Group (CCG) as they have the largest financial stake and greater capacity to lead this activity. The Better Care Fund Section 75 agreement with Rotherham CCG allowed for the assignment of the Lead Commissioner responsibilities, which had been approved by the Better Care Fund Executive Group.

Extension of the current contracts for a period of up to 12 months would ensure that services could be redesigned, would allow time for the purpose and nature of future preventative services to be agreed in line with the Council's and CCG's Transformation programmes, Corporate Plan, Health and Wellbeing Strategy and the Better Care Fund Plan 2017/19. It would also ensure appropriate commissioning actions were taken to streamline services and ensure funding streams were appropriately placed prior to commencing a competitive tender process.

It was noted that the Overview and Scrutiny Management Board had made the following recommendations in respect of the report, which Cabinet noted in making the decisions below:

- a) That Cabinet be advised that the recommendations be supported.
- b) That if additional work is required at Member level, the Cabinet Member for Adult Social Care and Health be recommended to approach the Health Select Commission to support such activity.

**Resolved:-** (1) That the Clinical Commissioning Group be designated as Lead Commissioner for the Community Occupational Therapy Service.

(2) That the proposal to extend the contract for the Community Occupational Therapy Service for a period of up to 12 months from the 1st April 2017, for the reasons identified in Section 3 of this document, be noted.

## **206. REVIEW OF NEIGHBOURHOOD WORKING**

Consideration was given to the report which referred to the Council's Corporate Improvement Plan, "A Fresh Start", which had a specific improvement theme of "strong, high impact partnerships". This included "active Ward Councillors working within neighbourhoods to build community and citizens' capacity".

The aim was to undertake a review which would herald the introduction of "a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies" to provide a focus on communities and introduce a new way of working.

The scope of the review comprised three elements:-

1. Creating a Council-wide policy and approach to neighbourhood working.
2. Developing a multi-agency approach to neighbourhood working.
3. Following the adoption of the new locality model, a review of the role and funding of the Neighbourhood Partnerships and Engagement Service.

A fourth connected element was agreeing a new "policy statement" on cohesion which was now also linked, in part, to the work of the Rotherham Together Partnership (RTP) and the new "Rotherham Plan" which would be launched in March 2017. This piece of policy work was being led by the Council's Head of Performance, Intelligence and Improvement. However, it was recognised that neighbourhood working played a crucial role in contributing to this agenda whilst it was being developed.

An Elected Member Working Group was established, chaired by Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, comprising:-

- Area Assembly Chairs/Vice Chairs.
- A member of the Opposition Group.
- Supported by the Chief Executive and senior internal/external partners.

There have been six meetings of the Elected Member Working Group. The first four were as follows:-

- 11th July, 2016 - scene setting and internal partner footprints.
- 26th July, 2016 - external partner footprints.
- 24th August, 2016- externally facilitated - pre-circulated desktop research and feedback from visits to other local authorities, and results of Member Survey – considered Vision/Working Principles.
- 5th September, 2016 - approved a Vision/Working Principles.

The Elected Member Working Group then submitted a report to Cabinet on 10<sup>th</sup> October, 2016. Cabinet approved the Vision/Working Principles put forward by the Working Group:-

***“Putting communities at the heart of everything we do by:-***

- ***Councillors working with their communities on what matters to them,***
- ***Listening and working together to make a difference and***
- ***Supporting people from different backgrounds to get on well together . . . to help make people healthier, happier, safer and proud”***

Following Cabinet, there have been two further meetings of the Working Group:-

- 18th October, 2016 - considered three options for delivering the Vision
- 16th November, 2016 - received officer presentation on a potential working model

At the meeting of the Working Group on 16th November, 2016, there was support for a new neighbourhood working model which would result in the twenty-one electoral Wards becoming the key building blocks for supporting Councillors in their community leadership role. A complimentary project had been initiated by the Council and Rotherham Together Partnership to examine locality working across the wider partnership. This presented an opportunity to bring together other stakeholders e.g. South Yorkshire Police (SYP), Health, voluntary and community sector, and other Council services to develop a holistic locality model.

The objective of this paper was to present a revised model of neighbourhood working, with more detail around ward level working, accountability and governance.

It was reported that the Overview and Scrutiny Management Board had made a number of recommendations following its consideration of the report on 31st March 2017, which Cabinet supported:

- a) That Cabinet be advised that the recommendations be supported.

- b) That training be arranged and delivered for Ward Councillors on developing Ward Plans as a matter of urgency.
- c) That the Cabinet Member be recommended to initiate the development of an overall strategy for Neighbourhood Working.
- d) That an update report on implementation of the new model be submitted to Improving Places in October 2017.
- e) That a further report be submitted to Overview and Scrutiny Management Board in March 2018 detailing the review of the new arrangements.

**Resolved:-** (1) That the recommendations for a new model of Neighbourhood Working be approved.

(2) That the removal of the current Area Assembly governance framework be agreed.

(3) That the dissolution of the Area Assembly Co-ordinating Groups be agreed.

(4) That the approach for each Ward to be able to locally agree how to conduct citizen engagement in a flexible and innovative manner be approved. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.

(5) That flexible clustering to allow Wards to work together based on geography and common interest, where needed, be approved.

(6) That a quarterly update from each Ward be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.

(7) That a requirement be introduced for Ward plans to be produced and to publish outlining Ward priorities and activities aligned to the Corporate Plan.

(8) That a requirement be introduced for place profiles to be developed for each of the twenty-one Wards detailing the demographics and community assets of the area; to be piloted in four Wards.

(9) That the Community Leadership Fund of £1,000 per Elected Member be continued, but be spent in line with Ward plan priorities.

(10) That the £30,000 currently allocated for Area Assembly Chairs from the Community Engagement budget in 2017/18 be distributed evenly to all twenty-one Wards, which will equate to £1,428 per Ward and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.

(11) That Council be recommended to add £210k to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.

(12) That £10,000 capital investment funding be allocated to each Ward from the £210k total allocation and that utilisation of this be determined by Ward priorities.

(13) That decision making be delegated to Wards with spend approved by the Assistant Director of Housing and Neighbourhood Services.

(14) That officers be required to explore the potential to provide support to Members to secure additional funding both internally and externally.

(15) That an Annual Report on Neighbourhood Working be submitted to both the Improving Places Select Commission (IPSC) and Council.

(16) That approval be given to a twelve month transitional plan to phase-in the new neighbourhood approach.

(17) That the review of staffing structure supporting neighbourhood working be noted and decisions arising from the review be taken under existing delegated powers.

(18) That the Council be recommended to amend the Constitution to:-

- Remove the reference to Area Assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups].
- Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules.
- Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of area assembly co-ordinating groups and overview and scrutiny committee] and references to “Chairs of Area Assemblies” and all other references to “area assemblies” in the Overview and Scrutiny Procedure Rules.
- Delete references to area committees in the Access to Information Procedure Rules.
- Delete references to area committees and area assembly co-ordinating groups in the Standing Orders.
- Delete references to area committees in the Code of Conduct for Members and Co-opted Members.
- Delete the reference to Chair of Area Assembly in the Members' Allowances Scheme.
- Remove references to area assemblies from the Scheme of Delegation for Members and Officers.

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## Summary Sheet

### Annual Council – 19 May 2017

#### Title:

Review of Neighbourhood Working

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

Yes – key decision taken by Cabinet on 10 April 2017

#### Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care and Housing

#### Report Authors

Tom Bell, Assistant Director of Housing and Neighbourhood Service.

Zafar Saleem, Neighbourhood Partnerships Manager

#### Ward(s) Affected

All

## Summary

At the Cabinet and Commissioners' Decision Making Meeting on 10 April 2017, the Cabinet agreed proposals to introduce a revised model of neighbourhood working, with more detail around ward level working, accountability and governance.

In order to give effect to from Cabinet, consideration and approval by Council must be given to the recommendations set out below to amend the Constitution. The report detailing the reasoning behind the recommendations is appended in order to provide Members with sufficient knowledge to agree the proposals.

## Recommendations

1. That £210k be added to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
2. That the Constitution be amended to:
  - Remove the reference to area assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups]
  - Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules

- Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of area assembly co-ordinating groups and overview and scrutiny committee] and references to “Chairs of Area Assemblies” and all other references to “area assemblies” in the Overview and Scrutiny Procedure Rules
- Delete references to area committees in the Access to Information Procedure Rules
- Delete references to area committees and area assembly coordinating groups in the Standing Orders.
- Delete references to area committees in the Code of Conduct for Members and Co-opted Members
- Delete the reference to Chair of Area Assembly in the Members’ Allowances Scheme
- Remove references to area assemblies from the Scheme of Delegation for Members and Officers

**List of Appendices Included**

Report to Cabinet and Commissioners’ Decision Making Meeting – 10 April 2017  
‘Review of Neighbourhood Working’

**Background Papers**

Minutes of the Cabinet and Commissioners’ Decision Making Meeting – 10 April 2017

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Cabinet and Commissioners’ Decision Making Meeting – 10 April 2017

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Summary Sheet**

### **Council Meeting:**

Cabinet and Commissioners Decision Making Meeting – 10 April 2017

### **Title**

Review of Neighbourhood Working

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

Yes

### **Strategic Director Approving Submission of the Report**

Anne-Marie Lubanski, Strategic Director of Adult Care & Housing

### **Report Author(s)**

Tom Bell, Assistant Director of Housing and Neighbourhood Service.  
Zafar Saleem, Neighbourhood Partnerships Manager.

### **Summary**

Rotherham Council's Corporate Improvement Plan, "A Fresh Start", has a specific improvement theme of "strong, high impact partnerships". This includes "active ward Councillors working within neighbourhoods to build community and citizens' capacity".

The aim was to undertake a review which would herald the introduction of "a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies" to provide a focus on communities and introduce a new way of working.

The scope of the review comprised 3 elements:

1. creating a Council wide policy and approach to neighbourhood working
2. developing a multi-agency approach to neighbourhood working and
3. following the adoption of the new locality model, a review of the role and funding of the Neighbourhood Partnerships and Engagement Service.

A fourth connected element is agreeing a new "policy statement" on cohesion which is now also linked, in part, to the work of the Rotherham Together Partnership (RTP) and the new "Rotherham Plan" which will be launched in March 2017. This piece of policy work is being led by the Council's Head of Performance, Intelligence and Improvement. However, it is recognised that neighbourhood working plays a crucial role in contributing to this agenda whilst it is being developed.

An Elected Member Working Group was established, chaired by Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, comprising:

- Area Assembly Chairs/Vice Chairs
- A member of the Opposition Group and
- Supported by the Chief Executive and senior internal/external partners

There have been six meetings of the Elected Member Working Group. The first 4 were as follows:

- 11th July 2016 - scene setting and internal partner footprints.
- 26th July 2016 - external partner footprints.
- 24th August 2016- externally facilitated - pre-circulated desktop research and feedback from visits to other local authorities, and results of Member Survey – considered Vision/Working Principles.
- 5th September 2016 - approved a Vision/Working Principles.

The Elected Member Working Group then submitted a report to Cabinet on 10<sup>th</sup> October 2016. Cabinet approved the Vision/Working Principles put forward by the Working Group:

***“Putting communities at the heart of everything we do by***

- ***Councillors working with their communities on what matters to them,***
- ***Listening and working together to make a difference and***
- ***Supporting people from different backgrounds to get on well together . . . to help make people healthier, happier, safer and proud”***

Following Cabinet, there have been 2 further meetings of the Working Group:

- 18th October 2016 - considered three options for delivering the Vision
- 16th November 2016 - received officer presentation on a potential working model

At the meeting of the Working Group on 16th November 2016, there was support for a new neighbourhood working model which would result in the 21 electoral wards becoming the key building blocks for supporting Councillors in their community leadership role. A complimentary project has been initiated by the Council and Rotherham Together Partnership to examine locality working across the wider partnership. This presents an opportunity to bring together other stakeholders e.g. South Yorkshire Police (SYP), Health, voluntary and community sector, and other Council services to develop a holistic locality model.

The objective of this paper is to present a revised model of neighbourhood working, with more detail around ward level working, accountability and governance.

## **Recommendations**

- 1.1 That the recommendations for a new model of Neighbourhood Working be approved.

- 1.2 That the removal of the current Area Assembly governance framework be agreed.
- 1.3 That the dissolution of the Area Assembly coordinating Groups be agreed.
- 1.4 That approval be given to the approach for each ward to be able to locally agree how to conduct citizen engagement in a flexible and innovative manner. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.
- 1.5 That flexible clustering to allow wards to work together based on geography and common interest, where needed, be approved.
- 1.6 That a quarterly update from each ward be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- 1.7 That a requirement be introduced for ward plans to be produced and to publish outlining ward priorities and activities aligned to the Corporate Plan.
- 1.8 That a requirement be introduced for place profiles to be developed for each of the 21 wards detailing the demographics and community assets of the area; to be piloted in 4 wards.
- 1.9 That the Community Leadership Fund of £1,000 per elected member be continued, but be spent in line with ward plan priorities.
- 1.10 That the £30,000 currently allocated for Area Assembly Chairs from the Community Engagement budget in 2017/18 be distributed evenly to all 21 wards, which will equate to £1,428 per ward and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
- 1.11 That Council be recommended to add £210k to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
- 1.12 That £10,000 capital investment funding be allocated to each ward from the £210k total allocation and that utilisation of this be determined by ward priorities.
- 1.13 That decision making be delegated to wards with spend approved by the Assistant Director of Housing and Neighbourhood Services.
- 1.14 That officers be required to explore the potential to provide support to members to secure additional funding both internally and externally.
- 1.15 That an Annual Report on Neighbourhood Working be submitted to both the Improving Places Select Commission (IPSC) and Council.
- 1.16 That approval be given to a 12 month transitional plan to phase-in the new neighbourhood approach.

1.17 That the review of staffing structure supporting neighbourhood working be noted and decisions arising from the review be taken under existing delegated powers.

1.18 That the Council be recommended to amend the Constitution to:

- Remove the reference to area assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups]
- Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules
- Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of area assembly co-ordinating groups and overview and scrutiny committee] and references to “Chairs of Area Assemblies” and all other references to “area assemblies” in the Overview and Scrutiny Procedure Rules
- Delete references to area committees in the Access to Information Procedure Rules
- Delete references to area committees and area assembly coordinating groups in the Standing Orders.
- Delete references to area committees in the Code of Conduct for Members and Co-opted Members
- Delete the reference to Chair of Area Assembly in the Members’ Allowances Scheme
- Remove references to area assemblies from the Scheme of Delegation for Members and Officers

### **List of Appendices Included**

Appendix 1 – Article 12

Appendix 2 and 2a - An example of a Manchester Council Ward Plan and Action Plan

Appendix 3 - the relevant section of Article 12 is produced in full

### **Background Papers**

RMBC Corporate ‘Fresh Start’ Improvement Plan, 26<sup>th</sup> May 2015

(RMBC Cabinet Report), 23<sup>rd</sup> June 2016

Cabinet Report, 10th October, 2016 Review of Neighbourhood Working

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Overview and Scrutiny Management Board – 31 March 2017

Council – 19 May 2017

### **Council Approval Required**

Yes

### **Exempt from the Press and Public**

No

## **Review of Neighbourhood Working**

### **1. Recommendations**

- 1.1 That the recommendations for a new model of Neighbourhood Working be approved.
- 1.2 That the removal of the current Area Assembly governance framework be agreed.
- 1.3 That the dissolution of the Area Assembly coordinating Groups be agreed.
- 1.4 That approval be given to the approach for each ward to be able to locally agree how to conduct citizen engagement in a flexible and innovative manner. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.
- 1.5 That flexible clustering to allow wards to work together based on geography and common interest, where needed, be approved.
- 1.6 That a quarterly update from each ward be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- 1.7 That a requirement be introduced for ward plans to be produced and to publish outlining ward priorities and activities aligned to the Corporate Plan.
- 1.8 That a requirement be introduced for place profiles to be developed for each of the 21 wards detailing the demographics and community assets of the area; to be piloted in 4 wards.
- 1.9 That the Community Leadership Fund of £1,000 per elected member be continued, but be spent in line with ward plan priorities.
- 1.10 That the £30,000 currently allocated for Area Assembly Chairs from the Community Engagement budget in 2017/18 be distributed evenly to all 21 wards, which will equate to £1,428 per ward and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
- 1.11 That Council be recommended to add £210k to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
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- 1.13 That decision making be delegated to wards with spend approved by the Assistant Director of Housing and Neighbourhood Services.
- 1.14 That officers be required to explore the potential to provide support to members to secure additional funding both internally and externally.

- 1.15 That an Annual Report on Neighbourhood Working be submitted to both the Improving Places Select Commission (IPSC) and Council.
- 1.16 That approval be given to a 12 month transitional plan to phase-in the new neighbourhood approach.
- 1.17 That the review of staffing structure supporting neighbourhood working be noted and decisions arising from the review be taken under existing delegated powers.
- 1.18 That the Council be recommended to amend the Constitution to:
- Remove the reference to area assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups]
  - Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules
  - Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of area assembly co-ordinating groups and overview and scrutiny committee] and references to “Chairs of Area Assemblies” and all other references to “area assemblies” in the Overview and Scrutiny Procedure Rules
  - Delete references to area committees in the Access to Information Procedure Rules
  - Delete references to area committees and area assembly coordinating groups in the Standing Orders.
  - Delete references to area committees in the Code of Conduct for Members and Co-opted Members
  - Delete the reference to Chair of Area Assembly in the Members’ Allowances Scheme
  - Remove references to area assemblies from the Scheme of Delegation for Members and Officers

## **2. Background**

- 2.1 Rotherham Council’s Corporate Improvement Plan, “A Fresh Start”, includes a key theme, “strong, high impact partnerships”. The theme’s objective is to deliver “enhanced neighbourhood working to engage with communities on:
- Policy development and service change.
  - Community Safety.
  - Community Cohesion”
- 2.2 The action to address this objective is the *“Introduction of a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies”*.
- 2.3 To deliver this action, an Elected Member Working Group was established, chaired by Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, comprising:-

- Area Assembly Chairs/Vice Chairs.
- A member of the Opposition Group.
- Support by the Chief Executive and Senior Officers.

2.4 The Cabinet Member and officers attended a national conference which examined the “State of neighbourhood and locality working”, and undertook desktop research and visited 4 other local authorities operating different neighbourhood models.

2.5 The local authority visits were to:-

- Trafford MBC (Wednesday 15<sup>th</sup> June 2016).
- Barnsley MBC (Tuesday 21<sup>st</sup> June 2016).
- Derby CC (Wednesday 29<sup>th</sup> June 2016).
- Doncaster MBC (Friday 15<sup>th</sup> June 2016).

2.6 There have been 7 meetings of the Elected Member Working Group:

- Tuesday 21<sup>st</sup> June 2016
- Wednesday 24<sup>th</sup> June 2016
- Monday 11<sup>th</sup> July 2016
- Tuesday 26<sup>th</sup> July 2016
- Monday 5<sup>th</sup> September 2016
- Wednesday 16<sup>th</sup> November 2016
- Monday 27<sup>th</sup> February 2017

### **3. Key Issues**

3.1 The review sought to address a number of key issues originally raised by former Commissioner Manzie in the RMBC Corporate “Fresh Start” Improvement Plan (26<sup>th</sup> May 2015). These were to:

- Determine why working at a neighbourhood level is important
- Describe the outcomes of improved neighbourhood working
- Highlight the added value of a neighbourhood approach to locality Working

3.2 The expected outcomes of the review of neighbourhood working are to:

- Improve local democratic engagement and community leadership by describing the way in which Councillors, officers and partners will interact with the local community.
- Identify the support that could be expected by Elected Members from the Council and its key partners.
- Clarify the role of the Council and partners in addressing neighbourhood based issues.
- Determine how other services run by the Council and its partners can be tailored to and benefit from neighbourhood approaches.
- Highlight the role of the community, voluntary and faith sectors in supporting local based organisations to deliver services in neighbourhoods.

