



CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Monday, 11 September 2017

10.00 a.m.

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

Cabinet Members:-

Leader of the Council
Deputy Leader of the Council
Adult Social Care and Health Portfolio
Corporate Services and Finance Portfolio
Housing Portfolio
Jobs and the Local Economy Portfolio
Neighbourhood Working & Cultural Services Portfolio
Waste, Roads and Community Safety Portfolio

Councillor Chris Read
Councillor Gordon Watson
Councillor David Roche
Councillor Saghir Alam
Councillor Dominic Beck
Councillor Denise Lelliott
Councillor Taiba Yasseen
Councillor Emma Hoddinott

Commissioners:-

Commissioner Patricia Bradwell
Commissioner Julie Kenny
Commissioner Mary Ney

CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Venue: Town Hall, The Crofts,
Moorgate Street,
Rotherham. S60 2TH

Date: Monday, 11th September, 2017

Time: 10.00 a.m.

A G E N D A

1. Apologies for Absence

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

2. Declarations of Interest

To invite Councillors and Commissioners 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.

3. Questions from Members of the Public

To receive questions from members of the public who wish to ask a general question.

4. Minutes of the previous meetings held on 26 June and 10 July 2017 (Pages 1 - 26)

To receive the minutes of the Cabinet and Commissioners' Decision Making Meetings held on 26 June and 10 July 2017 and approve as true and correct records of the proceedings.

5. Exclusion of the Press and Public

Items 18 and 19 have appendices detailing exempt information. Therefore, if deemed necessary, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it/they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 or 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.

DECISIONS FOR COMMISSIONER KENNY

6. Determination of Asset Transfer Requests (Pages 27 - 39)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott (in advisory role)

Commissioner: Kenny

Recommendations:

1. That all three requests for Asset Transfer Policy lease agreements as detailed within the report be approved.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the terms of the requests.
3. That the Assistant Director of Legal Services be authorised to complete the necessary documentation.

7. Adoption of Land Adjacent Sales Policy and Procedures (Pages 40 - 51)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott (in advisory role)

Commissioner: Kenny

Recommendations:

1. That the proposals contained in the report considering the adoption of new policy and procedures for dealing with land adjacent sales be agreed.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised under delegated powers to approve qualifying disposals and that the Assistant Director of Legal Services be authorised to complete the necessary legal documentation.
3. That a minimum value threshold of £2,000 plus fees be set for all disposals that arise through applications to purchase.
4. That an administration charge of £250 be payable at the point of application which will be refunded if the application proceeds to completion.
5. That any applications to purchase areas of land which are dedicated as public open space are not part of the delegated authority or considered as part of the policy.

8. Greasbrough Public Hall Future Options (Pages 52 - 60)
Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott (in advisory role)
Commissioner: Kenny

Recommendations:

1. The proposed demolition of Greasbrough Public Hall be approved and the cleared site be then retained in Council ownership for the delivery of the highway improvement scheme.
2. That the façade and stone from the Greasbrough Public Hall be salvaged and retained for potential future use and the detail of what is to be retained be agreed in partnership with the Greasbrough Public Hall Community Trust.
3. That the required funding for the project be added to the Council's Capital Programme for 2017/18 and funded from unallocated capital receipts.

DECISIONS FOR COMMISSIONER NEY

9. Council Plan 2017/18 Quarter 1 Performance Report (Pages 61 - 132)
Report of the Assistant Chief Executive

Cabinet Member: Councillor Read (in advisory role)
Commissioner: Ney

Recommendations:

1. That the overall position and direction of travel in relation to performance be noted.
2. That consideration be given to measures which have not progressed in accordance with the target set and the actions required to improve performance, including future performance clinics
3. That the performance reporting timetable for 2017/18 be noted.

10. Introduction of a Public Spaces Protection Order (PSPO) for Rotherham Town Centre (Pages 133 - 163)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Hoddinott (in advisory role)

Commissioner: Ney

Recommendations:

1. That approval be given to the Public Spaces Protection Order, for a period of three years, following consideration of the public consultation and relevant legal requirements.
2. That a 12 month review, post implementation of the order be undertaken to assess impact and make variations, adjustments or new orders as necessary.

DECISIONS FOR CABINET

11. Appointment of the Academy Sponsor for the Proposed Primary School on the Waverley Development Site (Pages 164 - 171)

Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson

Commissioner: Bradwell (in advisory role)

Recommendation:

That the appointment of Aston Community Education Trust (ACET) as sponsor for the first proposed primary school at the Waverley development site be noted.