#### **4. Options considered and recommended proposal**

- 4.1 Outlined below is a new model of Citizen Engagement and Neighbourhood Working, the current operational model and further details on a potential new model of neighbourhood working which it is intended will start in Summer 2017.
- 4.2 Currently the Council operates a model of citizen engagement through 7 Area Assemblies which were introduced in 2000. The Council implemented a structure where no executive or non-executive functions would be delegated to the area level. The role was simply to create a consultative process through open public meetings. The Area Assembly meetings are part of the Council Constitution. Article 12 prescribes that each Area Assembly shall hold at least 4 public meetings a year. The relevant section of Article 12 is produced in full at **Appendix 1**.
- 4.3 In 2006, the 7 Area Assembly meetings were complemented by 7 coordinating Groups comprising all ward members in the area plus partners and community representatives. The coordinating groups represented a shift from consultation to more action planning. The coordinating Groups, like the Area Assemblies, are part of the Council Constitution (the relevant section of Article 12 is produced in full at **Appendix 3**).
- 4.4 The results of the Area Assembly Chairs/Vice Chairs' survey in August 2016 and the Working Group in December 2016 revealed support for neighbourhood working but little support for the current Area Assembly meetings. Members suggested a more flexible, innovative approach with wards determining their own approach. Members were positive about what they had seen as good practice on visits to other local authorities. There was support for a focus on building on the strengths of the community as opposed to problem raising, shifting from a "You Said, We Did" approach to another based on "Local People, Local Solutions", with an emphasis on "co-production", exploring joint solutions to deliver a community assets based approach.
- 4.5 The working group revealed support for ward based working. However, the issue of ward clustering created a lot of discussion in November 2016. The new approach will continue to enable wards to work together where there is the opportunity for more natural clustering by geography or common interest.

For example:

- In 2017, members from different wards and Area Assemblies will be working together to work on other important issues e.g. HS2 and Bassingthorpe Farm, which covers Rotherham North and Wentworth South.
- All Members from the Keppel and Rotherham West wards are currently working with senior officers and the local community on an environmental issue, Watson's Tip. A public meeting was recently arranged by Councillors and officers which was attended by 180 people.

- Wickersley, Maltby and Hellaby Wards undertook a Suicide Prevention project. Various awareness raising and training sessions have taken place.
- 4.6 Removing the prescribed framework of Co-ordinating Groups and Area Assembly meetings will free up time and resource to support Members in their community leadership role to build community and citizen's capacity, an aspiration of the Corporate Improvement Plan.
- 4.7 The new way of working, whilst delivering the universal offer, will also take into account local priorities, which may include specific issues, for example, areas of deprivation, which will then influence a wider Council and partnership response.
- 4.8 Each ward would benefit from a named dedicated Neighbourhood Support Officer (*title of post may change*) who will link into the wider Council and partners as a connector to other front line services in the locality, to provide the right response at the right time with the right people.

This way of working is flexible and will evolve over time as knowledge, understanding and confidence of the approaches that will work best in each ward grows.

- 4.9 Recent examples of good practice will continue and be built upon in the new model include:
- Helping the Friends of Greasbrough Park to secure £41k funding which enabled them to renew the children's play area.
  - Supporting Clifton Learning Partnership to obtain Eastwood Village Community Centre on a long-term lease from the Council. They are now developing activities for children, families and the broader community (including CSE awareness) through Community Development and Family Support Workers recruited and trained from the local (Roma) community.
  - Supporting Thurcroft "Big Local" to make the most of the opportunities of their £1m Lottery Funding.
  - Working in partnership with the Asset Management Team to support the Wath Town Hall Group in their bid to obtain an asset transfer for the now disused Wath Town Hall.
  - Partnership work with local communities, businesses and the Council to deliver the "Wellgate Together Plan" which supports activities to develop a safer, cleaner and greener Wellgate.

**The Working Group Recommends that:**

- Area Assemblies will cease in their current governance framework.
- Area Assembly coordinating Groups are disbanded.
- Wards will determine how to conduct citizen engagement and can be flexible and innovative in their approach. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.

- Wards are encouraged to work together based on geography and common interest without any prescribed ward clustering, for example, the 3 wards within the current area assembly framework could still choose to meet.

#### **Ward Based Place Plans**

- 4.10 The desktop research and visits to other local authorities showed that the Electoral Ward is an important building block with regards to neighbourhood working and relationships with communities.
- 4.11 The findings from areas such as Barnsley, Sheffield, Kirklees and Manchester showed how ward based working can sit within a broader organisational and planning framework. In Manchester, annual Ward Plans support wider delivery by documenting the issues affecting the ward and the detailed actions required to address them. The Plans are developed by Ward Co-ordinators in partnership with members and partners. Progress is reviewed at quarterly meetings. The Plans feed into three larger Place Plans covering the North, South and Central areas of the city (an example of a Manchester Council Ward Plan and Action Plan is attached at **Appendix 2 & 2a**).
- 4.12 At the Elected Member Working Group on 16th November 2016, officers presented a proposal to introduce ward based plans in Rotherham with links to the Council's Corporate Plan and the Rotherham Together Partnership (RTP) priorities, in particular
- The Corporate Plan priority relating to strong communities in a clean, safe environment and
  - The RTP's priorities relating to Bringing People Together (Let's get Rotherham Talking) and Welcoming Places (Let's get Rotherham Cleaning) plus
  - A further priority is being considered around Building Stronger Communities as part of the forthcoming Rotherham Plan
  - The current focus on locality working will also support and identify Members as key community leaders which will strengthen the delivery of the local offer to communities

#### **The Working Group Recommends that:**

- A quarterly update be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the borough.
- Each of the 21 wards will be required to produce and publish a Ward Plan with agreed ward priorities and activities aligned to the Corporate Plan.
- Place profiles will be developed for each of the 21 wards providing demographics and the community assets of the area. However, initially, this new way of working will be piloted in 4 wards.

#### **The Ward Plans will:**

- Be informed by the place profile (local consultation and data)

- Influence the way other geographical funding streams are deployed e.g. Area Housing Panel funds
- Be informed via engagement with the local community e.g. Street surgeries, litter picks
- Be overseen by the Ward Councillors and Council Officers

An aggregated summary of the Ward Plans with narrative will be submitted to Improving Places Select Commission and Full Council as an Annual Report.

### **Devolved Budgets**

- 4.13 There have been a number of questions in relation to devolved budgets. As well as whether to have a devolved budget, there were questions in relation to the source, the amount and allocation.
- 4.14 The desktop research and visits to other local authorities showed that most have retained a devolved budget to enable a shift to “Local People, Local Solutions”. Budgets are used to build capacity, change delivery and create more sustainable solutions.
- 4.15 The results of the Area Assembly Chairs / Vice Chairs survey in August 2016 revealed significant support for a flexible devolved budget, enabling Councillors to focus on issues in their ward, but without being tied into Council services.
- 4.16 In the current 2016/17 financial year a one off Area Assembly budget of £280k had been allocated. This comprised of £140k General Fund (Revenue) and £140k General Fund (Capital). Each Area Assembly received £40k, equivalent to every ward receiving around £13k.
- 4.17 The figures in other areas vary greatly from £2.1m in Barnsley (equivalent to every ward receiving £100k) to £80k in Trafford (equivalent to every ward receiving £4k). Manchester have recently introduced a “Neighbourhood Investment” Fund (NIF) to support their revised neighbourhood working model. Each ward receives £20k. The NIF is available to communities.
- 4.18 The desktop research and visits to other areas showed that Derby, Oxford and Great Yarmouth focus on their most deprived neighbourhoods only. Sheffield’s devolved budget is entirely based on the Indices of Multiple Deprivation (IMD).
- 4.19 We will continue to explore opportunities around a range of different resources including external funding streams as well as maximising existing community and council services. This will be developed over the transitional period.
- 4.20 At present the Area Assembly coordinating Groups determine the priorities for spending the budgets allocated to their Areas. Disbanding them would require an alternative approach.
- 4.21 In Haringey, each ward receives a £10k devolved budget and run the budget as they see fit. For example, some wards run an annual application round, some commission projects in response to local need, some run “dragons den” type events to build up community involvement and many will run a combination of these. Budgetary decisions are delegated to an Assistant Director. In Barnsley,

and other areas, all three or 2 out of the 3 Ward Councillors must agree any proposal which is then signed off by an officer.

4.22 Neighbourhood Working through Ward Plans will also influence the way mainstream funding and resources are deployed to maximise the response for local ward based issues, for example, deprivation. This will be from other Council services as well as partnerships within the ward.

## **The Working Group recommends that:**

- The Community Leadership Fund will continue to be allocated to Ward Members in line with their Ward Plans of £1k per member, which equates to £3k per ward and £63k in total.
- The £30K currently allocated for Area Assembly Chairs from the Community Engagement budget will be apportioned to Wards, this will equate to £1,428 per ward. This budget is set for 2017/18, but will be reviewed as part of the overall corporate budget setting process for 2018/19 with consideration of the South Yorkshire Average allowance.
- There will be a £10k capital investment in each ward, totaling £210k which would give total funding of £1,428 for each ward.
- Decision making is delegated to wards and will be validated by an Assistant Director to ensure due diligence to support Members in their role.
- Subject to approval of a Neighbourhood Working Devolved Budget 2017/18, a process will be established for Members to allocate funding, in line with agreed policies and procedures, accounting regulations and the principles of transparency and good governance.
- Officers will continue to identify any other sources of funding to assist implementing Ward Plans and this would be subject to a further proposal outlining options available.
- The overall budget for Neighbourhood Working is not anticipated to be reduced, but the revenue/capital split will be considered as part of the budget setting process for future years.
- Officers will explore the potential to provide support to members to secure additional funds, both internally and externally.

## **Dedicated Ward Based Neighbourhood Support Officer**

- The current staffing structure within Neighbourhood Partnerships and Engagement Service (22 FTE posts, of which 4 are vacant) has been built around the Area Assembly model of working. Arrangements will be put in place to ensure staff are allocated to specific Wards, allowing 2.5 days per week of dedicated officer time to be given to each Ward. This will be to support Ward Members in their community leadership role and act as connector and enabler, under the new operating model.
- However, the model will be sufficiently flexible to allow movement of staff between wards to meet changing ward needs/demand e.g. where a ward has not used their full officer time allocation. This will be a transitional arrangement until a comprehensive review of the staffing

structure can be carried out. The terms of reference for the review will be to ensure 'form follows function' i.e. under the new neighbourhood working arrangements we have the right people in the right place to deliver the new operating model.

- The Council's work alongside Parish Councils will be strengthened under a Ward based approach to ensure citizens are confident we are working together putting people and places first. There are significant opportunities to be realised by working together on shared priorities and in not duplicating effort e.g. community buildings and land assets for new development.

4.23 The recommendations in this report create a number of expectations linked to accountability and governance:

- Every ward to produce and publish a Place Plan based on local consultation and data tracking. The Place Plan will be delivered through a minimum of at least 2 officer and member meetings per year and by making the Place Plan available on the Council website.
- A quarterly update will be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- Every ward will have a devolved budget to support their Ward Plan delivery.
- The Cabinet Portfolio Holder for Neighbourhoods will lead and have oversight and accountability for the governance of this model.

4.24 In addition, the governance review recommended that an Annual Report in respect of Neighbourhood Working be submitted to full Council outlining what is working effectively and what is not, so that successes and lessons can be learned. The first Annual Report will be a review of the new operating model. The Annual Review will also look at the annual resource allocation and aid the case for future investment.

**The Working Group recommends that:**

- An annual report on neighbourhood working be submitted to both the Improving Places Select Commission (IPSC) and full Council.

## **5. Consultation**

5.1 Detailed consultation has taken place with Area Assembly Chairs and Vice Chairs. Community consultation will be incorporated into the ward plans during the transitional period.

## 6. Timetable and Accountability for Implementing this Decision

6.1 The proposed implementation timetable is as follows:

27 February 2017	Recommendations signed off by Elected Member Working Group
31 March 2017	OSMB Pre-Decision Scrutiny
10 April 2017	Cabinet and Commissioners' Decision Making Meeting
19 May 2017	Council

6.2 Subject to approval by Cabinet it is proposed that **transitional arrangements** be agreed for the new Neighbourhood Working model to allow a flexible and organic move towards ward based working over a 12 month period.

Areas of focus for the transitional period will be:

- Detailed statutory consultation will take place with staff on the proposed new way of working in Neighbourhoods resulting in a staffing restructure and implementation of the new model of working in September 2017.
- Agree and deliver community consultation to inform and develop the new neighbourhood approach.
- The governance arrangements for managing Neighbourhood Working budgets be clarified with Legal and Democratic Services and any associated model paperwork agreed with Legal, Finance and Audit.
- Wards plans be produced for each of the 21 wards.
- 4 Pilot Place Profiles will be produced for Wingfield, Boston Castle, Brinsworth and Catcliffe, and Rother Vale wards so that learning and evaluation can be built into the final model template for Place Plans.
- Provide links to partners e.g. police and other bodies e.g. Area Housing Panel, Case Identification Meetings.
- Parish and Town Councils to consider Place Plans where appropriate.

## 7. Financial and Procurement Implications

7.1 In 2016/17, the Council decided to allocate the Area Assemblies a one-off Devolved Budget of £280k. This was made up of £140k revenue and £140k capital, therefore, an allocation of £20k revenue and £20k capital to each Area Assembly.

7.2 In 2017/18, the revenue budget available is £30k Special Responsibility Allowance for Area Assembly Chairs from the Community Engagement Budget and £63k Community Leadership Fund. In addition, it is proposed that £10k capital investment be made in each ward for 2017/18, to be determined by ward priorities, totaling £210k, and that this be added to the approved Capital Programme. This funding is to be utilised from available capital receipts not already allocated. The apportionment is outlined in recommendations 1.1.10 and 1.1.12 of this report.

7.3 Future years' budgets will be considered as part of the 2018/19 budget setting process.

## **8. Legal Implications**

8.1 The recommendations in this report would require amendments to the Council's Constitution in order to remove references to Areas Assemblies, Area Assembly Co-ordinating Groups and Chairs of Area Assemblies from the Constitution. Amendments to the Constitution are a matter for the Council and the necessary recommendation to Council forms part of the recommendations of this report.

## **9. Human Resources Implications**

9.1 In terms of the original scope of this work, the third element referred to a fundamental review of the structure, role, skills mix and funding of the Neighbourhood Partnerships and Engagement Service. Currently each of the 7 Area Assemblies has a small team aligned to support the function. This breaks down to approximately 1 Neighbourhood Development Officer and one Neighbourhood Support officer per Area Assembly. The review will be undertaken in line with appropriate HR processes.

9.2 Members have requested that a named "Lead Officer" be appointed to support every ward 2.5 days per week. It is proposed that as part of the review outlined above all Elected Members will have a named single point of contact drawn from the Neighbourhood Partnerships service to support them in their community leadership role, and act as a connector, enabler and a link to other Council services.

9.3 It is recognised that the transition to a new model of working and structure will take time and therefore, an interim offer will be delivered through the current staffing structure until a full review of services can be undertaken.

## **10. Implications for Children and Young People and Vulnerable Adults**

10.1 The Elected Member Working Group received presentations on the locality plans and geographical service footprint from both Adult Care and Children and Young Peoples' directorates. The proposed Vision Statement and Principles support the Council's Corporate Plan priorities "Every child making the best start in life" and "Every adult secure, responsible and empowered".

## **11 Equalities and Human Rights Implications**

- 11.1 The proposals to enhance and support neighbourhood working should improve the Council's ability to respond to the specific needs of Rotherham's increasingly diverse communities. The needs and requirements of the citizens, businesses and communities in each ward are different and the new approach allows the flexibility to respond to these needs by making the ward the building block for community engagement. Additionally the production of Place Plans will enable a targeted response to community concerns and priorities. An Equality Assessment will be completed in line with the Council's Equality & Diversity Strategy.

## **12. Implications for Partners and Other Directorates**

- 12.1 This review is part of a much wider strategic review of how the whole Council engages with its citizens and customers in localities, including a review of the Council's Estate.
- 12.2 In terms of the original scope of this work, the second element referred to developing a multi-agency approach to neighbourhood working.
- 12.3 Following a recent meeting of the RTP's Chief Executive Officers' Group (CEOG), work has begun to develop a locality working model based on a number of principles to be agreed by partner agencies. Workshops were held in February and March to explore, amongst other things, approaches to integrated place-based working with the objective of approving a model way of working by the end of March 2017.
- 12.4 Manchester is an example where ward based working supports wider delivery. Ward Plans feed into 3 larger multi-agency Place Plans covering the North, South and Central areas of the city.

## **13. Risks and Mitigation**

- 13.1 At present the Neighbourhood Partnerships and Engagement Service sits in the Adult Care and Housing Directorate. The service is funded 60%/40% Housing Revenue Account / General Fund respectively which is reflected in the Service Plan.
- 13.2 The Service Plan focusses on 4 areas:
1. improving tenant and resident engagement as part of the "Local Offer" to those living in Council accommodation
  2. leading on community development
  3. supporting the "crime and grime"/public realm agenda and
  4. leading on neighbourhood working arrangements.

- 13.3 Resourcing multi-agency locality working – in particular (2), (3) and (4) above - would be at risk if the Housing Revenue Account contribution to area based services was reduced but not replaced by other funding.

**14. Accountable Officer(s)**

Anne Marie Lubanski, Strategic Director of Adult Care & Housing

Approvals Obtained from:-

Strategic Director of Finance and Customer Services: Judith Badger

Assistant Director of Legal Services: Dermot Pearson

Head of Procurement (if appropriate):- not relevant

Head of HR: Odette Stringwell

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

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## **Summary Sheet**

### **Annual Council – 19 May 2017**

#### **Title:**

Review of Petitions Scheme

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

No, but decision taken by Cabinet on 10 April 2017

#### **Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

#### **Report Authors**

James McLaughlin, Democratic Services Manager  
01709 822477 or james.mclaughlin@rotherham.gov.uk

#### **Ward(s) Affected**

All

## **Summary**

At the Cabinet and Commissioners' Decision Making Meeting on 10 April 2017, the Cabinet agreed proposals to amend the Council's Petition Scheme.

In order to give effect to the recommendation from Cabinet, consideration and approval by Council must be given to the recommendations set out below to amend the Constitution. The report detailing the reasoning behind the recommendations is appended in order to provide Members with sufficient knowledge to agree the proposals.

## **Recommendation**

That the associated constitutional changes in respect of the Petitions Scheme be incorporated within the external review of the Constitution being undertaken by the Association of Democratic Services Officers.

## **List of Appendices Included**

Report to Cabinet and Commissioners' Decision Making Meeting – 10 April 2017  
'Review of Petitions Scheme'

## **Background Papers**

Minutes of the Cabinet and Commissioners' Decision Making Meeting – 10 April 2017

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Cabinet and Commissioners' Decision Making Meeting – 10 April 2017

**Council Approval Required**  
Yes

**Exempt from the Press and Public**  
No

## **Summary Sheet**

Cabinet and Commissioners' Decision Making Meeting – 10 April 2017

### **Title**

Review of the Council's Petitions Scheme

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

Yes, this is a key decision and has been included on the Forward Plan

### **Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

### **Report Author**

James McLaughlin, Democratic Services Manager  
01709 822477 or james.mclaughlin@rotherham.gov.uk

### **Ward(s) Affected**

All wards

### **Summary**

The Council adopted a petitions scheme in May 2010 in accordance with the Local Democracy, Economic Development and Construction Act 2009. This scheme was subject to a subtle changes following the review of Standing Orders in 2014. However, a more fundamental review of the scheme is required as part of the wider review of governance in the Council and this report sets out opportunities to amend the scheme to improve its operation and its wider understanding amongst Members, officers and the public.

### **Recommendations**

1. That the existing Petitions Scheme be replaced with guidance on petitions (as set out in Appendix B)
2. That a log of petitions be maintained on the Council's website detailing the nature of the petition, the directorate referred to, the response provided to the lead petitioner and the action taken.
3. That a period of up to 15 minutes be allocated at the beginning of Council meetings for members of the public to formally present their petitions to the Mayor.

4. That associated constitutional changes be incorporated within the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers.

**List of Appendices Included**

Appendix A – Current Petition Scheme

Appendix B – Draft Petition Guidance

**Background Papers**

Report to Council – 21 May 2010 – ‘Local Government Reform – duty to respond to petitions: commencement and Council scheme’

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Constitution Working Group – 17 March 2017

Council – 19 May 2017

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Review of the Council's Petitions Scheme**

### **1. Recommendations**

- 1.1 That the existing Petitions Scheme be replaced with guidance on petitions (as set out in Appendix B)
- 1.2 That a log of petitions be maintained on the Council's website detailing the nature of the petition, the directorate referred to, the response provided to the lead petitioner and the action taken.
- 1.3 That a period of up to 15 minutes be allocated at the beginning of Council meetings for members of the public to formally present their petitions to the Mayor.
- 1.4 That associated constitutional changes be incorporated within the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers.

### **2. Background**

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 introduced a duty for local authorities to adopt a scheme setting out how it would manage and respond to petitions submitted as calls for action. The legislation also introduced a requirement for local authorities to host a system for citizens to submit e-petitions to increase participation in local democracy.
- 2.2 The requirements of the duty set out that the Council had the flexibility to determine the details of the scheme subject to meeting the following minimum requirements:
  - Anyone who lives, works or studies in Rotherham, including under 18's, can sign or organise a petition and trigger a response;
  - Petitions must be acknowledged within a time period specified by the Council;
  - Among the many possible steps that the Council may choose to take in response to a petition, the following steps must be included in the scheme:
    - Taking the action requested in the petition;
    - Considering the petition at a meeting of the Council;
    - Holding an inquiry;
    - Holding a public meeting;
    - Commissioning research;
    - A written response to the petition organiser setting out the Council's views on the request in the petition; and
    - Referring the petition to scrutiny.
  - Petitions with a significant level of support trigger a debate of the full council. The Council will determine this threshold locally but it must be no higher than 5 per cent of the local population;

- Petitions with a requisite level of support, set by the Council, trigger a senior local government officer to give evidence at a meeting of the authority's overview and scrutiny committee. The committee may also require the relevant Cabinet Member, or other member as appropriate to attend; and
  - Petition organisers can prompt a review of the Council's response if the response is felt to be inadequate.
- 2.3 In May 2010, the Council adopted a petition scheme which included all of the provisions required by statute. The current scheme is appended to this report (Appendix A). The petitions scheme was reviewed by Members in 2014 as part of a wider review of Standing Orders.
- 2.4 The Localism Act 2011 repealed Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction Act 2009, which made petitions schemes a statutory requirement for local authorities. The Localism Act specifically removed:
- the need for the Council to make a scheme for the handling of petitions which are made to the authority (with the exception of those petitions made under another enactment, such as one asking for a referendum on an elected mayor).
  - the need for the Council to be able to accept petitions electronically.
  - the need for Council to comply with its own petition scheme.
  - the need to publish the Councils petition scheme on its website.
  - the need to acknowledge petitioners, tell petitioners what we intend to do with their petitions or place their petitions on the Councils website.
  - the need for the Council to do one of the list of the required steps when considering a petition.
  - the need for the Council to have thresholds to determine how to process petitions, for those thresholds to be reasonable and the requirement for petitions reaching those thresholds to be debated at Council and or Overview and Scrutiny.
  - the power of review by the Secretary of State, to review the Council's scheme if we do not receive any petitions that the Council has to debate.
  - the specified reasons for the rejection of a petition

### **3. Key Issues**

- 3.1 The petition scheme has been reviewed once since it was adopted by the Council. It is timely to review the scheme in the context of the wider review of the Constitution and following anecdotal feedback from Members and officers regarding the lack of awareness and understanding of the provisions of the scheme.

3.2 The key aspects of the petitions scheme are:

- 2000 signatures are needed for a petition to be debated at a Council meeting
- Where a petition is debated at a Council meeting, the lead petitioner has five minutes to address the meeting and a further 15 minutes is allocated for councillors to debate the call for action within the petition.
- 750 signatures are needed to require a Member or a senior officer to give evidence to Overview and Scrutiny

3.3 There has not been an occasion since the adoption of the petitions scheme in Rotherham where a petition has been debated at a Council meeting or where a Member or senior officer have been required to give evidence to Overview and Scrutiny. The fact that neither threshold has been met does not itself imply that there is an issue with the scheme, but has led to some questions in respect of the value of petitions.

3.4 Petitions schemes were introduced in statute because the Government had identified that local people felt that they could not influence decision making or get things done in their local area. The Government White Paper *Communities in Control* very much focused on the need to provide formal routes for calls for action to be submitted and responded to. Whilst the statutory provision no longer exists, the need to give local people the opportunity to make a call for action through a petition remains an important pillar of robust local democracy.

3.5 The advancement of social media and digital technology has changed the way that residents interact with the Council and councillors. Whilst traditional methods of petitioning remain for organised groups, many individuals lobby for action or change through social media campaigns, directly lobbying councillors and partner organisations. This trend has not reduced the number of petitions, but it should be recognised that petitions are not the only avenue for valid concerns or calls for action to be raised with the Council or councillors.

3.6 The formal provisions of the existing petitions scheme cover what was previously required by the law, but neither the scheme or the Council's Constitution adequately set out what the authority will do when it receives a petition that does not meet the threshold for a debate at Council. Conventional practice is that a petition will be referred to the relevant Strategic Directorate for consideration and a response to be sent to the lead petitioner and ward councillors, where appropriate. This practice works in the sense that a petitioner receives a response, but the process fails to acknowledge the democratic call for action, aside from limited reporting of the receipt of petitions to Council meetings, and the potential for debate on matters of policy, which would capture the public interest in an issue and consequently invigorate Council meetings.

- 3.7 In order to attach greater value to petitions and calls for action, consideration should be given to how the Council can demonstrate how it encourages and responds to petitions. Presently, the minutes of Council meetings detail the receipt of petitions, but there is no follow up to detail what has happened as a result of the petition or call for action. Some authorities publish a log of petitions received and report on the action taken in response. This capability exists within the existing Modern.Gov software that manages the democratic content on the Council's website. To demonstrate the value of petitions, it is proposed that this software be better utilised to detail:
- The receipt of a petition
  - The department referred to
  - The response provided
  - The action taken
- 3.8 Other local authorities dedicate a period of time at the beginning of Council meetings for members of the public to hand in their petitions to the Mayor or Chairman of the Council. This is not a practice currently in operation in Rotherham and is one which may again contribute to improving confidence in the Council. The reality of any such approach is that the Mayor would receive the petition from the lead petitioner and give an assurance that the petition would be referred to the relevant Strategic Directorate for response. This would require little effort, but would demonstrate that the Council is open to receiving calls for action from its residents.
- 3.9 The petitions scheme itself is a detailed document which is not particularly user friendly. Any member of the public wanting to consult it for guidance on how to submit a petition or understand its provisions would currently find it difficult to locate and then subsequently not be clear in respect of what actions would be necessary to comply with the scheme. Consideration should therefore be given to replacing the existing scheme with guidance written in plain English and easily accessible on the Council's website. Draft guidance is appended to this report (Appendix B).
- 3.10 The Constitution's provisions in respect of the handling of petitions are set out in Standing Orders 8A and 8B. If the Council is minded to dispense with the current petitions scheme and introduce guidance, more detailed Standing Orders in respect of petitions will be required. This report is not concerned with recommending constitutional amendments, but rather with reviewing the current practice of how petitions are handled by the Council. Any associated amendments to Standing Orders can be incorporated within the external review of the Constitution which is being undertaken by the Association of Democratic Services Officers.

#### **4. Options considered and recommended proposal**

- 4.1 As the statutory provisions concerning the operation of a petitions scheme have been repealed, the Council has the discretion to manage petitions in any way it considers appropriate, including having no provision at all. Given that strengthening governance and public trust and confidence in the Council are key areas of the authority's improvement journey, the option of removing provision for petitions is not recommended.

- 4.2 This report has identified that the Council's approach to handling petitions can be improved in a procedural sense and also in terms of the wider trust and confidence held in the Council by the residents of the borough. It is recommended that the current petitions scheme be replaced by guidance which provides clearer advice to citizens on how to submit a petition and what to expect after submission to the Council.

## 5. Consultation

- 5.1 This report has been submitted to the Constitution Working Group for review. Members considered the thresholds, potential changes and minimum numbers, verification processes for e-petitions and the numbers that would determine what constituted a petition.
- 5.2 The Constitution Working Group recommended that the thresholds for petitions be set at:

20 signatures	For a call for action to be regarded as a formal petition and presented to the Mayor at Council
600 signatures	For an officer to be required to give evidence to Overview and Scrutiny
2,000 signatures	For a petition to be debated at a Council meeting

- 5.3 Members also welcomed the recommendation to include relevant Ward Members in the response to a lead petitioner. It was also recommended that the Chair of Overview and Scrutiny Management Board vacate the chair for any debate on a petition that might directly affect their ward.
- 5.4 It was considered appropriate to remove reference to calling a referendum within paragraph 15 of the existing Petitions Scheme.

## 6. Timetable and Accountability for Implementing this Decision

- 6.1 If the preferred approach detailed in paragraph 4.2 were to be agreed by the Constitution Working Group and the Cabinet for recommendation to the Council, then the final decision will be made at the Annual Meeting on 19 May 2017. In order to give effect to the proposed change, amendments will be required to Standing Orders which would require the approval of Council. These amendments will be proposed as part of the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers and on the recommendation of the Constitution Working Group.
- 6.2 Accountability for implementing the decision will rest with the Assistant Director of Legal Services and the Democratic Services Manager, who will also be responsible for the ongoing operation of the petitions process.

## 7. Financial and Procurement Implications

- 7.1 There are no financial or procurement implications associated with this report.

## **8. Legal Implications**

8.1 The legal implications are detailed within the main body of the report.

## **9. Human Resources Implications**

9.1 There are no Human Resources implications associated with this report.

## **10. Implications for Children and Young People and Vulnerable Adults**

10.1 There are no implications for children and young people or vulnerable adults arising from this report.

## **11 Equalities and Human Rights Implications**

11.1 Public Authorities must ensure that decisions are made in such a way which minimises unfairness, and without a disproportionately negative effect on people in respect of nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation. It is important that Councillors are aware of this duty before they take any decision.

11.2 Enabling petitions to be submitted both as paper documents and electronically through the Council's website enables people from all groups and backgrounds to petition the Council about matters which concern them.

## **12. Communications Implications**

12.1 Highlight any communications implications arising from your report, and outline any communications advice provided.

## **13. Implications for Partners and Other Directorates**

13.1 If the proposals within the report require input or action from other directorates or partner organisations in the Borough, you should set out specifically what the implications are and what consultation has taken place.

## **14. Child Centred Borough Implications**

14.1 There are no implications which directly impact on the Council's ambition to become a Child Centred Borough.

## **15. Risks and Mitigation**

15.1 There are no strategic or specific risks associated with this report.

## **16. Accountable Officers**

Assistant Director of Legal Services – Dermot Pearson  
Democratic Services Manager – James McLaughlin

Approvals Obtained from:-

	<b>Named Officer</b>	<b>Date</b>
Strategic Director of Finance & Customer Services		
Assistant Director of Legal Services		
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

Report Author:

James McLaughlin, Democratic Services Manager  
01709 822477 or james.mclaughlin@rotherham.gov.uk

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### Scheme for handling Petitions

1. The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt.
2. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.
3. Paper petitions can be sent to:

**Democratic Services  
Rotherham Town Hall  
Moorgate Street  
Rotherham  
S60 2TH**

4. Or be created, signed and submitted [online](#).
5. Petitions can also be presented to a meeting of the council. These meetings take place approximately every **six weeks**, dates and times can be found [here](#). If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact **James McLaughlin, Democratic Services Manager** on **(01709) 822477** at least 10 working days before the meeting and they will talk you through the process. **A petition to be presented to the Council will require the support of 2,000 or more signatories.** If your petition has received signatures **equivalent to 5% or more of the population of the Borough** it will also be scheduled for a council debate and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

### What are the guidelines for submitting a petition?

6. Petitions submitted to the council must include:
  - a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
  - the name and address and signature of any person supporting the petition.
7. Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.
8. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

9. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

### **What will the council do when it receives my petition?**

10. An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.
11. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
12. If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here **[insert links]**
13. We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.
14. To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

### **How will the council respond to petitions?**

15. Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
  - taking the action requested in the petition
  - considering the petition at a council meeting

- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee\*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

\*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

16. In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples.

Petition Subject	Appropriate Steps
Alcohol related crime and disorder	If your petition is about crime or disorder linked to alcohol consumption, the council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.
Anti-social behaviour (ASB)	As the elected representatives of your local area, as social landlord and licensing authority, the council plays a significant role to play in tackling anti-social behaviour. <b>The council, in conjunction with our partners in the local crime and disorder partnership have set out how we deal with issues of anti-social behaviour; you can find more</b>

	<p><b>details here.</b></p> <p>When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority. For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and crime and disorder overview and scrutiny committee to the issues highlighted in the petition.</p>
Under-performing schools	<p>We will consider, in consultation with local partners, all the options available to us when working with schools to secure their improvement. For example, on our behalf, the school improvement partner will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing we will consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve its performance standards. Other measures available to us, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures including; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract</p>

	or partnership or, only if the school is in special measures, closure.
Under-performing health services	We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role Healthwatch might have in reviewing and feeding back on the issue (Healthwatch's role to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The <b>Health Select Commission</b> will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.

17. If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of [local partners](#) and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible [here](#).
18. If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

### Full council debates

19. If a petition contains **2000** signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given **five minutes** to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of **15 minutes**. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council

executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

### Officer evidence

20. Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.
21. If your petition contains at least **750** signatures, the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Management Board. Senior staff that may be called upon to give evidence includes all of the Council's Senior Leadership Team. You should be aware that the Overview and Scrutiny Management Board may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Overview and Scrutiny Management Board may also decide to call the relevant councillor to attend the meeting. Board members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the Board by contacting **James McLaughlin, Democratic Services Manager (01709) 822477 or james.mclaughlin@rotherham.gov.uk** up to three working days before the meeting.

### E-Petitions

22. The council welcomes e-petitions which are created and submitted through our [website](#). E-petitions must follow the same guidelines as paper petitions **set out in paragraphs 6 – 9 of the Scheme for handling petitions**. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.
23. When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.
24. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
25. When an e-petition has closed for signature, it will automatically be submitted to the Democratic Services Manager. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the council, please contact James

McLaughlin, Democratic Services Manager (01709 822477 or [james.mclaughlin@rotherham.gov.uk](mailto:james.mclaughlin@rotherham.gov.uk)) within 10 working days of receipt of the acknowledgement.

26. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

### **How do I 'sign' an e-petition?**

27. You can see all the e-petitions currently available for signature [here](#)
28. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

### **What can I do if I feel my petition has not been dealt with properly?**

29. If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's Overview and Scrutiny Management Board review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.
30. The Overview and Scrutiny Management Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.
31. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## Guidelines for submitting a petition

### 1.1 Petitions to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- The subject matter of the petition must relate to a function of the Council, or its partner authorities if the petition relates to an improvement in the economic, social or environmental well being of the District which a partner authority could contribute to. Petitions may also relate to matters which are sub-regional and cross-authority.
- The petition should contain the name, address and signature of at least 20 people who either are resident, work or study in the borough of Rotherham. This includes under 18 year olds.

1.2 Petitions should be accompanied by the contact details of the lead petitioner, including an address and/or telephone/email details. This is the person the Council will contact to explain the process for considering petitions. The contact details of the lead petitioner or any of the petitioners will not be published by the Council. If the petition does not identify a lead petitioner, we will contact signatories to the petition to agree who should act as the lead petitioner.

1.3 If the petition does not follow the guidelines set out above a letter will be sent to the lead petitioner explaining that the guidelines have not been met and that the petition has been forwarded to the appropriate Strategic Director for consideration.

## 2. How the petition will be dealt with

2.1 The petition will normally be acknowledged in writing within 5 working days of receipt although there may be a delay if it is not clear from the petition who the lead petitioner is.

2.2 The lead petitioner will need to confirm how he/she would prefer the petition to be dealt with and assistance will be provided by Democratic Services to help the lead petitioner decide which is the most appropriate route. Petitions will be progressed in one of the following ways:

### **Officer (relevant Strategic Director)**

On receipt the petition will be forwarded to the relevant Strategic Director who has responsibility for the subject matter of the petition. The Strategic Director will nominate a Named Senior Officer to deal with the petition and the Named Senior Officer will contact the lead petitioner within 3 weeks to inform them of what action will be taken on the petition. As a lead petitioner you will be informed within the 3 week period if action has already been taken on the matter before the petition was received, or is in the process of being taken.

The Named Senior Officer will consult with the councillor who is the Member of the Cabinet holding the relevant portfolio for the service area, and if the

subject matter of the petition is concerned with a particular locality, the ward councillors, to determine the action to be taken. The lead petitioner will be notified of the outcome in writing. However, it may be appropriate for the Named Senior Officer to take a report to a meeting of the Cabinet or another council committee. The lead petitioner and local ward councillors will be informed of the date of the meeting with an invitation to attend. After the meeting the Named Senior Officer will confirm the outcome to the lead petitioner, local ward councillors and any other relevant Member in writing within 10 working days.

### **Meetings of Full Council**

Petitions can be presented to a meeting of Council. All 63 of the Councillors on the Metropolitan Borough Council of Rotherham are Members of Council, so attending one of these meetings will provide the opportunity for the views in the petition to reach all Councillors.

The ordinary meetings of Council are held approximately every six weeks, and as a limit of 5 petitions are considered at each meeting, the lead petitioner should contact Democratic Services at the earliest opportunity. If there are more than 5 petitions then it will be necessary to consider the petitions that were received latest at the next meeting. At the Council meeting, a representative of the petitioners may speak on the subject matter of the petition for 5 minutes after presenting their petition to the Mayor. Council will not debate the petition but can refer the petition to the appropriate committee, panel or officer for response. Further details can be obtained by contacting Democratic Services on 01709 822054 or emailing [petitions@rotherham.gov.uk](mailto:petitions@rotherham.gov.uk).

### **Full Council debates**

If a petition contains more than 2,000 signatures it will be debated at a meeting of Council. Normally the petition will be considered at the next ordinary meeting of the Council, although on some occasions this may not be possible and consideration will then take place at the following meeting. A representative of the petitioners will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The Council will then decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for the reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the Council's Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will be sent written confirmation of this decision within 10 working days. This confirmation will also be published on the Council's website.

### **Calling an Officer to account**

A petition may ask for a senior council officer to give evidence at a public meeting about a service for which the officer is responsible as part of their job. For example, the petition may ask a senior council officer to explain progress

on an issue or to explain the advice given to elected members to enable them to make a particular decision.

If the petition contains at least 600 signatures, then the relevant senior officer will give evidence at the Overview and Scrutiny Management Board. A relevant senior officer would be the Chief Executive or a Strategic Director or Assistant Director. The officer called to give evidence may be supported by other officers who have been involved in the matter. If the officer named in the petition is unavailable – for instance if the named officer has changed jobs – the Overview and Scrutiny Management Board may need to decide to call another senior officer. The Overview and Scrutiny Management Board may also decide to call a relevant councillor to attend the meeting such as the member of the Cabinet who holds the portfolio for the service mentioned in the petition.

A report will be presented to a meeting of the Overview and Scrutiny Management Board setting out the background to the matter. The lead petitioner will be able to attend the meeting to present the petition for up to 5 minutes. At the meeting the senior officer will be questioned by the Committee members. If the public is to be excluded during any part of the meeting under the provisions of Part 5A of the Local Government Act 1972 this will be set out in the attendance notification to the lead petitioner. The Committee will then make recommendations in accordance with the Council's delegation scheme. It may be necessary for the Committee to defer making the recommendations to a future meeting, for instance, if further information is requested. When the Committee has finalised its recommendations written notification will be sent to the lead petitioner within 10 working days and be published on the Council's website

### **3. Matters excluded from the Petitions Scheme**

3.1 A petition cannot be dealt with through this scheme if it addresses or includes:

- a planning or licensing application for which other arrangements are in place.
- Matters subject to prescribed statutory requirements, e.g. an elected mayor.
- Matters where there is already an existing right of appeal, such as council tax banding and non-domestic rates, where other procedures apply.
- Repetitive or vexatious correspondence
- Potentially libellous, false or defamatory statements.
- Material which is commercially sensitive
- Material generated by local political parties
- The names of individuals in relation to criminal accusations or information which easily identifies an individual
- Statements which contravene equalities and anti-discrimination legislation

- Matters subject to appeal processes or legal actions, e.g. enforcement action.
- Refers to a particular official of a public body
- Material which is vexatious, abusive or is deemed otherwise inappropriate

- 3.2 If the petition contains any of the above the lead petitioner will be informed of the reason for not accepting the petition in writing.
- 3.3 If the petition is about a matter over which the Council has no direct control your petition will be forwarded to the relevant organisation. However, if the petition relates to a partner organisation the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. The lead petitioner will be informed of any action the Council has taken to progress the petition.