12. July 2017/18 Financial Monitoring Report (Pages 172 - 189)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam

Commissioner: Ney (in advisory role)

Recommendations:

1. That the current forecast overspend for 2017/18 of £3.4m be noted.
2. That it be noted that management actions continue to be developed to address areas of overspend and to identify alternative and additional savings to mitigate shortfalls in achieving planned savings in 2017/18.
3. That it be noted that a detailed Dedicated Schools Grant (DSG) Recovery Strategy which will transfer £3m in 2017/18 to reduce the forecast High Needs Block deficit and mitigate the in-year pressure through a series of measures has been set in place.
4. That the current forecast outturn position on the approved Capital Programme for 2017/18 and 2018-2022 be noted.

13. Council Tax Discount for Care Leavers (Pages 190 - 196)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam
Commissioner: Ney (in advisory role)

Recommendations:

1. That a 100% Council Tax discount be awarded for Council Tax liability arising from the relevant date at the end of the formal call in period following decision for the period to 31 March 2018, under Section 13A (1)(c), to Rotherham care leavers between the ages of 18 to 21 and up to the age of 25 for care leavers in full-time education, who reside in the borough based on the principles set out in this report.
2. That for those care leavers from Rotherham living outside of the Borough, Rotherham Council will pay 100% of Council Tax liability arising from the relevant date at the end of the formal call in period following decision based on the principles set out in this report.
3. That a full review of the Council Tax Reduction scheme be undertaken, including public consultation, to consider potential changes to the scheme for 2018 including the incorporation of the care leavers discount into the scheme.

14. New Applications for Business Rates Discretionary Rate Relief (Pages 197 - 203)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam
Commissioner: Ney (in advisory role)

Recommendations:

1. That 100% discretionary rate relief be awarded to SYTT Riverside Ltd reducing to 20% discretionary rate relief once the organisation becomes a registered charity.
2. That 100% discretionary rate relief be awarded to Dexe Skatepark (Yorkshire) Ltd from 8 March 2017 when they occupied the new premises.

15. Consultation on Changes to Policy for Home to School Transport (Pages 204 - 213)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Hoddinott
Commissioner: Kenny (in advisory role)

Recommendations:

1. That approval be given to carry out a consultation on all aspects of home to school transport in Rotherham.
2. That a further report be submitted to the Cabinet meeting in December 2017 detailing the outcome of the consultation exercise and presenting the recommended policy options for approval.

16. Planning Service: Planning Enforcement Plan (Pages 214 - 241)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott
Commissioner: Kenny (in advisory role)

Recommendations:

That the Planning Enforcement Plan be approved and adopted.

17. Rotherham Town Centre Masterplan (Pages 242 - 249)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott
Commissioner: Kenny (in advisory role)

Recommendations:

1. That the Rotherham Town Centre Masterplan be adopted.
2. That the Council go out to the market to secure a development partner for Forge Island.

18. Rights of Representation to Sheffield County Court for matters relating to Housing possession Claims (Pages 250 - 257)

Report of the Strategic Director of Adult Care and Housing

Cabinet Member: Councillor Beck
Commissioner: Kenny (in advisory role)

(Please note that the appendix to this report is exempt under Paragraph 2 of Schedule 12A to the Local Government Act 1972 (as amended)).

Recommendation:

That the following officers be authorised under Section 60 of the County Courts Act 1984 to initiate, represent, defend or appear in proceedings on behalf of the Council in the County Court:

- Specialist Income Recovery and Court Co-ordinator
- Court Officer
- Area Income Recovery Co-ordinators

19. Unlocking Property Investment - Beighton Link (Pages 258 - 320)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott
Commissioner: Kenny (in advisory role)

(Please note that Appendices 1, 2, 3 and 5 of this report are exempt under Paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)).

Recommendations:

1. That the Strategic Director of Regeneration and Environment be authorised to agree terms to acquire land at Old Colliery Way, Beighton Link, Rotherham and enter into a development agreement with JF Finnegan Ltd.
2. That, subject to an assessment of the financial viability of the proposed final terms of the agreement with JF Finnegan and formal approval of the JESSICA funding bid, the funding for the purchase be taken from the £5m Growth Fund, which was approved as part of the Capital Strategy 2017-2022.
3. That the Assistant Director of Legal Services be authorised to complete the necessary legal agreements.
4. That, in order to allow the development to proceed, an exemption to standing orders under paragraph 43.2.4 be agreed.

20. Recommendations from Overview and Scrutiny Management Board

To receive a report detailing the recommendations of the Overview and Scrutiny Management Board in respect of the following items that were subject to pre-decision scrutiny on 6 September 2017:

- Introduction of a Public Spaces Protection Order (PSPO) for Rotherham Town Centre
- Consultation on Changes to Policy for Home to School Transport

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

SHARON KEMP,
Chief Executive.