Please consult with Democratic Services if clarification is required.

#### **4. The Council's response to petitions**

- 4.1 The Council's response to a petition will depend upon what the petition is asking for and which of the options is taken for dealing with the petition, but the response will include one or more of the following:
- Writing to the lead petitioner and relevant Ward Councillors setting out the Council's views about the request in the petition
  - Taking the action requested in the petition
  - Commissioning research on the matter
  - Holding a consultation
  - Holding a meeting with petitioners
  - Holding a public meeting
  - Undertaking a referendum in a locality
  - An inquiry
  - Referring the petition for consideration by the Cabinet or relevant Scrutiny Committee (committees responsible for scrutinising the work of the Council and holding the decision makers to account)
  - Discussing the petition with other relevant organisations
  - Publish notification on the Council's website on how the petition is being dealt with.

#### **5. Review**

- 5.1 If the lead petitioner feels that the Council has not dealt with the petition properly, the lead petitioner has the right to make a request to the Assistant Director of Legal Services that the Council's Overview and Scrutiny Management Board review the steps that the Council has taken in response to the petition. The lead petitioner will be asked to provide a short explanation

in writing of the reasons why the Council's response is not considered to be adequate.

- 5.2 The Overview and Scrutiny Management Board will endeavour to consider the request at its next meeting, although on some occasions this may not be possible, and consideration will take place at the following meeting. The lead petitioner will be invited to attend the Committee and make verbal representations for up to 5 minutes. Should the Committee determine that the petition has not been dealt with adequately it may instigate an investigation and make recommendations to the relevant officer or the Council's Cabinet.
- 5.3 The Overview and Scrutiny Management Board may also decide that the authority's response to the petition should be discussed at a meeting of the Council.
- 5.4 Once the appeal has been considered the lead petitioner will be informed of the result within 10 working days.

## **6. E-petitions**

- 6.1 The council welcomes petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions as outlined above. The petition organiser will need to provide us with their name and email address. You will also need to decide how long you would like your petition to be open for signing.
- 6.2 When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for the public to sign. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain why. You will then be able to change and re-submit your petition if you wish.
- 6.3 When an e-petition has closed for signing, it will automatically be submitted to Democratic Services in the same way as a paper petition, you will receive an acknowledgement within five working days. It will ask you how you prefer to progress the petition in line with the Council's petition scheme. Assistance will be provided to help you decide which is the most appropriate route.

**Council Report**

Annual Council – 19 May 2017

**Title**

Review of the Constitution

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

Not applicable

**Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Authors**

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**Ward(s) Affected**

All

**Executive Summary**

Following the adoption of the recommendations from the Governance Review at the annual meeting in 2016, a number of subsequent amendments to the constitution of the Council have been made during the 2016-17 municipal year. In addition to this, an external review of the council's constitution has been commissioned by the Monitoring Officer, on behalf of the Constitution Working Group. This work is being undertaken by the Association of Democratic Services Officers, the professional body for governance and democratic services professionals.

Following the restoration of decision making powers in respect of the appointment of councillors to serve on outside bodies, it is proposed that the Council formally adopt procedure rules which will enable the authority to discharge its responsibilities.

**Recommendations:**

1. That the final report in respect of the external review of the Constitution be submitted to the next meeting of the Council on 12 July 2017 following detailed consideration of the interim report and further proposals by the Constitution Working Group.

2. That the Procedure Rules for the Appointment of Councillors to Serve on Outside Bodies be incorporated within Standing Orders (Appendix 4 of the Constitution).

**Appendices**

Appendix A – Procedure Rules for the Appointment of Councillors to Serve on Outside Bodies

**Background Papers**

The Council's Constitution

Governance Review 2016

Interim Report – Review of Rotherham's Constitution – Association of Democratic Services Officers

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Review of the Constitution**

### **1. Recommendations**

- 1.1 That the final report in respect of the external review of the Constitution be submitted to the next meeting of the Council on 12 July 2017 following detailed consideration of the interim report and further proposals by the Constitution Working Group.
- 1.2 That the Procedure Rules for the Appointment of Councillors to Serve on Outside Bodies be incorporated within Standing Orders (Appendix 4 of the Constitution).

### **2. Background**

- 2.1 In May 2016, the Council agreed a number changes to the constitution arising from the work of the Governance Review Working Party. In agreeing those changes, the Council directed the Constitution Working Group to continue the work of the former working party in strengthening the authority's governance arrangements through a review of the constitution.
- 2.2 Since that time, the Council has agreed various changes to its constitution on the recommendation of the Constitution Working Group. In the past year, revisions have been made to Contract Standing Orders, Financial Procedure Rules, Standing Orders, Access to Information Procedure Rules, Executive Procedure Rules and Overview & Scrutiny Procedure Rules.
- 2.3 The Constitution Working Group has also instructed the Monitoring Officer to commission an external review of the document to identify provisions which require amendment, improvement or removal. This review is being undertaken by the Association of Democratic Services Officers, the professional body for governance and democratic service officers.
- 2.4 The Council's constitution gives authority for decision making and service delivery in Rotherham. It is not a document that operates in isolation. Separate reviews to deliver improvements in the way that the Council engages with and operates in local communities have taken place in the past year and have developed proposals which will further amend the constitution.

### **3. Review of the Constitution**

- 3.1 The Council has asked ADSO to focus on the following areas of the constitution for review:
  - Appendix 1 - Executive Procedure Rules
  - Appendix 2 - Overview and Scrutiny
  - Appendix 3 - Access to Information
  - Appendix 4 - Standing Orders
  - Appendix 9 - Scheme of Delegation

and in addition to any specific recommendations to amend the constitution, ADSO have also been asked to improve the drafting of the document to ensure that it is current, concise, consistent and user-friendly.

- 3.2 An interim report has been received from ADSO which details the areas which require amendment and where the Council may wish to consider making changes. In particular they have suggested a revised format of:

- Summary and Explanation
- Articles of the Constitution
- Responsibility for Functions
- Rules of Procedure
- Financial Procedures
- Codes and Protocols
- Members Allowances Scheme
- Management Structure

and the codifying of the current arrangements for pre-decision scrutiny. The process of translating the current constitution into this new format will require careful consideration of how the constitution works as a consistent whole and detailed amendments to ensure that the whole document is concise, current, consistent and user friendly.

- 3.3 At this stage, further work will be required with the Constitution Working Group and officers to consider the proposed areas for amendment and refine the proposals. The review of the Constitution will be completed in time for a final report and recommendations to be presented to the next meeting of the Council on 12 July 2017.

#### **4. Procedure Rules for the Appointment of Members to serve on Outside Bodies**

- 4.1 In March 2017, the Secretary of State for Communities and Local Government restored further decision making powers to the Council in respect of the appointment of councillors to serve on outside bodies.
- 4.2 Prior to agreeing the return of this power to the Council, the Constitution Working Group reviewed the practice for such appointments prior to government intervention and how other authorities appoint councillors to serve on outside bodies. The working group's consideration led to the development of procedure rules, which are appended to this report.
- 4.3 The Council is recommended to agree the incorporation of the procedure rules for the appointment of councillors to serve on outside bodies within Appendix 4 of the Constitution – Standing Orders.

## **5. Options considered and recommended proposal**

- 5.1 As referred to earlier in this paper, the interim report on the external review of the constitution has been received from ADSO. The report sets out the areas where recommendations will be made and Council is recommended to note that these will be further refined with the Constitution Working Group and officers prior to a final report being submitted to the next meeting of the Council.
- 5.2 The procedure rules concerning the appointment of councillors to serve on outside bodies have been reviewed by the cross party Constitution Working Group. They were also part of the submission of evidence to the Secretary of State to secure the further restoration of decision making powers to local democratic control. It is therefore proposed that these be formally adopted within the Council's constitution to enable the appointment of councillors to serve on outside bodies at the Cabinet's first meeting of the municipal year on 26 June 2017.

## **6. Consultation**

- 6.1 The Constitution Working Group has been consulted in the development of all proposals to amend the constitution.

## **7. Timetable and Accountability for Implementing this Decision**

- 7.1 The Council will consider the final report and recommendations arising from the external review of the constitution at its next meeting on 12 July 2017. In the meantime, the Constitution Working Group will meet with representatives of ADSO and officers to refine the proposals to amend the constitution.
- 7.2 If Council is minded to agree the recommendation to incorporate the procedure rules for the appointment of councillors to serve on outside bodies, this amendment to the constitution will take effect from the date of the Council meeting.

## **8. Financial and Procurement Implications**

- 8.1 There are no financial or procurement implications directly arising from the proposals within this report.

## **9. Legal Implications**

- 9.1 It is important that the Council has an up to date constitution to provide clarity and certainty in its decision making.

## **10. Human Resources Implications**

- 10.1 There are no human resources implications arising from this report.

## **11. Implications for Children and Young People**

- 11.1 There are no implications for children and young people arising from this report.

**12. Equalities and Human Rights Implications**

12.1 There are no equalities and human rights implications arising from this report.

**13. Implications for Partners and Other Directorates**

13.1 There are no implications arising from this report.

**14. Risks and Mitigation**

14.1 By amending the constitution to strengthen its governance arrangements, the authority is mitigating risks in respect of accountability, probity and transparency in decision making.

**15. Accountable Officer(s)**

Dermot Pearson, Assistant Director of Legal Services and Monitoring Officer  
James McLaughlin, Democratic Services Manager

## **Procedure Rules for the Appointment of Council Representatives to Serve on External Organisations and Partnerships**

### **1. Scope of Rules**

- 1.1 These Procedure Rules relate to those external organisations and partnerships (referred to as Outside Bodies) which have requested the Council to appoint an Elected Member (or suitable nominee) to them
- 1.2 For the avoidance of doubt, these Procedure Rules do not apply to appointments to Joint Committees/authorities which are reserved to Council.
- 1.3 Additionally it is recognised that, often at a local level, individual Elected Members may be personally approached to attend meetings of a variety of organisations in their personal capacity rather than in their capacity as a Councillor. Such instances are not covered within the scope of these Procedure Rules

### **2. Determination of Outside Bodies to which an appointment should be made**

- 2.1 The Democratic Services Manager will maintain a list of all Outside Bodies to which the authority appoints an Elected Member.
- 2.2 Each year the Cabinet will review the list of notified Outside Bodies and will determine whether the authority should make/continue to make an appointment to those bodies.
- 2.3 Determination will be based on one or more of the following criteria being met:
  - the proposed appointment is a statutory requirement;
  - the proposed appointment would be consistent with the Council's policy or strategic objectives; and/or
  - the proposed appointment would add value to the Council's activities.
- 2.4 Requests to make an appointment received after such an annual review will be similarly referred to the Cabinet for determination by reference to the same criteria.

### **3. The Appointment Procedure**

- 3.1 In April each year (and after elections have taken place every fourth year after 2016), the Democratic Services Manager will circulate the list of positions on outside bodies to the political groups of the Council for nominations to be submitted to the first Cabinet meeting of the new municipal year.
- 3.2 The Cabinet will be responsible for making any appointment. In doing Cabinet should have regard to a Member's current interests prior to making any appointment. Whilst not being bound by the requirements of political balance,

a key consideration for the Cabinet in appointing representatives will be to ensure appropriate representation of the Council's views and policies.

- 3.2 The Cabinet will be responsible for making any appointment. In doing Cabinet should have regard to a Member's current interests prior to making any appointment. The Cabinet will also have regard to, but not be bound by, the principle of securing an overall allocation of places which reflects the proportion of Members from each Political Group on the Council as a whole.
- 3.3 All appointments will be subject to annual change unless otherwise stated in the constitution of the external organisation. Each appointment (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 3.4 Elected Members will fill all available appointments but it is recognised that Political Groups may not wish to take up vacancies which are made available to them. In such circumstances vacancies will be notified to the Cabinet and a decision sought as to whether the vacancy will be filled.
- 3.5 A vacancy occurring during the municipal year will normally be referred to the Cabinet for an appointment to be made, having regard to the principles as described above.

#### **4. Support for Appointees to Outside Bodies**

- 4.1 Lead officer: A lead officer will be identified by the Democratic Services Manager in consultation with the relevant Strategic Director for all relevant appointments. This officer will work closely with the appointed Member(s) to provide briefings and support. Further advice will also be offered by the Chief Finance Officer and/or the Monitoring Officer, as appropriate.
- 4.2 Briefings: For organisations which are community focussed and/or about encouraging local engagement, a lead officer will not be allocated unless the Strategic Director and/or relevant Cabinet Member for the service area deem that this will be beneficial. However, the representative may still seek support and briefings from Council officers.
- 4.3 Induction: External organisations are expected to provide an induction into their affairs for newly appointed Council representatives. In the case of those organisations that are of a strategic interest to the Council, it is the lead officer's responsibility to ensure that an induction is arranged.

**Council Report**

Annual Council – 19 May 2017

**Title**

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

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

Not applicable

**Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

**Ward(s) Affected**

All

**Executive Summary**

Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and set out the principles to be followed when determining such allocation following formal notification of the establishment of political groups in operation on the council.

There is a requirement to annually review the entitlement of the political groups to seats on the committees of the council. This is also required following the by-elections in Brinsworth & Catcliffe and Dinnington wards in February 2017.

The allocation of seats must follow two principles:

- (a) Balance must be achieved across the total number of available seats on committees; and
- (b) Balance must be achieved on each individual committee or body where seats are available

There are presently two political groups in operation on the council – the Labour Group and the UK Independence Party Group – with two non-aligned councillors (members who are not in a political group).

There are 169 seats available on committees, boards and panels and under the calculation the Labour Group is entitled to 129 seats and the UK Independence Group is entitled to 35. This leaves five seats which cannot be given to members of the political groups and should be allocated to the two non-aligned councillors.

**Recommendations:**

1. That the operation of two political groups on the Council and the detail of their designated Leaders be noted.
2. That the entitlement of the membership of the political groups be agreed and such entitlements be reflected in Council's appointments of members to committees.
3. That approval be given to the appointment of Members to committees, boards and panels, and the appointment of Chairs and Vice-Chairs, as set out on the schedule to be tabled at the meeting as 'Appendix B'.

**Background Papers**

The Council's Constitution

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Membership of Political Groups on the Council, Political Balance and Entitlement to Seats**

### **1. Recommendations**

- 1.1 That the operation of two political groups on the Council and the detail of their designated Leaders be noted.
- 1.2 That the entitlement of the membership of the political groups be agreed and such entitlements be reflected in Council's appointments of members to committees.
- 1.3 That approval be given to the appointment of Members to committees, boards and panels, and the appointment of Chairs and Vice-Chairs, as set out on the schedule to be tabled at the meeting as 'Appendix B'.

### **2. Background**

- 2.1 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:
  - (a) That the number of seats on ordinary Committees/Bodies ... which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the **total** number of seats available must mirror the political composition of the council).
  - (b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on **individual** committees must mirror the political composition of the council).
- 2.2 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.
- 2.3 Those members not in a political group are entitled to a due share of seats, although the council will decide how to allocate seats to non-aligned councillors.
- 2.4 In line with the provisions of the council's Constitution, appointments will be made to committees of the council at this annual meeting. This report confirms the entitlement to seats on committees.

### 3. Political Groups

- 3.1 The Proper Officer has received formal notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the establishment of two political groups in operation on the council, namely:

Name of Group	Designated Leader & Deputy Leader (number of Members)
Labour	Leader – Councillor Chris Read Deputy Leader – Councillor Gordon Watson (48 Members)
UK Independence Party	Leader – Councillor Allen Cowles Deputy Leader – Councillor Peter Short (13 Members)

- 3.2 Whilst Councillor Adam Carter is affiliated to the Liberal Democrats and Councillor Clive Jepson is unaffiliated to a political party, neither Member belongs to a political group. For the purpose of this report, Councillors Carter and Jepson are regarded as non-aligned councillors.

### 4. Allocation of Seats

- 4.1 The allocation process must be applied ‘so far as is reasonably practicable’ to achieve a balanced outcome. The allocation of the 169 seats to the two political groups is determined by the following formula:

$$\frac{\text{Number of Members of Political Group}}{\text{Total Number of Members of Council}} \times \text{Number of Seats to be allocated}$$

For the 169 seats available in applying principle (a) in paragraph 2.1, this gives:

Political Group	Seat Entitlement
Labour	129
UK Independence Party	35
Non-aligned	5
<b>TOTAL</b>	<b>169</b>

- 4.2 Application of principle (b) in paragraph 2.1 of this report, relating to the number of seats on individual committees, gives the following:

	<b>Seats Available</b>	<b>Labour</b>	<b>UK Independence Party</b>	<b>Non-aligned</b>
<b>Regulatory Committees/Boards</b>				
Audit Committee	5	4	1	0
Licensing Board	21	16	4	1
Licensing Committee	15	11	3	0*
Planning Board	15	11	3	0*
Standards Board	8	6	2	0
<b>Overview and Scrutiny</b>				
Overview & Scrutiny Management Board	12	9	3	0
Health Select Commission	18	14	4*	1
Improving Lives Select Commission	18	14	4*	1
Improving Places Select Commission	18	14	4*	1
			15	3
<b>Other Bodies</b>				
Appeal and Grievance Panel	Pool of 8	6	2	0
Appointments Panel	4	3	1	0
Corporate Parenting Group	5	4	1	0
Early Release Panel	4	3	1	0
Introductory Tenancy Review Panel	4	3	1	0
Joint Consultative Committee	5	4	1	0
Negotiating Panel	4	3	1	0
Staffing Committee	5	4	1	0
			9	
<b>TOTAL</b>		<b>129</b>	<b>37</b>	<b>4</b>

4.3.1 This calculation does not reflect the entitlement to seats from the calculation under principle (a). Numbers followed by an asterisk identify where Council will need to determine the allocation of seats on individual committees.

4.3.2 Under the application of principle (b) the UK Independence Group has an entitlement of 37 seats, which is two more than the 35 seats under principle (a). The difference in the number of seats falls under the entitlement to seats on Overview and Scrutiny Committees, which will need to reduce by two to achieve balance.

4.3.3 Under the application of principle (b) the non-aligned councillors have an entitlement of 4 seats, which is one less than the 5 seats under principle (a). It is recommended therefore, that the non-aligned councillors be given a seat on the Licensing Committee, which draws its membership from the Licensing Board, where the non-aligned councillors have an existing entitlement to a seat.

4.3.4 As the non-aligned councillors are not a group under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, there is no requirement to appoint those members to those seats. The Council has the discretion to appoint the non-aligned councillors to none, some or all of the five seats available. The Council may not appoint members of other political groups to fill those seats.

4.4 In the table in paragraph 4.2 above, the committees and panels listed have locally agreed provisions in respect of their membership which were determined by the Council at its annual meeting in May 2016. For ease of reference, these are set out below:

Panel	Description of Role and Function
<b>Appeal and Grievance Panel</b>	<p>Appeal and Grievance Panels shall comprise three members of the Council selected from a pool of eight members (two of whom shall be Cabinet members, and four of whom shall be Scrutiny Panel members and two of whom shall be members of the opposition party), who have received appropriate training on employment related issues.</p> <p><b>Decision making powers for this function are currently reserved to Commissioners and member involvement is on an advisory and consultative basis.</b></p>
<b>Appointments Panel</b>	<p>The Panel shall comprise the Leader and Deputy Leader, the relevant Cabinet member and a representative from the scrutiny panels nominated by the chairman of the Overview and Scrutiny Management Board, and the Leader of the Majority Opposition party</p>
<b>Corporate Parenting Group</b>	<p>The Panel, in addition to the Members appointed by the Council, shall comprise of two representatives of the Adoption Panel and one representative of the Fostering Panel.</p>
<b>Early Release Panel</b>	<p>The Panel shall comprise the Leader, Deputy Leader and the relevant Cabinet Member from the employing area, and the Leader of the Majority Opposition party.</p> <p><b>Decision making powers for this function are currently reserved to Commissioners and member involvement is on an advisory and consultative basis.</b></p>

Panel	Description of Role and Function
<b>Introductory Tenancy Review Panel</b>	The Panel shall comprise of at least three elected members from the Improving Lives Scrutiny Commission or Improving Places Scrutiny Commission and a housing policy advisor.
<b>Joint Consultative Committee</b>	The Committee shall comprise of the Deputy Leader, three Cabinet Members and one member of an opposition group.
<b>Negotiating Panel</b>	The Panel shall comprise of the Leader, Deputy Leader, relevant Cabinet Member and one member of an opposition group.
<b>Staffing Committee</b>	<p>The Committee shall comprise of the Leader, Deputy Leader, Leader of the Opposition Group and the relevant Cabinet Member.</p> <p><b>Some decision making powers for this function are currently reserved to Commissioners and member involvement in respect of such matters where powers are reserved is on an advisory and consultative basis.</b></p>

- 4.5 Political Groups are invited to submit their nominations to the Democratic Services Manager ahead of the Annual Meeting on 19 May 2017 in order for Council to consider a schedule of nominations and confirm appointments to committees, board and panels.

## 5. Appointment of Chairs and Vice-Chairs – Overview & Scrutiny

- 5.1 At the annual meeting of the Council in 2016, the recommendations of the Governance Working Group were approved which introduced a provision for the Vice-Chair of the Overview and Scrutiny Management Board to be a member of the main opposition party and for the allocation of the positions of Chair and Vice-Chair on the Select Commissions according to the political balance of the council.
- 5.2 Applying the principles of political balance to the positions available on the council's Overview and Scrutiny bodies, the entitlement is set out in the table below:

	<b>Chairs</b>	<b>Vice-Chairs</b>
<b>Labour</b>	4	2
<b>UK Independence Party</b>	0	2 (inc. Overview and Scrutiny Management Board)
<b>TOTAL</b>	4	4

It is a matter for the political groups to nominate Members as Chairs and Vice-Chairs of the Overview and Scrutiny bodies, however the appointments must be made by the individual committees.

- 5.4 There is no provision in law or within the Constitution for the other bodies of the council to appoint Chairs or Vice-Chairs according to the authority's political make up.
- 5.5 Political Groups are invited to submit their nominations for the positions, detailed in paragraphs 5.2 ahead of the Annual Meeting on 19 May 2017.

## 6. Appointments to Joint Bodies

- 6.1 The council also appoints to a number of joint authorities, which are required to reflect political balance:

Joint Committee	Seats
Sheffield City Region - Combined Authority	1 and 1 substitute
Sheffield City Region - Combined Authority Audit Committee	2
Sheffield City Region - Combined Authority Scrutiny Committee	2
Sheffield City Region - Combined Authority Transport Committee	2
South Yorkshire Fire and Rescue Authority	2
South Yorkshire Pensions Authority	2
South Yorkshire Police and Crime Panel	2

- 6.2 The entitlement to seats for these bodies is calculated according to political balance across the four South Yorkshire local authorities. Nominations will be required from the two political groups in operation on the Council in respect of the seats available. The political balance across South Yorkshire has changed following by-elections during the 2016-17 municipal year and the whole council elections held in Doncaster on 4 May 2017.
- 6.3 The entitlement in respect of the political groups in operation in Rotherham is set out below:

Joint Committee	Membership	Entitlement
Sheffield City Region - Combined Authority	1 Member plus 1 substitute	Leader of the Council (Deputy Leader of the Council – substitute member)
Sheffield City Region - Combined Authority Audit Committee	3	Labour = 2 seats UK Independence Party = 1 seat
Sheffield City Region - Combined Authority Scrutiny Committee	2	Labour = 2 seats UK Independence Party = 1 seat

Joint Committee	Membership	Entitlement
Sheffield City Region - Combined Authority Transport Committee	2	Labour = 2 seats
South Yorkshire Fire and Rescue Authority	2	Labour = 2 seats
South Yorkshire Pensions Authority	2	Labour = 2 seats
South Yorkshire Police and Crime Panel	2	Labour = 1 seat UK Independence Party = 1 seat

## 7. Other Bodies

- 7.1 The authority to appoint councillors to serve on external organisations and partnerships (outside bodies) has been returned to the Council in the most recent restoration of powers by the Secretary of State. A report elsewhere on the agenda for this meeting proposes the adoption of a new protocol for the appointment of councillors to serve on outside bodies which will transfer authority to make such appointments to the Cabinet. A report detailing nominations for appointments to outside bodies will be submitted to the Cabinet on 26 June 2017.
- 7.2 The bodies listed in the table below require the appointment of Members according to local conventions (those appointments required by Select Commissions will be made at those commissions' first meeting of the new municipal year). There is no requirement for political balance to be applied in respect of appointment to these bodies.

Body	Membership requirement
Adoption Panel	Two Members of the Council (to be members of Fostering Panel)
Complaints Panel	Three non-Executive councillors
Education Consultative Committee	Cabinet Member Representative of Improving Lives Select Commission
Education School Transport Appeals	Panel of six non-Executive Members from a pool
Emergency Planning Shared Service Joint Committee	Cabinet Member – Jobs & the Local Economy Cabinet Member – Waste, Roads and Community Safety
Fostering Panel	Two Members of the Council (to be members of Adoption Panel)

<b>Body</b>	<b>Membership requirement</b>
Health, Welfare and Safety Panel	To be appointed by the Cabinet Member for Corporate Services and Finance
Local Admissions Forum	Deputy Leader of the Council, along with two councillors appointed within the 'Community Representative' category of the Forum's membership
Parish Councils – Liaison Meetings	Cabinet Member with responsibility for Neighbourhood Working & Cultural Services Other Cabinet Members depending on matters being discussed
Rotherham Schools Forum	Deputy Leader of the Council and one other Member
Standing Advisory Committee for Religious Education (SACRE)	Deputy Leader of the Council and two other Members
Transport Liaison Group	To comprise of : (a) the Leader and Deputy Leader of the Council, (b) the two representatives appointed to the Sheffield City Region Transport Committee (c) one representative of each electoral ward (d) two representatives of the parish councils in the authority area

7.3 Political Groups are invited to submit their nominations for the bodies set out in the table at paragraph 7.2 ahead of the Annual Meeting on 19 May 2017.

## **8. Options considered and recommended proposal**

8.1 The law and the authority's Constitution provide for the appointment of members to serve on committees and other bodies as a power reserved to the full Council at its annual meeting.

8.2 The council may determine not to appoint to the committees at the Annual Meeting, however this will delay the conduct of the authority's business until the next available council meeting. This option is not recommended.

## **9. Consultation**

9.1 Political groups have been advised of the requirement for political balance and have been requested to provide nominations to the Democratic Services Manager for the available seats ahead of this meeting.

## **10. Timetable and Accountability for Implementing this Decision**

10.1 There is a requirement for the Council to make appointments to committees, boards and panels at the Annual Meeting on 19 May 2017.

## **11. Financial and Procurement Implications**

11.1 None directly arising from this report

## **12. Legal Implications**

12.1 The legislative requirements are set out at paragraph 2.1 above.

## **13. Human Resources Implications**

13.1 There are no human resources implications arising from this report.

## **14. Implications for Children and Young People**

14.1 The appointment of members to serve on committees and other bodies of the council will indirectly impact on children and young people through the activities and decisions of those bodies. There are no apparent direct implications at the time of writing this report.

## **15 Equalities and Human Rights Implications**

15.1 None directly from this report

## **16. Implications for Partners and Other Directorates**

16.1 The appointment of councillors to serve on external bodies and partnerships is designed to have a positive impact on the council's relationship with those organisations and enhance the relationship through the presence of accountable and elected representatives.

## **17. Risks and Mitigation**

17.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Consequently there are no risks to be borne in mind in respect of the recommendations.

## **18. Accountable Officer(s)**

James McLaughlin, Democratic Services Manager

**STANDARDS AND ETHICS COMMITTEE**  
**9th March, 2017**

Present:- Councillor McNeely (in the Chair); Councillors Allen, Ireland and Khan, Mr. D. Rowley and Mr. R. Swann (Parish Council Representatives) and also Ms. A. Dowdall, Mr. P. Edler and Ms. J. Porter (Independent Co-optees).

Along with Mr. P. Beavers and Mr. D. Roper-Newman (Independent Persons).

Apologies for absence were received from Councillor Simpson and Mr. D. Bates.

**26.       DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**27.       MINUTES OF THE PREVIOUS MEETING HELD ON 12TH JANUARY, 2017**

Consideration was given to the minutes of the previous meeting held on 12<sup>th</sup> January, 2017.

**Resolved:-** That the minutes of the meeting of the Standards and Ethics Committee held on 12<sup>th</sup> January 2017 be approved as a true and correct record of the proceedings.

**28.       TRAINING FOR MEMBERS OF PARISH AND TOWN COUNCILLORS ON CODES OF CONDUCT AND STANDARDS AND ETHICS**

Consideration was given to the report presented by Sumera Shabir, Solicitor, which provided an update on recent training provided to members of Parish and Town Councils which took place on the 8th February, 2017 on codes of conduct and standards and ethics generally.

The session comprised of a series of scenarios based on standards and ethics dilemmas; linked to the Nolan (Seven) Principles of Public Life and this was followed by a short presentation on standards and ethics arising in relation to codes of conduct.

Discussions covered the role of the Independent Persons, Borough Councillors and social media.

The training highlighted the need for good governance and general discussion was facilitated around transparency and use of websites.

Individual clerks (new and existing) were also invited to discuss their experiences and common strategies and it was agreed that it would be beneficial to arrange a further separate meeting could be convened with all the clerks; where the Monitoring Officer could offer support and facilitate new and existing clerks to form a network. This was currently being arranged at a suitable location.

The training was very well received and it was suggested that future themes include:-

- Social media.
- Conflicts of interest.
- Planning.
- Local Government law generally.
- Chairing of meetings.
- Code of conduct.
- Running disciplinary and grievance panels.
- Advertising Parish and Town Council vacancies and the publishing of minutes and accounts.

Those members of the Committee that attended this training session were in full support of the format and suggested that further training sessions be arranged as it was clear some Parish Councils felt isolated, were not fully aware of the Code of Conduct or reporting procedures nor the role of the Independent Persons.

It was also suggested that the training format also be replicated in training sessions for Borough Councillors, with consideration as to whether an invitation could also be extended to Parish Councils. This may require further involvement at the Members' Training and Development Panel moving forward and lead to a further discussion between the Monitoring Officer and the Assistant Chief Executive.

The Committee were also advised that the Yorkshire Local Councils Association also conducted similar training packages for Parish Councils in York.

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

(2) That any further actions to be taken following the training session be identified and any future training initiatives to be undertaken with Parish and Town Councils be noted.

(3) That the Monitoring Officer discuss training and development opportunities with the Assistant Chief Executive.

## **29. STANDARDS AND ETHICS COMMITTEE WORKING GROUP RE CODE OF CONDUCT AND ASSOCIATED PROCEDURES**

Consideration was given to the report presented by the Deputy Monitoring Officer, which updated the Committee on the progress of the Standards and Ethics Committee Working Group and its review of the Code of Conduct and associated procedures.

A meeting of the Working Group took place on 31st January, 2017 and following considerations of different versions of a simpler Code of Conduct which were used in other authorities, it was agreed that

consultation should take place with the Lead Commissioner, Sir Derek Myers, about his views of the Code of Conduct and any associated revision.

It was the view of the Lead Commissioner that he could not support the removal of the addendum, that the Code of Conduct had been recently approved, and suggested a few additions which could be incorporated, such as apologies for absence, training, declarations of interests, disclosures, whistleblowing etc. He further stated that any dilution of the Code would have to be reported to the Secretary of State. Any such discussions on the Code should be directed to Commissioner Ney from the 31<sup>st</sup> March, 2017 following Commissioner Sir Derek Myers' departure.

The Working Group also viewed procedures for dealing with complaints about breaches of the code and it was suggested Rotherham's procedures needed to be revised.

The Committee took account of Commissioner Sir Derek's suggestions and could see the value particularly around declarations of interests, whistleblowing and the duty to maintain and promote ethical standards.

**Resolved:-** That the minutes of the Standards and Ethics Working Group held on 31<sup>st</sup> January, 2017 be noted.

**30. STANDARDS BULLETIN (RECENT UPDATES IN STANDARDS AND ETHICS)**

Consideration was given to the report presented by Sumera Shabir, Solicitor, which provided details of a bulletin reporting on recent and key updates in standards and ethics distributed by North Yorkshire Fire and Rescue Authority and it was suggested, following some discussion with the Committee, that something similar in Rotherham be distributed widely to members of Parish and Town Councils in Rotherham.

The merit and value of the contents of the bulletin were discussed and the updates on national matters were particularly welcomed as was the anonymised outcomes of complaints.

However, the Committee were mindful of the resource and cost implications for the production of such a detailed bulletin and whether a briefer version would be better for Rotherham distributed on a quarterly or annual basis.

On this basis it was suggested that a simplified version be produced and following consultation with the Chair of the Committee a bulletin be distributed to all Parish and Town Councils in Rotherham.

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

(2) That a simplified version be produced, in consultation with the Chair of the Committee, and for this to be distributed to all Parish and Town Councils in Rotherham for information.

**31. REVIEW OF THE TERMS OF REFERENCE FOR STANDARDS AND ETHICS COMMITTEE**

Consideration was given to the report presented by the Assistant Director, Legal Services (and Monitoring Officer) which confirmed a review of the Council's Constitution was currently taking place and the Council had already approved previous amendments to the Constitution at the Annual Meeting of Council in May, 2016 and at the meetings of Council on 7th December, 2016 and 25th January, 2017.

As part of the work of the Constitution Working Group an external review of the Council's Constitution was to be carried out by the Association of Democratic Services Officers and a report would be taken to the Annual Meeting of Council. The external review was a recommendation of the Governance Review Working Group. This, therefore, provided the opportunity for the Standards and Ethics Committee to consider the elements of the Constitution which set out its own terms of reference and to consider whether or not to invite the external reviewers to report on any appropriate amendments to the Constitution as it related to the Committee.

The report submitted also set out the relevant elements of the Constitution and identified elements that might be improved, which included duplication of the membership and terms of reference, out-of-date quorum, parish council responsibility for the arrangements for the breach of the code and further review of the procedures for handling complaints.

Discussion ensued on the membership/quorum of the Committee and the anomalies this has created as a result of legislation changes to the standards regime following the introduction of the Localism Act which prevented any independent members being equipped with voting rights.

Clarification was also sought on the outcome of the external review, which included any proposed changes to this Committee's terms of reference, reporting mechanisms back to the Constitution Working Group and then onto the Annual Council for adoption rather than back to the Standards and Ethics Committee for endorsement.

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

(2) That the issues identified be raised by the Monitoring Officer with the external reviewers to the Constitution.

**32. STANDARDS COMPLAINTS UPDATE**

The Assistant Director, Legal Services (and Monitoring Officer) submitted a report detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Co-opted Members. The report listed fourteen current cases of complaint and the action being taken in respect of each one.

The Committee discussed the cases highlighted within the submitted report.

The Deputy Monitoring Officer reported to the Committee that as part of the investigation of complaints that a panel to consider one case was required and nominations were sought.

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

(2) That the progress in respect of each case be noted.

(3) That a Panel of five members be arranged and include Councillor Khan or Yasseen, Councillor Simpson, Mrs. J. Porter, Mr. P. Edler and Mr. R. Swann (Parish Council Representative) and with Mr. D. Rowley (Parish Council Representative) in reserve.

**33. DATE AND TIME OF NEXT MEETING**

**Resolved:-** That the next meeting of the Standards and Ethics Committee take place on Thursday, 8<sup>th</sup> June, 2017 at 2.00 p.m.

**AUDIT COMMITTEE**  
**19th April, 2017**

Present:- Councillor Wyatt (in the Chair); Councillors Cowles, Ellis, Bernard Coleman, Allen and Walsh.

Also in attendance: Mr. T. Cutler and Mrs. A. Warner (KPMG).

Councillor Alam, Cabinet Member, Corporate Services and Finance, was in attendance for Minute No. 68 (Finance and Customer Services Risk Register).

**55. QUESTIONS FROM MEMBERS OF THE PUBLIC OR THE PRESS**

There were no members of the public or press present at the meeting.

**56. MINUTES OF THE PREVIOUS MEETING HELD ON 8TH FEBRUARY, 2017**

Consideration was given to the minutes of the previous meeting of the Audit Committee held on 8<sup>th</sup> February, 2017. The Committee noted that:-

(a) (Minute No. 43 – Audit Committee Self-Assessment) – a document is to be distributed to all Members prior to the next meeting, detailing the strengths and weaknesses of the Committee; the document will be considered at the Committee's next meeting in July 2017;

(b) (Minute No. 47 – Local Code of Corporate Governance) - preparatory work has begun on the Annual Governance Statement, although the Governance Group has not yet had its first meeting;

(c) (Minute No. 50 – Procurement and Appointment of External Auditors – 2018/19 Onwards) – the recommendation within this Minute had been approved by the Council at its meeting held on 8th March, 2017 (Minute No. 140 refers);

(d) (Minute No. 52 – Risk Register Deep Dive – Assistant Chief Executive) – Members of the Committee requested the provision of a briefing note setting out the proposed work plan and agenda items for Committee meetings, for the forthcoming 2017/2018 Municipal Year. The Head of Internal Audit agreed to provide a Forward Work Plan to each committee meeting.

Resolved:- That the minutes of the previous meeting of the Audit Committee be approved as a correct record for signature by the Chairman.

**57. EXTERNAL AUDIT AND INSPECTION RECOMMENDATIONS**

Further to Minute No. 37 of the meeting of the Audit Committee held on 23rd November, 2016, consideration was given to a report, presented by the Head of Service (Performance and Planning), Children and Young People's Services, stating that, in accordance with the Council's "fresh start" improvement plan (Minute No. 8 of the Council meeting held on 22nd May, 2015, refers), progress continued to be made against the recommendations from all of the key external audits and inspections. The report included detail of progress being made in respect of the following specific areas and Directorates:-

- : the "Fresh Start" Improvement Plan;
- : Adult Care and Housing;
- : Children and Young People's Improvement Plan;
- : Rotherham Residential Children's Units;
- : Regeneration and Environment Services;
- : Finance and Corporate Services.

The summary of recommendations from "Active" Inspection and Audit Action Plans was appended to the submitted report.

The Audit Committee's discussion of this matter highlighted the following salient issues:-

(i) implementation of the Council's Corporate Plan 2016/17;

(ii) further monitoring visits of Children and Young People's Services by the Office for Standards in Education (Ofsted) in early May 2017 around Care Leavers and a full four week re-inspection will take place later in 2017 or early 2018

(iii) the audit of the Council's accounts for the 2016/17 financial year will begin during July, 2017;

(iv) consideration of the contents of the post-inspection letters received after the Ofsted monitoring visits of Children and Young People's Services (October, 2016 and February, 2017); both letters were appended to the submitted report;

(v) ensuring that the senior management of the Council (the vast majority of whom are recent or fairly recent appointments) receive a sufficient amount of induction training in respect of the challenges facing the Council as part of the improvement process;

(vi) progress with the implementation of Phase Two of the Government-appointed Commissioners' action plan and the transfer of uncompleted elements of Phase One into Phase Two; the Joint Board of the four Commissioners and Elected Members (Leader, Deputy Leader, Leader of the Opposition and Lead Cabinet Member) meet and review the Phase

Two progress; it was also noted that ensuring compliance with the action plan was a priority of the Council's Senior Leadership Team;

(vii) arrangements for the annual health assessments and dental checks for the Children Looked After by the Local Authority have improved.

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

(2) That the governance arrangements that are currently in place for monitoring and managing the recommendations from external audits and inspections, as now reported, be noted.

(3) That the Audit Committee shall continue to receive regular reports in relation to external audit and inspections and the progress made in implementing recommendations.

(4) That a further progress report on these matters be submitted to a meeting of the Audit Committee to be held during November, 2017.

**58. INSPECTION BY THE OFFICE OF THE SURVEILLANCE COMMISSIONERS**

Further to Minute No. 32 of the meeting of the Audit Committee held on 23<sup>rd</sup> November, 2016, consideration was given to a report, presented by the Assistant Director of Legal Services, stating that on 11th January, 2017, the Council had been inspected by His Honour Norman Jones QC, an Assistant Surveillance Commissioner in respect of the Council's arrangements to secure compliance with the statutory provisions which govern the use of covert surveillance. Included as an appendix to the submitted report was a copy of His Honour's Inspection Report as well as a covering letter from the Chief Surveillance Commissioner. The documents contained the main findings of the Inspection Report and how His Honour's recommendations will be implemented by the Council.

Members were informed that:-

(i) His Honour's Inspection Report was a very positive one;

(ii) a briefing will be presented to a future meeting of the M3 Managers' group, which will ensure that managers understand the risk of conducting unauthorised covert surveillance;

(iii) arrangements are being made for a cost-effective training programme for officers to act as controllers and handlers of Covert Human Intelligence Sources; and

(iv) the Council is required to amend its RIPA (Regulation of Investigatory Powers Act 2016) Policy in order to comply with the recommendations within His Honour's Inspection Report.

Reference was made to the Council's use of overt camera surveillance (requiring the use of public information notices) and also to the Council's Licensing Policy in respect of the use of cameras within licensed hackney carriages and private hire vehicles.

The Committee placed on record its thanks to the Council officers who had been involved in His Honour's inspection process.

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

(2) That the Inspection Report by His Honour Norman Jones QC of the Council's arrangements to secure compliance with the statutory provisions which govern the use of covert surveillance, as now submitted, be received and its contents noted.

(3) That the necessary action to be taken to implement the findings and recommendations of His Honour's Inspection Report be approved.

(4) That the required amendment to the Council's Regulation of Investigatory Powers Act (RIPA) Policy, as set out in paragraphs 26 and 27 of His Honour's Inspection Report, be approved.

(5) That a seminar be arranged for all Members of the Council in respect of the Council's Regulation of Investigatory Powers Act (RIPA) Policy and the use of covert surveillance cameras.

## **59. CLOSURE OF THE ACCOUNTS 2016/17**

Consideration was given to a report, presented by the Assistant Director of Financial Services, stating that the Council's financial statements are prepared in accordance with recognised accounting standards so that they can be relied upon by users of the accounts. The submitted report explained the main changes to the local authority accounting framework in 2016/17, including their effect on the Council's accounting policies.

Members noted that the report also highlighted the steps being taken to prepare for the faster closure of the accounts, necessary to meet the tighter reporting timetable which are coming into effect from 2017/18 (unaudited financial statements to be published by 31st May and audited financial statements to be published by 31st July).

The following information was included in the appendices to the submitted report:-

- Key accounting issues and changes to the accounts in 2016/17;
- Changes to the Council's accounting policies.

Members discussed issues concerning (i) the imminent triennial revaluation of the Local Government Pension Scheme; and (ii) confirmation that the Highways Infrastructure Assets will continue to be stated in the balance sheet on the existing basis.

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

(2) That the key accounting issues and main changes to the accounts in 2016/17, as contained in Appendix A to the report now submitted, be noted.

(3) That the changes to the Council's accounting policies that have been made as a result of changes to the local authority accounting framework, as contained in Appendix B to the report now submitted, be noted.

#### **60. KPMG ANNUAL REPORT ON GRANTS AND RETURNS 2015/16**

Further to Minute No. 51 of the meeting of the Audit Committee held on 10th February, 2016, consideration was given to a report, presented by the Assistant Director of Financial Services and by Mrs. A. Warner (KPMG), concerning the annual feedback, provided by external auditor KPMG, on the effectiveness of the Council's arrangements for preparing and submitting Government grant claims and returns.

The external auditor's report summarised KPMG's key findings from the certification work carried out in 2015/16. The Committee was informed that KPMG were required to audit three claims and returns in 2015/16. Two claims were unqualified and minor errors were found in relation to the third, the Housing Benefit Subsidy claim. The minor errors identified did not impact on the amount of grant claimed. These findings demonstrated that the Council continued to have good arrangements in place to support the preparation and submission of grants and returns. There were no additional recommendations required as a consequence of the feedback provided by KPMG.

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

#### **61. EXTERNAL AUDIT PLAN 2016/17**

Further to Minute No. 7 of the meeting of the Audit Committee held on 20th July, 2016, consideration was given to a report, presented by Mr. T. Cutler (KPMG), describing the KPMG External Audit Plan in respect of the 2016/17 financial year.

The report stated that, as the Council's external auditor, KPMG has a duty to:

- give an opinion on the Council's financial statements; and

- conclude on whether the Council has arrangements in place to secure value for money in the use of its resources.

The External Audit Plan document was included as an appendix to the submitted report and set out the audit approach that KPMG were planning to take to discharge these duties.

The main proposed areas identified audit were:-

: Financial statements and audit planning (risk assessment; determination of materiality level; issuing of audit plan to communicate with audit strategy);

: Risk assessment (management override of controls; fraudulent revenue recognition);

: Significant Audit Risks (Local Government Pension Scheme Triennial Valuation; Waste Management PFI Valuation; Changes in Finance Team staff);

: Disclosures associated with retrospective restatement of the Comprehensive Income and Expenditure Statement (CIES), the Expenditure and Funding Analysis (EFA) and the Movement in Reserves Statement (MiRS).

The External Audit Plan set out the risks which KPMG have identified as requiring special audit attention, which may prevent them from being able to reach a positive Value For Money conclusion, namely:

- The extent to which Governance arrangements have improved since the Corporate Governance report was issued in February 2015, and
- The Council's financial resilience in the face of having to make substantial savings over the next three years.

Members were informed that KPMG would report their Value For Money Conclusion findings in the ISA 260 report to be submitted to a meeting of the Audit Committee during September, 2017.

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

(2) That KPMG's External Audit Plan for the 2016/2017 financial year, as now submitted, be approved and the proposed areas of audit identified be noted.

## **62. INTERNAL AUDIT STRATEGIC PLAN 2017/18 TO 2019/20**

Further to Minute No. 71 of the meeting of the Audit Committee held on 27th April, 2016, consideration was given to a report, presented by the Head of Internal Audit, concerning the Internal Audit Strategic Plan for the three years' period 2017/2018 to 2019/2020.

The report explained the Internal Audit approach to the development of the Strategic Plan, as well as detailing the specific activities to be reviewed during the three years' period of the Plan. It was noted that the Plan reflected a comprehensive risk assessment process, which also included discussions with the Council's Strategic Directors and Assistant Directors to obtain their views of key risks and areas for audit coverage.

The Committee discussed the following salient issues:-

: the staffing resources of the Internal Audit Section;

: other issues arising, during the period of the Strategic Plan, which might require audit and have a consequent effect upon progress with the Strategic Plan;

: the conversion of schools to academies; staffing and pensions issues;

: auditing of Local Authority maintained schools; the use of Control and Risk Self-Assessment questionnaires to obtain specific information about schools;

: routine reporting to the Audit Committee about the list of audit reviews being undertaken and the progress of those reviews and their impact upon the Internal Audit Strategic Plan (this matter would also be considered at the forthcoming work-plan meeting of the Overview and Scrutiny Management Board, to be held on Friday, 21st April, 2017);

: the Audit Committee noted the role of the Cabinet in monitoring the progress of Service Area reviews.

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

(2) That the Internal Audit Strategic Plan for the three years' period 2017/2018 to 2019/2020, as now submitted, be approved.

(3) That reports about the progress of the implementation of the Internal Audit Strategic Plan 2017/2018 to 2019/2020 be submitted to meetings of the Audit Committee at regular intervals.

### **63. AUDIT COMMITTEE PROSPECTUS 2017/18**

With reference to Minute No. 43 of the previous meeting of the Audit Committee held on 8th February, 2017 (Audit Committee Self-Assessment), it was agreed that consideration of this item be deferred until the next meeting of the Committee to be held during July, 2017.

**64. ANNUAL GOVERNANCE STATEMENT REVIEW FOR 2016-17**

Further to Minute No. 19 of the meeting of the Audit Committee held on 21st September, 2016, consideration was given to a report, presented by the Corporate Risk Manager, concerning the Annual Governance Statement for the 2016/2017 financial year, which the Council is required to produce alongside the financial statements for the year. The report made reference to:-

: the six areas of concern within the Annual Governance Statement for the previous year, 2015/16;

: two matters from the 2014/15 Annual Governance Statement, which were still outstanding on completion of the 2015/16 Statement; and

: the submitted report included a brief summary of the progress being made in respect of the eight matters referred to above.

The Committee also noted that the 2015/16 Annual Governance Statement had mentioned issues relating to the two reports prepared by Professor Alexi Jay and by Dame Louise Casey and that those issues were part of the Council's "fresh start" improvement plan. It was confirmed that the 2016/17 Annual Governance Statement would include full information on the progress of the Council's "fresh start" improvement plan.

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

(2) That the information contained within the submitted report concerning the progress being made in respect of the eight matters of concern from the two previous years' Annual Governance Statements be noted.

(3) That the 2016/17 draft Annual Governance Statement be submitted for consideration at the next meeting of the Audit Committee to be held during July, 2017.

**65. ITEMS FOR REFERRAL FOR SCRUTINY**

Further to Minute No. 62 above, concerning the Internal Audit Strategic Plan, it was agreed that the routine reporting to the Audit Committee about the list of audit reviews being undertaken and the progress of those reviews and their impact upon the Internal Audit Strategic Plan would also be referred for consideration at the forthcoming work-plan meeting of the Overview and Scrutiny Management Board, to be held on Friday, 21st April, 2017.

**66. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That under Section 100A(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 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006 (information relates to finance and business affairs).

**67. INTERNAL AUDIT PROGRESS REPORT FOR THE PERIOD 1ST JANUARY 2017 TO MID-MARCH 2017**

Consideration was given to a report, presented by the Head of Internal Audit, which contained a summary of Internal Audit work completed during the period January, 2017 to mid-March, 2017 and the key issues which had arisen from that work. The report also included information about the performance of the Internal Audit function during the same period.

Performance against key indicators was generally positive, although targets for the time to complete audits and issue draft reports were not achieved. The audit plan had been reviewed and amended at the half-year. It was noted that delivery against the amended audit plan was on schedule. Members were informed that two partial assurance audit opinions had been issued during the period January, 2017 to mid-March, 2017, one for Children's Direct Payments and the other for Adults' Supported Living.

Details of the work undertaken during the stated period in were included in the Appendix to the report submitted.

The Committee discussed the following specific issues:-

- (i) the Internal Audit Plan should in future include the date of completion
- (ii) the Audit Committee should be formally notified of the reasons for any issue taking longer than twelve months to complete; with an explanation from the appropriate Head of Service as necessary;
- (iii) the Assistant Chief Executive shall attend the next meeting of the Audit Committee and explain the processes in place in respect of the salary payment matter now reported.

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

(2) That the Internal Audit work undertaken during the period January, 2017 to mid-March, 2017 and the key issues that had arisen from that work, as now reported, be noted.

(3) That the information contained in the report, regarding the performance of Internal Audit and the actions being taken by management in respect of the performance, be noted.

**68. FINANCE & CUSTOMER SERVICES RISK REGISTER**

Councillor Alam, Cabinet Member, Corporate Services and Finance, together with Judith Badger, Strategic Director, Finance and Customer Services, presented the Finance and Customer Services Risk Register, in particular highlighting:-

- The way in which the Risk Register was maintained/monitored and the frequency of monitoring;
- Cabinet Member involvement;
- How risks were entered onto and removed from the Risk Register;
- Anti-fraud activity in the Directorate.

Discussion took place on:-

: the insurance risk concerning claims from victims of child sexual exploitation;

: support for the Government-appointed Commissioners to the Council and the implementation of the decision-making protocols.

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

(2) That the progress and current position in relation to risk management activity in the Finance and Customer Services Directorate be noted.

**69. DATE OF NEXT MEETING**

Resolved:- That the next meeting of the Audit Committee be held at the Town Hall, Rotherham on Wednesday, 19th July, 2017, commencing at 4.00 p.m.

**HEALTH AND WELLBEING BOARD**  
**8th March, 2017**

Present:-

**Members:-**

Councillor D. Roche	Cabinet Member for Adult Social Care and Health (in the Chair)
Terri Roche	Director of Public Health, RMBC
Ian Thomas	Strategic Director, Children and Young Peoples' Services
Anne-Marie Lubanski	Strategic Director, Adult Social Care
Tony Clabby	Healthwatch Rotherham
Dr. Richard Cullen	Governance Lead, Rotherham CCG
Chris Edwards	Chief Officer, Rotherham CCG
Dr. Julie Kitlowski	Clinical Chair, RCCG
Carole Lavelle	NHS England
Councillor J. Mallinder	Chair, Improving Places Select Commission, RMBC

**Report Presenters:-**

Nathan Atkinson	Assistant Director, Adult Social Care, RMBC
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**Officers:-**

Kate Green	Policy Officer, RMBC
Gordon Laidlaw	Communications Lead, Rotherham CCG
Dominic Blaydon	Associate Director of Transformation, Rotherham NHS Foundation Trust

**Observers:-**

Councillor S. Sansome	Chair, Health Select Commission, RMBC
Shafiq Hussain	Voluntary Action Rotherham
Debbie Smith	Rotherham NHS Foundation Trust
Chris Evans	Rotherham NHS Foundation Trust
J Mortimer	Rotherham NHS Foundation Trust

Apologies for absence were received from Councillor G. Watson, Sharon Kemp (Chief Executive, RMBC), Kathryn Singh (RDaSH), Superintendent Robert Odell (South Yorkshire Police), Louise Barnett (Rotherham NHS Foundation Trust) and Janet Wheatley (Voluntary Action Rotherham).

**58. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

**59. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no members of the public or the press in attendance.

**60. COMMUNICATIONS/UPDATES**

Discussion took place on the following items:-

(1) Dr. Julie Kitlowski - retirement

Members heard that this would be the last meeting of the Health and Wellbeing Board attended by the Vice-Chair, Dr. Julie Kitlowski, who would shortly be retiring.

Members placed on record their thanks and appreciation of the work of Dr. Kitlowski for the Health and Wellbeing Board and expressed their best wishes for a long and happy retirement. Dr. Kitlowski thanked the members for their kindness and wished the Board well in the future.

It was also noted that Dr. Richard Cullen was due to be appointed to the position of Chair of the Rotherham Clinical Commissioning Group and would consequently also assume the position of Vice-Chair of this Health and Wellbeing Board.

(2) Health and Wellbeing Board – Partnership Working

The Chair reported that both the Rotherham Clinical Commissioning Group and the Borough Council has expressed satisfaction in respect of the strong partnership working being effected by the Health and Wellbeing Board and that these views were supported by the Local Government Association.

(3) Adult Care Development Programme (Better Care Fund)

Reference was made to Minute No. 68 of the meeting of the Borough Council's Health Select Commission held on 19th January, 2017 and it was agreed that the possibility of Continuing Health Care funding being included as part of the Better Care Fund should be considered initially by the Better Care Fund Sub-Group of the Health and Wellbeing Board. The Sub-Group would consider examples and cases of individuals' health care needs not being properly assessed and would report its conclusions to a future meeting of the Health and Wellbeing Board.

(4) Better Care Fund – Draft Plan 2017 to 2019

Although the Better Care Fund Draft Plan 2017 to 2019 would be considered later in the agenda of this meeting (Minute No. 64 below refers), discussion took place on whether the Draft Plan ought to be submitted to the Borough Council's Health Select Commission for consideration. It was agreed that, whilst the Draft Plan could be submitted for discussion by the Health Select Commission, the ultimate responsibility for the sign-off of the Better Care Fund Plan (before its submission to NHS England) remained with the Health and Wellbeing Board.

(5) Scrutiny of the Health and Wellbeing Board - Concordat

Arising from discussion of item 60(4) above, it was agreed that, with regard to the relationship between the Borough Council scrutiny process and this Health and Wellbeing Board, the previously agreed joint protocol between this Health and Wellbeing Board, the Borough Council's Health Select Commission and Healthwatch Rotherham will be included on the agenda for the Board's next meeting, to enable the protocol to be reviewed and clarified.

**61. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Health and Wellbeing Board, held on 11<sup>th</sup> January, 2017, were considered.

Matters arising updates were provided in relation to the following items:-

(a) (Minute 50) – all sponsors and lead officers for the Health and Wellbeing Strategy have been notified of the timetable in respect of the action plans for the five Strategy Aims being presented to the next meeting of this Board, to be held on 17th May, 2017.

(b) (Minute 50) – it was noted that a new protocol had been developed between the two Rotherham Safeguarding Boards (ie: Adults and Children's) and the Health and Wellbeing Board, the Safer Rotherham Partnership and the Children and Young People's Partnership. This protocol was currently being considered by each of the Partnership Boards and would be circulated for comment and feedback after the meeting. Comments were requested to be sent to [kate.green@rotherham.gov.uk](mailto:kate.green@rotherham.gov.uk) by 31 March 2017.

(c) (Minute 50) - it was noted that work was underway to identify what was currently being delivered in relation to 'all-age friendly' communities. An update on this matter would be provided at the next meeting of the Health and Wellbeing Board, to be held on 17th May, 2017.

(d) (Minute 52(4)) – Both Tony Clabby and Janet Wheatley had now been advised of the key messages for engagement in respect of the Regional Sustainability and Transformation Plan and the Rotherham Place Plan.

(e) (Minute 55) The Rotherham Carers' Strategy – the requested discussions had now taken place between the Borough Council's Adult Social Care Service and the Rotherham Foundation Trust concerning the procedures for identifying 'hidden' carers upon admission to hospital. There had also been a suggestion that the Carers' Strategy should be officially launched.

(f) (Minute 56) Rotherham Public Mental Health and Wellbeing Strategy 2017-2020 – members of the Board had been asked for nominations to join the multi-agency working group to develop the action plan for this

Strategy. A number of nominations had been received already and any others should be sent to [kate.green@rotherham.gov.uk](mailto:kate.green@rotherham.gov.uk).

Resolved:- That the minutes of the meeting held on 11<sup>th</sup> January, 2017, be approved as a correct record.

## **62. HEALTH AND WELLBEING STRATEGY AIM 5 - HEALTHY, SAFE AND SUSTAINABLE COMMUNITIES**

The Chair referred to a survey undertaken in 2011 by the former coalition Government about levels of happiness and anxiety within society. According to data held by the National Office for Statistics, Rotherham is placed in the top ten towns in the country which have the widest disparity between happiness and anxiety amongst its residents.

In that context, the Chair welcomed Mrs. Karen Hanson (Assistant Director, Community Safety and Street Scene, RMBC) and Superintendent Sarah Poolman (South Yorkshire Police), who gave the following presentation about the Health and Wellbeing Strategy Aim 5: Rotherham has healthy, safe and sustainable communities as places:-

Safer Rotherham Partnership – “Working together to make Rotherham Safe, to keep Rotherham safe and to ensure the communities of Rotherham feel safe

- Statutory partnership under the Crime and Disorder Act 1998
- Six responsible authorities (Local Authority, Police, Fire and Rescue Service, Probation Service, Community Rehabilitation Company, Clinical Commissioning Group);
- Statutory duty to develop an annual Joint Strategic Intelligence Assessment (JSIA)
- Requirement to develop and implement a partnership plan
- Safeguarding protocol linking Partnership Boards

Safer Rotherham Partnership Priorities

- Reducing the threat of child sexual exploitation and harm to victims and survivors
- Building confident and cohesive communities
- Reducing the threat of domestic abuse and harm to victims and survivors
- Reducing and managing anti-social behaviour and criminal damage
- Reducing the risk of becoming a victim of domestic burglary
- Reducing violent crime and sexual offences

Safer Rotherham Partnership Structure

- Safer Rotherham Partnership Board
- Performance and Delivery Group
- Priority Theme Groups
- Task and Finish Groups

- Other meetings and networks
  - Countywide meeting
  - CIMs
  - Area Assemblies

#### Reducing Crime and Anti-Social Behaviour

- Prevention
- Early Intervention
- Development of integrated neighbourhood model
- Enforcement
- Communication

#### Rotherham's Local Plan

- Health is a cross-cutting theme in Rotherham's Local Plan – which guides all future development in our Borough
- The Plan includes "Promoting Healthy Communities – Good Practice Guidance" which seeks to strengthen and integrate provision for health and wellbeing within the design of new development
- It highlights key health impacts and requires the consideration of health and wellbeing in planning applications to promote healthy communities and sustainable development
- Locating shops and services in accessible areas – can promote improved walking and cycling and use of public transport
- Providing and protecting green spaces near to home – enables greater use and enjoyment of the outdoor environment
- The Local Plan also has policies on the Natural and Historic Environment, Air Quality and creating Safe and Sustainable Communities
- Examples of specific policies (development with Public Health partners)
  - Promoting hot food takeaways (AP25) to limit their proximity to local schools and colleges, the impact they have on local amenity and their concentration within local areas

#### Opportunities for people in Rotherham to use outdoor space for improving their health and wellbeing

- Pensioners playgrounds
- New and improved children's play areas
- Allotments
- Improved changing rooms
- Tennis courts
- Footpaths
- Cycling
- Family friendly attractions
- Watersports
- Events and activities:-
  - Volunteer ramblers
  - Working with students
  - Park runs

Walking for Health Scheme  
Foot golf

Discussion took place on the multi-agency approach to improving the environment and reducing crime in the Eastwood area of Rotherham. The Board noted that the 'Eastwood Deal' had resulted in some positive changes to the local area and concentrated upon the health and wellbeing of local people as well as focusing on reducing crime. It was suggested that this approach should eventually be used in other areas of the Rotherham Borough (Dinnington was one suggestion). Later this year, in July 2017, there would be a multi-agency review of the work undertaken in Eastwood.

It was also noted that the appropriate Borough Council staff were available to attend a future meeting of the Health and Wellbeing Board for discussion of the detail of the Rotherham Local Plan.

There was also a brief mention of the continuing development of the new Waverley settlement, which will eventually include a local retail centre, a health centre and a primary school.

Other issues raised by members of the Board were:-

- serious crimes (eg: drugs, firearms, organised crime and gangs);
- selective licensing of private sector landlords (whether there was any evidence of landlords aiding and abetting crime);
- use of Police covert tactics to detect and disrupt crime;
- marches and demonstrations in the Rotherham town centre and the use of Public Space Protection Orders;
- displacement of crime from one area to another.

The Board thanked Mrs. Karen Hanson and Superintendent Sarah Poolman for their informative presentation.

It was noted that the action plans in respect of each of the aims of the Health and Wellbeing Strategy would be submitted to the next meeting of the Health and Wellbeing Board, to be held on 17th May, 2017.

### **63. THE ROTHERHAM PLACE PLAN**

Further to Minute No. 52 of the meeting of the Health and Wellbeing Board held on 11th January, 2017, members of the Board heard that progress was being made with engagement and consultation in respect of the Rotherham Place Plan. It was noted that the governance arrangements had still to be finalised and that the aims of the Plan would have to be achieved within existing financial resources.

Resolved:- that the Rotherham Place Plan would be included on the agenda for consideration at the next meeting of the Health and Wellbeing Board, to be held on 17th May, 2017.

**ACTION: Chris Edwards**

#### **64. BETTER CARE FUND**

(a) Draft Plan 2017/19

Nathan Atkinson, Assistant Director of Strategic Commissioning (RMBC Adult Social Care), presented the draft version of the Better Care Fund Plan 2017-19 for information which incorporated feedback from the BCF Executive Group.

NHS England had requested a two year Better Care Fund plan covering the financial years 2017/18 and 2018/19. The intention was to “simplify the guidance and assurance process but plans are expected to be an evolution of the 2016/17 plan and not require significant rework”.

The number of National Conditions would be reduced to three from 2017/18:-

- A requirement for a jointly agreed plan, approved by the Health and Wellbeing Board.  
Rotherham - All minimum funding requirements had been achieved
- Real terms maintenance of transfer of funding from Health to support Adult Social Care  
Rotherham’s local plan was higher than the contribution required and there were no plans to reduce this. It continued to fund several Social Care Services which were strategically relevant and performing well, including Social Workers supporting A&E, case management and supported discharge
- Requirement to ring-fence a portion of the CCG minimum to invest in Out of Hospital services  
In Rotherham there were three admission, prevention and supported discharge pathways all supported by the Better Care Fund and backed by the wider initiatives within Rotherham’s Integrated Health and Social Care Place Plan

Rotherham’s BCF plan sets out key schemes, and how each would be measured and managed.

It has been confirmed that when guidance was published, a template would be issued, but that the use of it would not be mandatory. The current version had been adapted to include the recently issued guidance regarding the narrative plan. Once issued, there would be a minimum of six weeks to complete and submit the plan to NHS England.

The key priorities for 2017-19 were:-

- A single point of access into Health and Social Care Services
- Integrated Health and Social Care teams
- Development of preventative services that supported independence
- Reconfiguration of the Home Enabling Service and strengthening the seven day Social Work offer
- Consideration of a specialist reablement centre incorporating Intermediate Care
- A single Health and Social Care Plan for people with long term conditions
- A joint approach to care home support
- A shared approach to delayed transfers of care (DTOC)

Discussion took place on the importance of assisting individuals in the self-management of conditions, without necessarily having recourse to personal budgets.

Members of the Board were asked to contact Nathan Atkinson and Karen Smith (RMBC Adult Social Care) with any further comments they wished to make on the draft Plan.

Resolved:- (1) That the current iteration of the draft Better Care Fund Plan 2017-2019 and the strategic direction be noted.

(2) That the formal approval of the Better Care Fund Plan 2017-2019 shall be delegated to the Better Care Fund Executive Group of this Health and Wellbeing Board.

(b) Better Care Fund Quarter 3 Submission (2016/17)

Nathan Atkinson, Assistant Director of Strategic Commissioning (RMBC Adult Social Care), presented the quarterly report to NHS England regarding the performance of Rotherham's Better Care Fund in 2016/17.

Rotherham was fully meeting seven out of the eight national conditions:-

1. Plans were still jointly agreed between the Local Authority and the Clinical Commissioning Group.
2. Maintaining provision of Social Care Services (not spending).
3. A joint approach to assessments and care planning were taking place and, where funding was being used for integrated packages of care, there was an accountable professional.
4. An agreement on the consequential impact of changes on the providers that were predicted to be substantially affected by the plans.

5. Agreement to invest in NHS commissioned out-of-hospital services.
6. Agreement on a local target for Delayed Transfers of Care (DTOC) and develop a joint local action plan.
7. Seven day Social Care working was now in place and embedded at the hospital with on-site Social Care Assessment available to support patients. This had become "business as usual" from 3<sup>rd</sup> October, 2016, following the implementation of a Social care restructure. Support over the full seven days was provided by the same core team, ensuring that there was consistency of process over this period. Additional support over and above the dedicated resources identified could be accessed through the out of hours service on an as needed basis.

Rotherham was currently partly meeting one out of the eight national conditions which comprised of two elements as follows:-

- a. The first element (which was fully met) included better data sharing between Health and Social Care, based on the NHS Number (NHSN). This was being used as primary identifier for Health and Social Care Services. Work was now complete to ensure better sharing between Health and Social Care. There were 5,495 adults who were in the scope of the NHSN matching project and all BCF records now had a NHS number assigned. The new Social Care system would go "live" on 13th December, 2016, and included the facility to integrate with the NHS 'Patient Demographic Service' (PDS) – which would deliver the ability to quickly look up NHS numbers on the NHS spine. The NHSN number would be used on correspondence when the new Liquidlogic system was "live".
- b. The second element (which was partly met) was around better data sharing including whether we ensure that patients/service users have clarity about how data about them is used, who may have access and how they can exercise their legal rights. This second element of the national condition has recently been introduced since August 2016.

Significant progress was underway with an expected full implementation date of 31st May, 2017, to ensure that it fully met the national condition. The original date for full implementation was 31<sup>st</sup> January, 2017. The reasons behind the delay were set out in the report submitted.

A series of individual "deep dive" service reviews on BCF schemes was underway which would identify if there were any funding or performance issues or where there were concerns regarding strategic relevance.

Resolved:- (1) That the Better Care Fund Quarter 3 Submission (2016/17), as now submitted, be approved.

(2) That further information be provided for members of the Health and Wellbeing Board about data sharing between health and social care services.

**65. ROTHERHAM JOINT COMMISSIONING STRATEGY FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND)**

The Strategic Director for Children and Young People's Services presented the Rotherham Joint Commissioning Strategy for Children and Young People with Special Educational Needs and/or Disabilities (SEND). The Strategy provided an overview of how the joint commissioning of services for children and young people with SEND in Rotherham would be developed and implemented in line with the requirements of the Children's and Families Act 2014 and the associated Code of Practice for SEND.

The Strategy, through a mapping exercise, consultation and a review of transitions with parents/carers and stakeholders, had identified nine priority areas of work that would be implemented over the next three years:-

1. Create a joint SEND Education, Health and Social Care Assessment hub at Kimberworth Place.
2. Review and re-model services that provided support for children and young people with challenging behaviour.
3. Develop a Performance and Outcomes Framework that would be applied across all local authority and CCG SEND provision.
4. Align local authority and CCG Service Specifications for SEND Service provision, to facilitate commonality of practice and a consistent approach (thus reducing duplication, improving efficiencies and develop clearer pathways).
5. Audit the Education, Health and Care Planning (EHCP) process to look at how the assessment process (including the decision making process/panels and allocation of resources) could be streamlined, so as to reduce the multiple assessments that young people and their families had to undertake.
6. Ensure that there was a co-ordinated joint Workforce Development Plan.
7. Develop and implement Personal Budgets.
8. Develop pathways to adulthood.
9. Develop approaches to improving life experiences which were person centred.

The Strategy had been previously approved by the Clinical Commissioning Group's Operational Executive, the Council's Children and Young People's Services leadership team and the Children and Young People's Partnership Board, and endorsed for sharing with the Health and Wellbeing Board.

The full implementation of the Strategy would require a phased approach to move from the current position. Work had already commenced in taking forward a number of the priority areas, namely the creation of a joint SEND Assessment Hub, the re-modelling of services that provided support for children and young people with challenging behaviour, the development of personal budgets, the development of aligned Service Specifications for Education, health and social care services, and the development of pathways to adulthood.

Resolved:- That the refreshed Rotherham Joint Commissioning Strategy for Children and Young People with Special Educational Needs and/or Disabilities (SEND) be noted.

**66. SPECIALIST RESIDENTIAL AND NURSING CARE FOR ADULTS IN ROTHERHAM**

In accordance with Minute No. 50(3) of the meeting of this Board held on 11<sup>th</sup> January, 2017, the current position with regard to commissioned Care homes in Rotherham was submitted. The scope of the update included Residential, Nursing, Residential with Dementia Care and Nursing with Dementia Care for Adults i.e. 18-64 and older people.

There was a total of thirty-five independent sector care homes (owned by twenty-three organisations) contracted to support older people in Rotherham. They provided a range of care types categorised as Residential Care, Residential Care for people who were Elderly and Mentally Infirm, Nursing Care and Nursing Care for people who were Elderly and Mentally Infirm.

There was a total of thirty-six Independent sector homes (owned by twenty-four organisations) contracted to support Adults with specialist needs. They provided a range of care for Adults who lived with Learning Disabilities, Physical Disabilities, Mental Health and Sensory conditions (including Acquired Brain Injury).

The independent sector care home market in Rotherham supplied 1,779 beds and accommodated around 1,593 older people. The Council was the dominant purchaser with the majority of the population placed by the Council. There was currently a vacancy factor of 186 beds or 10.5% of the total capacity. It also supplied 397 beds and accommodated around 386 adults with specialist needs. The Council purchased 37% (145 beds) with the remaining 63% (252) beds occupied by residents who were fully funded by Continuing Health Care and Out of Authority places. There was currently a vacancy factor of 31 beds (8%) of the total capacity.

As of February 2016, the total Older People's care home population was made up of:-

- 26% (409 people) private paying clients including from out of Borough.
- 4.5% (72 people) placed and funded by other local authorities.
- 62% (987 people) placed and funded by the Council – this includes people who receive Funded Nursing Care.
- 7.5% (125 people) placed and funded by our health partners under Continuing Health Care arrangements (fully funded by Rotherham CCG).

As of February 2016, the specialist care home population placed by the Council was made up of:

- 21% (31 people) funded fully by the Council (no client contribution) – this included people who received Funded Nursing Care.
- 7% (10 people) jointly funded by the Council and Continuing Health Care.
- 72% (104 people) funded by the Council and a financial contribution from the service user.

All Council commissioned providers were registered with, monitored and inspected by the Care Quality Commission (CQC) as well as monitored and inspected by a team of Contracting Compliance Officers. Providers were monitored against standards set out in the Council's service specification(s) and the associated contract(s) terms and conditions. Deviation away from the standards resulted in intervention with providers which may include action plans, special measures improvement plans, contract default action and/or embargoes. Action undertaken by the Strategic Commissioning Team may ultimately result in contract termination should providers continue fall below the required standard.

All Older People's care homes were fully aligned to GP practices to provide medical cover for residents in older people's care homes.

A question was asked about the number of out-of-authority residential placements and it was agreed that a response would be provided.

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

## **67. LONELINESS AND ISOLATION**

The Chair opened a discussion about the impact of loneliness and isolation upon the mental and physical health of individuals. Specific reference was made to:-

- the incidence of early deaths amongst sufferers of loneliness and isolation;

- community support projects/schemes (eg: Men-in-Sheds; Home First);
- the suggestion of a survey being undertaken of persons within the Rotherham Borough area who suffer loneliness and isolation;
- identifying the extent of service provision and any gaps in such provision – as well as the possible reluctance of lonely and isolated people to gain access to appropriate advice and assistance.

The Health and Wellbeing Board noted the intention to establish a Working Group to examine this issue further. A number of members of the Board expressed a willingness to contribute to this Working Group. The Chair asked for nominations to be sent by e-mail to [kate.green@rotherham.gov.uk](mailto:kate.green@rotherham.gov.uk)

#### **68. ROTHERHAM CAMHS LOCAL TRANSFORMATION PLAN - QUARTER 3 REPORT 2016-17**

The Board received the Quarter 3 update for the CAMHS Local Transformation Plan for information.

The Plan continued to be closely monitored and updated on a bi-monthly basis and was now published on the NHS Rotherham Clinical Commissioning Group website alongside the Local Transformation Plan (LTP) itself. It reflected all the proposed developments in the 'Future in Mind' report and went behind the specific priority development areas outlined in the Local Transformation Plan and to which extra funding was attached.

Further detail on each local priority scheme was set out in the report submitted.

All of the priority schemes had started their implementation in 2015/16. There were a number of other identified areas for development, which were included in the CAMHS LTP Action Plan, scheduled to start in 2017/18 or beyond. These included:-

- Undertaking a scoping exercise to understand if the 'Thrive' model or something similar could be developed in Rotherham.
- Undertaking a scoping exercise to understand how 'One-stop-shops' could be developed in Rotherham.
- Implementing a Social Prescribing Service during 2017/18 to support children and young people who transition out of CAMHS services but not into Adult Services. This would involve new funding from the LTP monies.
- A new service to be developed from 2017/18 providing education and prevention around self-harm. This would probably be delivered in school settings by voluntary sector CAMHS providers. Specific details were being developed and new LTP funding would be allocated to this area.

The report also set out the areas of most challenge in implementation, finance and activity review and review of partnerships.

It was also noted that the Clinical Commissioning Group's duty to publish an annual engagement report would be fulfilled by including the necessary information within the standard Annual Report.

Resolved;- That the report be received and its contents noted.

**69. DATE, TIME AND VENUE OF THE FUTURE MEETING**

Resolved:- (1) That the next meeting of the Health and Wellbeing Board be held on Wednesday, 17<sup>th</sup> May, 2017, with the venue to be confirmed.

(2) That future meetings of the Board take place on: -

- 5<sup>th</sup> July, 2017
- 20<sup>th</sup> September, 2017
- 15<sup>th</sup> November, 2017
- 10<sup>th</sup> January, 2018
- 14<sup>th</sup> March, 2018

All meetings to start at 9.00 a.m. and venues to be confirmed.

**PLANNING BOARD**  
**9th March, 2017**

Present:- Councillor Atkin (in the Chair); Councillors Bird, M. S. Elliott, Jarvis, Sansome, Tweed, Walsh and Whysall, together with Councillor Fenwick-Green (as substitute for Councillor Khan) and Councillor Short (as substitute for Councillor D. Cutts).

Apologies for absence were received from Councillors Andrews, D. Cutts, Ireland, Khan, Price and R.A.J. Turner.

**65.       DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

**66.       MINUTES OF THE PREVIOUS MEETING HELD ON 16TH FEBRUARY, 2017**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 16th February, 2017, be approved as a correct record for signature by the Chairman.

**67.       DEFERMENTS/SITE VISITS**

There were no site visits nor deferments recommended.

**68.       DEVELOPMENT PROPOSALS**

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

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

- Single storey side extension to public house and erection of 2 No. dwellinghouses to land at rear with associated access and triple garage at land rear of No. 16 Union Street, Harthill for Foemac Ltd. (RB2016/0914)

Mr. J. Foers (applicant)

Mr. B. Cartwright (objector)

(2) That applications RB2016/0396 and RB2016/0564 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3) That application RB2016/0914 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also to:-

(a) the alteration of the description of this application to read : Single storey side extension to public house, demolition of detached garage, alterations to car park layout/access and erection of 2 No. dwellinghouses to land at rear with associated access and double garage at land rear of No 16 Union Street, Harthill;

and

(b) subject to the following additional condition:-

The first floor windows on the side elevation of plot 1 facing South shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 3 obscured glazing and be non-openable, unless the part(s) of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

#### Reason

In the interests of the amenities of the occupiers of adjoining properties.

(4)(a) That, with regard to application RB2016/1653, the applicant shall sign a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 for the purposes of providing 100% affordable housing units on the application site; and

(b) That, consequent upon the satisfactory signing of the Section 106 Legal Agreement, planning permission be granted for the reasons adopted by Members at the meeting and subject to the conditions set out in the submitted report.

(5)(a) That, with regard to application RB2017/0019, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing:-

- the delivery of 16% affordable housing across the application site, comprising 6 No. two-bed apartments and 4 No. three-bed dwellings to be offered for rent based on 52% open market value; and
- the offer to provide the first occupier with a Travel Card with the effect that each dwelling is offered one Travel Card irrespective of the number of occupiers living in the relevant dwelling;

(b) That, consequent upon the satisfactory signing of the Section 106 Legal Agreement, planning permission be granted for the reasons adopted by Members at the meeting and subject to the conditions set out in the submitted report.

(6) That application RB2017/0021 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and to the following amended condition:-

01

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

**69. COURTESY CONSULTATION FROM SHEFFIELD CITY COUNCIL - PROPOSED CONSTRUCTION OF EXTENSION TO SHOPPING CENTRE AT THE MEADOWHALL SHOPPING CENTRE, SHEFFIELD FOR BRITISH LAND (RB2016/1506)**

Consideration was given to a report submitted by the Assistant Director of Planning, Regeneration and Transport concerning the courtesy consultation from Sheffield City Council in respect of the construction of an extension to the shopping centre for leisure (Use Class D2), food and drink (Use Classes A3, A4 and A5), retail (Use Class A1), offices (Use Class B1), non-residential institution (Use Class D1), police station (Sui Generis Use), car parking accommodation (including multi-storey car park), servicing, landscaping and public realm works, vehicular and pedestrian access/egress and off-site highway works, partial demolition of decked car park, and external alterations to remaining decked car parking, alterations to the rear elevation of the existing cinema building, temporary car parking for contractors (and overflow visitors) on land to the north west of Meadowhall Drive at Meadowhall Shopping Centre for British Land (RB2016/1506).

The Planning Board considered the impact of this proposed development upon the viability and vitality of the Rotherham town centre.

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

(2) That Sheffield City Council be informed that, whilst Rotherham Metropolitan Borough Council is generally supportive of development and investment within the Sheffield City Region, the scale and land uses proposed as part of the Meadowhall Shopping Centre expansion are likely to have a significant adverse impact on the vitality and viability of the Rotherham town centre and the planned investment in the Forge Island site as well as existing investment across the remainder of the Rotherham town centre; accordingly, Rotherham Metropolitan Borough Council objects to the proposals on the following grounds:

(a) The proposed extension to Meadowhall Shopping Centre is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre; and

(b) The proposed extension is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre.

**70. COURTESY CONSULTATION FROM BASSETLAW DISTRICT COUNCIL - ERECTION OF 261 DWELLINGS AT LAND NORTH OF CHURCHILL WAY, GATEFORD PARK, WORKSOP (RB2017/0163)**

Further to Minute No. 57 of the meeting of the Planning Board held on 26th January, 2017, consideration was given to a report submitted by the Assistant Director of Planning, Regeneration and Transport concerning the courtesy consultation from the Bassetlaw District Council in respect of the reserved matters for the application for planning permission to construct 261 No. dwellings, including open space and associated service infrastructure at land to the north of Churchill Way within the Gateford Park area of Worksop (RB2017/0163). The report stated that outline planning permission (with all matters reserved except for access) had been granted on 27th May, 2015 by Bassetlaw District Council.

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

(2) That the Bassetlaw District Council be informed that Rotherham Metropolitan Borough Council raises no objections to these proposals as detailed within the submitted report.

**71. UPDATES**

Members were provided with brief details of the various applications for planning permission for housing development, which would be included on the agenda of the next meeting of the Planning Board.

**PLANNING BOARD  
30th March, 2017**

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bird, D. Cutts, M. S. Elliott, Jarvis, Price, Sansome, R.A.J. Turner, Tweed, Walsh and Whysall; together with Councillor Fenwick-Green (as substitute for Councillor Khan).

Apologies for absence were received from Councillors Ireland and Khan.

**72. DECLARATIONS OF INTEREST**

Councillor Tweed declared his personal interests in application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also in application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) because of his membership of the governing bodies of other academies/schools which are controlled by the same Academy Trust as the Canklow Woods Primary School. Councillor Tweed left the meeting and took no part in the Planning Board's debate on these matters and did not vote.

**73. MINUTES OF THE PREVIOUS MEETING HELD ON 9TH MARCH, 2017**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 9th March, 2017, be approved as a correct record for signature by the Chairman.

**74. DEFERMENTS/SITE VISITS**

There were no site visits nor deferments recommended.

**75. DEVELOPMENT PROPOSALS**

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

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

- Erection of bonded warehouse and offices to replace existing warehouse, offices and repair buildings at The Green Group, Warwick Road, Maltby for The Green Group (RB2015/1530)

Mr. P. Osborne (representative of the applicant Company)

Mr. C. Addy (representative of the applicant Company)

- Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential (RB2017/0105)

Mrs. J. Stribley (on behalf of Canklow Community Group, expressing concerns about the provision of play areas)

Mrs. S. Rodgers (Head Teacher of Canklow Woods Primary School, expressing concerns about the impact upon school places)

Councillor R. McNeely (Ward Councillor, expressing concerns about the impact upon school places)

Councillor T. Yasseen (Ward Councillor, expressing concerns about the public consultation process and about the impact upon public services in the area)

- Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential (RB2017/0122)

Mrs. J. Stribley (on behalf of Canklow Community Group, expressing concerns about the provision of play areas)

Mrs. S. Rodgers (Head Teacher of Canklow Woods Primary School, expressing concerns about the impact upon school places)

Councillor R. McNeely (Ward Councillor, expressing concerns about the impact upon school places)

Councillor T. Yasseen (Ward Councillor, expressing concerns about the public consultation process and about the impact upon public services in the area)

(2) That applications RB2017/0097, RB2017/0103, RB2017/0105, RB2017/0112, RB2017/0116 and RB2017/0122 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3)(a) That, with regard to application RB2015/1075, the Council shall enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing a financial contribution of £140,000 towards the provision of affordable housing in the area.

(b) That, consequent upon the satisfactory signing of the Section 106 Legal Agreement, planning permission be granted for the reasons adopted by Members at the meeting and subject to the conditions set out in the submitted report.

(4) That the Planning Board declares that it is disposed to grant planning permission in respect of application RB2015/1530 on the grounds that the proposed development will be beneficial for the local economy, generating significant additional jobs within the area, on a site that is already occupied by the applicant Company and these amount to the very special circumstances to justify the inappropriate development in the Green Belt; the power to agree the detailed reasons for the granting of planning

permission in respect of this application, including the conditions to be attached to such permission, was delegated to the Planning Officer in consultation with the Chairman and the Vice-Chairman of the Planning Board and details shall be reported to a future meeting of the Planning Board, prior to finalising the reasons for approval; in addition, this matter shall be referred to the Secretary of State for Communities and Local Government as a departure from the Development Plan.

(5)(a) That, with regard to application RB2017/0111, the Council shall enter into a Legal Agreement for the purposes of securing:-

- a financial contribution of £2,342 per open market dwelling (83 x £2,342 = £194,386) towards the provision of education;
- a financial contribution of £40,000 towards the improvement of existing green space, primarily for the purposes of children's play within the Maltby area; and
- a financial contribution of £500 per unit towards the provision of sustainable transport measures;

(b) That, consequent upon the satisfactory signing of the Legal Agreement, planning permission be granted for the reasons adopted by Members at the meeting and subject to the conditions set out in the submitted report.

(Councillor Tweed declared his personal interests in application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also in application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) because of his membership of the governing bodies of other academies/schools which are controlled by the same Academy Trust as the Canklow Woods Primary School. Councillor Tweed left the meeting and took no part in the Planning Board's debate on these matters and did not vote)

**76. COURTESY CONSULTATION - MOTORWAY SERVICE AREA NORTH-EAST OF JUNCTION 37 OF THE A1(M) MOTORWAY, MARR ROUNDABOUT, DONCASTER**

Consideration was given to a report, submitted by the Assistant Director of Planning, Regeneration and Transport, concerning the courtesy consultation from Doncaster Metropolitan Borough Council in respect of the proposed construction of new Motorway Service Area to comprise: amenity building, lodge, drive-through coffee unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a fuel filling station with retail shop, together with alterations to the adjacent roundabout at Junction 37 of the A1(M) to form an access point and works to the local highway network; and the provision of landscaping,

infrastructure and ancillary works at land to the north-east of Junction 37 of the A1(M) Motorway, Marr Roundabout, Doncaster, DN5 7AS, for Moto Hospitality Limited.

The report stated that the site of this proposed development encompassed an area of approximately 37.28 acres (15.1 hectares) and comprised two fields in agricultural use, divided by the Mellinder Dike drain running north-to-south through the site. The boundary dividing the Doncaster and the Rotherham Metropolitan Borough areas (at Wath upon Dearne) lay approximately nine kilometres to the south-west of the development site.

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

(2) That the Doncaster Metropolitan Borough Council be informed that this Council has no objections to this development proposal.

## **77. UPDATES**

Further to Minute No. 62 of the meeting of the Planning Board held on 16th February, 2017, Members noted that on Monday 27th March, 2017, the Secretary of State for Communities and Local Government had given his consent for the proposed development in respect of the change of use of land to a leisure resort and development of a theme park, etc., on land off Mansfield Road, Wales (applications for planning permission numbered RB2016/1454 and RB2016/1455). Consequently, construction could now begin in respect of this development.

**PLANNING BOARD  
20th April, 2017**

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bird, D. Cutts, M. S. Elliott, Jarvis, Sansome, R.A.J. Turner, Tweed and Walsh.

Apologies for absence were received from Councillors Ireland, Khan, Price and Whysall.

**78. DECLARATIONS OF INTEREST**

With reference to Minute No. 80 below, Councillor Tweed declared his personal interests in application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also in application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) because of his membership of the governing bodies of other academies/schools which are controlled by the same Academy Trust as the Canklow Woods Primary School. Councillor Tweed left the meeting and took no part in the Planning Board's debate on these matters and did not vote.

**79. MINUTES OF THE PREVIOUS MEETING HELD ON 30TH MARCH, 2017**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 30th March, 2017, be approved as a correct record for signature by the Chairman.

**80. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING**

Further to Minute No. 75(2) of the meeting of the Planning Board held on 30th March, 2017, Members considered further information in relation to application RB2017/0105 (Erection of 58 No. dwellinghouses, associated works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential) and also to application RB2017/0122 (Erection of 22 No. dwellinghouses with associated external works, gardens and car parking at land at Rother View Road, Canklow for Wates Residential).

It was reported that some erroneous information was provided to the Planning Board, by the Housing Officer, during the debate of these applications at the previous meeting of the Planning Board, in relation to the reasons for the demolition of the original residential properties which used to be situated on the areas of land the subject of these applications for planning permission. It had been alluded that there may have been 'movement' in the ground, as well as other factors.

Those Members of the Planning Board, now present and who had also been present at the meeting on 30th March, 2017 and had voted to resolve to grant these two applications at that meeting, all confirmed that had they been aware of the correct information relating to this matter at the time of voting at the previous meeting, they would not have voted differently. As such, the inclusion of erroneous information during the meeting on 30th March, 2017, did not affect the Planning Board's determination of these two applications for planning permission.

(Councillor Tweed declared his personal interest in this item, left the meeting and took no part in the Planning Board's debate on this matter and did not vote)

## **81. DEFERMENTS/SITE VISITS**

There were no site visits nor deferments recommended.

## **82. DEVELOPMENT PROPOSALS**

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

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

- Construction of a waste wood processing plant and fire retained area bounded by concrete push walls, erection of buildings to form associated storage, reception/administration, security and staff welfare area, formation of impermeable surface to form a lorry parking/waiting area, weighbridge and staff parking area together with associated highways and drainage works (Class B2/B8) at land at North Drive Northfield for the Stobart Group (Stobart Biomass) (RB2017/0113)

Mr. S. Butler (representative of the applicant Company)

(2)(a) That, further to Minute No. 75(4) of the meeting of the Planning Board held on 30th March, 2017, application RB2015/1530 be referred to the Secretary of State for Communities and Local Government (National Planning Casework Unit) under the Town and Country Planning (Consultation) (Direction) 2009, being inappropriate development in the Green Belt; and

(b) That, subject to the National Planning Casework Unit not calling in the application for determination, the Council resolves to grant permission for the proposed development subject to the conditions set out in the submitted report.

(3) That application RB2017/0113 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and condition number 11 shall be removed and the following additional conditions shall be applied to this permission:-

18

In the event that during development works unexpected significant contamination is encountered at any stage of the process, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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A gas characteristic situation 2 has been identified and gas protection measures are required for each new build comprising:

- a) Reinforced concrete cast insitu floor slab (suspended, non-suspended or raft) with at least a lapped and taped minimum 1200g membrane
- b) a beam and block or pre cast floor slab with a lapped and taped minimum 2000g membrane; and
- c) under floor venting or pressurisation in combination with either of (a) or (b) above depending on use
- d) All joints and penetrations should be sealed

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20

All service pipes to the site offices and welfare facilities are to be installed to comply with Water Supply (Water Fittings) Regulations 1999 and Water Supply (Water Quality) Regulations 2000. All materials to be Water Regulations Advisory Scheme (WRAS) approved for use on potable water supplies. Where required, the service pipes will be either WRAS approved barrier pipe (preferred option) or plastic coated underground copper.

## Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21

Following completion of any required remedial/ground preparation works a Verification Report should be forwarded to the Local Authority for review and comment. The Verification Report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Authority.

## Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

(4) That application RB2017/0404 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report, with the amendment to condition number 2 by the correction of the approved plan to state "Landscape Plan – Drawing No. V13204-L01 Rev B", instead of "Landscape Plan – Drawing No. V13204-L01 Rev A".

**83. PROPOSED TREE PRESERVATION ORDER NO. 6 2016 - LAND REAR OF NOS. 17 TO 27 NEW ROAD, FIRBECK**

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Culture concerning the proposed confirmation and serving of a Tree Preservation Order to protect three Lime trees on land at the rear of Nos. 23 to 27 New Road, Firbeck, as well as one Lime tree at the rear of No. 17 New Road, Firbeck (Tree Preservation Order No. 6, 2016).

The report detailed the various objections to the making of this Tree Preservation Order and also made reference to the original application to fell the trees (RB2016/0361).

In accordance with the right to speak procedure, the following person attended the meeting and spoke about this proposed Order:-

Mr. W. Anderson (objecting to the making of the Order in respect of three of the trees concerned)

The report detailed the evaluation of these four Lime trees, using the TEMPO system (Tree Evaluation Method for Preservation Orders).

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

(2) That the serving of Tree Preservation Order No. 6, 2016, be confirmed without modification with regard to the four trees the subject of the submitted report, which are situated on land at the rear of Nos. 17 to 27 New Road, Firbeck, in accordance with Section 198 and Section 201 of the Town and Country Planning Act 1990.

**84. UPDATES**

There were no issues to report.

**LICENSING BOARD-SUB-COMMITTEE**  
**28th February, 2017**

Present:- Councillor Ellis (in the Chair); Councillors Buckley, Elliot, Napper and Sheppard.

Apologies for absence were received from Councillors .

**13. HOUSE TO HOUSE COLLECTIONS**

Consideration was given to a report, presented by the Business Regulation Manager, concerning the following applications for the grant of a promoter's permit to carry out house-to-house collections:-

Organisation	Area	Date
Leukaemia Care	Whole of the Rotherham Borough	Variable period between February 2017 and February 2018
Treating Children with Cancer	Whole of the Rotherham Borough	Variable period between February 2017 and February 2018

Discussion took place on whether the Council should develop a specific policy in relation to the determination of applications for a promoter's permit to carry out house-to-house collections and also whether there should be a requirement for applicants to indicate the proportion of money which will be used by the collecting charity for the benefit of Rotherham Borough residents.

Resolved:- That, in accordance with the provisions of the House to house Collections Act 1939, the applications be approved and a promoter's permit be granted in respect of both of the organisations/charities for the dates listed above.

**14. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**15. APPLICATIONS FOR THE GRANT OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES**

The Sub-Committee of the Licensing Board considered a report, presented by the Business Regulation Manager, relating to applications for the grant of hackney carriage / private hire drivers' licences in respect of Messrs. A.I. (A.M.I.) and S.M.

Messrs. A.I. (A.M.I.) and S.M. both attended the meeting and were interviewed by the Sub-Committee.

Resolved:- (1) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. A.I. (A.M.I.) be refused.

(2) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. S.M. be refused.

**16. APPLICATION FOR A PERFORMANCE OF HYPNOTISM**

Further to Minute No. 739(14) of the meeting of the Policy and Resources Committee held on 20th July, 1994 (a Licensing Sub-Committee meeting of 21st June, 1994), consideration was given to a report, presented by the Business Regulation Manager, concerning an application from Mr. D.R. for a permit to undertake a performance of hypnotism at The Courtyard, Wickersley, on Thursday, 2nd March, 2017, between the hours of 8:00 pm and 10:30 p.m.

Resolved:- (1) That, in accordance with the provisions of Section 2(1) of the Hypnotism Act 1952, the application be approved and Mr. D.R. be granted a permit to undertake a performance of hypnotism at The Courtyard, Wickersley, on Thursday, 2nd March, 2017.

(2) That, further to resolution (1) above, the permit be granted subject to the conditions contained in the report now submitted and, with specific regard to condition 1 (Publicity), the applicant shall ensure that appropriate notices are displayed at the venue and that appropriate public announcements are made, on Thursday, 2nd March, 2017, informing the general public and audience that "volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance".

**17. REQUEST FOR EXEMPTION FROM LICENSING POLICY REQUIREMENTS RELATING TO VEHICLE IDENTIFICATION**

The Sub-Committee of the Licensing Board considered a report, presented by the Business Regulation Manager, relating to an application from Mr. P.H. for an exemption from the requirements of the Council's Hackney Carriage and Private Hire Licensing Policy in respect of licence plates and door signs being affixed to one of his licensed vehicles (as stated within the submitted report).

Resolved:- (1) That the request from Mr. P.H. for an exemption from the Council's Licensing Policy in relation to the requirements to affix licence plates and door signs to one of his licensed vehicles be granted in respect of the licensed vehicle described in the report now submitted.

(2) That, further to resolution (1) above, a condition be attached to this permission granted to Mr. P.H., such that this specific exemption from the requirements of the Council's Licensing Policy shall be subject to both review and reconfirmation prior to each and every renewal of this vehicle licence and the power to determine the matter shall be delegated to the Assistant Director, Community Safety and Street Scene.

**LICENSING BOARD-SUB-COMMITTEE**  
**27th March, 2017**

Present:- Councillor Ellis (in the Chair); Councillors Buckley, Clark, Hague and Sheppard.

**18. HOUSE TO HOUSE COLLECTIONS**

Consideration was given to a report, presented by the Business Regulation Manager, concerning the following applications for the grant of a promoter's permit to carry out house-to-house collections:-

Organisation	Area	Date
Tree of Hope	Whole of the Rotherham Borough	Twelve months from grant of the permit
Army of Angels	Whole of the Rotherham Borough	Variable in the period lasting twelve months from grant of the permit
Yorkshire Cancer Research	Whole of the Rotherham Borough	Five days per month in the period lasting twelve months from grant of the permit

Discussion took place on the proportion of money which will be used by the collecting charities for the aims of the charities.

Resolved:- That consideration of the three applications be deferred until a future meeting of the Licensing Board Sub-Committee and the applicant organisations be requested to provide audited accounts for the previous three financial years.

**19. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**20. APPLICATIONS FOR THE GRANT AND RENEWAL OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES**

The Sub-Committee of the Licensing Board considered a report, presented by the Business Regulation Manager, relating to applications for the grant, renewal and review of hackney carriage / private hire drivers' licences in respect of Messrs. R.S., J.K., F.J.H., A.M. and A.M.A.S.A.

Messrs. R.S., J.K. and F.J.H. attended the meeting and were interviewed by the Sub-Committee.

Resolved:- (1) That the application for the renewal of a hackney carriage/private hire driver's licence in respect of Mr. R.S. be approved and his licence be renewed for a period of three years.

(2) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. J.K. be approved and he be granted a licence for three years, subject to the satisfactory completion of the remaining elements of the application process.

(3) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. F.J.H. be approved and he be granted a licence for three years, subject to the satisfactory completion of the remaining elements of the application process.

(4) That, because of the exceptional circumstances now described, the hackney carriage/private hire driver's licence application in respect of Mr. A.M. be considered in the absence of the required qualification (a BTEC or equivalent); and subject to the satisfactory completion of all other elements of the application process, the driver's licence would be granted for a three months' period in the absence of the BTEC or equivalent qualification; and any future renewals of this driver's licence would require the completion of all required elements, including the qualification requirement.

(5) That the hackney carriage/private hire driver's licence in respect of Mr. A.M.A.S.A. be revoked with immediate effect.

**21. REQUEST FOR EXEMPTION FROM LICENSING POLICY REQUIREMENTS RELATING TO VEHICLE AGE**

The Sub-Committee of the Licensing Board considered a written request from Mr. M.H. for an exemption from the Vehicle Age and Emissions element of the Council's Hackney Carriage and Private Hire Licensing Policy in respect of his vehicle. Members noted that the vehicle licence for this vehicle had already expired.

Resolved:- That the request from Mr. M.H. for an exemption from the Vehicle Age and Emissions element of the Council's Hackney Carriage and Private Hire Licensing Policy, in respect of the vehicle now described, be refused.

**LICENSING SUB-COMMITTEE**  
**26th April, 2017**

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and Buckley.

**7. CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) -  
REVOLUTION ROTHERHAM, 8 SHIP HILL, ROTHERHAM**

The Sub-Committee considered an application and certificate, submitted by South Yorkshire Police, for the interim steps which could be taken pending the full review hearing on Wednesday 31st May, 2017, for the premises licence in respect of the premises known as the Revolution Rotherham night club, 8 Ship Hill, Rotherham. It was noted that the Licensing Act 2003 had been amended by the Violent Crime Reduction Act, 2006, with the insertion of Section 53A and Section 53B, which enabled the Police to instigate a fast track review of a premises licence where the Police considered that licensed premises may be associated with serious crime, or serious disorder, or both.

Accordingly, the Licensing Authority received representations from the South Yorkshire Police which were not withdrawn and the Sub-Committee considered those representations.

The Sub-Committee heard representations from Chief Superintendent R. Odell and Licensing Officer Mrs. H. Cooper of the South Yorkshire Police and from Mr. M. Keen (the premises' owner and premises licence holder), as well as from Mr. D. Claypole, the Designated Premises Supervisor of this night club. Those present also viewed CCTV footage of an incident which had taken place outside and near to the premises in the early hours of Sunday morning, 23rd April 2017.

Members had considered the imposition of additional conditions to the premises licence, but ultimately did not feel that any such conditions would serve to prevent the occurrence of similar serious incidents at or outside these premises.

The Sub-Committee was concerned about the inactivity of the Security Industry Authority (SIA) registered door staff employed at the premises and their decision not to intervene to try and prevent the incident on 23rd April 2017 from happening. Members were further concerned that this apparent policy of non-intervention in this type of serious incident was supported by the management of the premises.

Resolved:- That the request from the South Yorkshire Police for the suspension of the premises licence in respect of Revolution Rotherham, 8 Ship Hill, Rotherham be supported, this being a temporary suspension taking effect immediately, pending the full review hearing for the premises licence.