

**COUNCIL MEETING
13th September, 2017**

Present:- The Mayor of Rotherham (Councillor Eve Rose Keenan) (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Andrews, Atkin, Beaumont, Beck, Bird, Brookes, Buckley, Carter, Clark, Cooksey, Cowles, Cusworth, B. Cutts, D. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Evans, Fenwick-Green, Hague, Hoddinott, Ireland, Jarvis, Jones, Lelliott, McNeely, Mallinder, Marles, Marriott, Napper, Pitchley, Price, Read, Reeder, Roche, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Simpson, Taylor, John Turner, Vjestica, Walsh, Williams, Wilson, Whysall, Wyatt and Yasseen.

49. ANNOUNCEMENTS

The Mayor reported she had attended over 118 engagements since the last Council Meeting, including Rotherham Show which, despite the rain, welcomed 45,000 visitors and she wanted to place on record her thanks and appreciation to all those involved

The Mayor also described how Ray Matthews' dream had been realised in the formation of a pathway for Newman School students to gain access into the wooded nature area.

The Mayor also raised the profile of a forthcoming Mad Hatter's Tea Party event during March/April, 2018 involving R.C.A.T. Art and Design students in Clifton Park. This would bring the Town Hall and the seventy R.C.A.T students together.

The Mayor invited the Leader to share any announcements of his own and he was pleased to report on the return of further powers by the Secretary of State. This returned all but Children's Services back to the Council, which would be subject to further monitoring.

The Leader referred to the publication of the independent investigation reports and the requests for further opportunities to ask questions. An item would be placed on the agenda for the next Council Meeting in October to enable this to take place.

The Leader also noted that Friday was the official "Wear Purple Day" and he encouraged all Members to engage in the support for child sexual abuse.

50. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jepson, Khan, Steele, Julie Turner, Tweed and Watson.

51. 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:-

- Containing 22 signatures requesting the Chief Executive to write a letter to all employees of RMBC about the importance of truthfulness in their communications with representatives and advocates of victims and survivors of Child Sexual Exploitation (CSE) in Rotherham
- Containing 80 signatures requesting the re-introduction of monthly Area Assembly meetings.

Mr. L. Harron addressed the Council as part of his presentation of the petition requiring the Chief Executive to write to staff about the importance of truthfulness in communications.

52. COMMUNICATIONS

No communications were received.

53. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

54. MINUTES OF THE PREVIOUS COUNCIL MEETING

Resolved:- That the minutes of the meeting of Council held on 12th July, 2017, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Alam

55. PUBLIC QUESTIONS

(1) Mr. D. Smith asked what protocols had the Borough Council got in place to ensure that Ward Councillors consulted with and kept up-to-date the Parish and Town Councils in their area?

Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, acknowledged the importance of the Town and Parish Councils and the vital role they played in communities and described them as the grass roots of local government.

Councillor Yasseen referred to the Town and Parish Councils Liaison Working Group of which she was Chair which included eight representatives from across the Borough, including Mr. Smith. This was the main instrument and vehicle for formal relationships with Parish

Councils and for the sharing of information, the making of commitments and looking to where the Council and Town and Parish Councils could work together.

With regards to Neighbourhoods, as part of this consultation had taken place with Town and Parish Councils on the development of a new neighbourhood model as well as the new strategy. Where it was possible Ward Councillors were encouraged to work closely with their communities. Many Members not only represented the Borough, but were also Town and Parish Councillors. Across the Borough there were many different working practices of working within communities and it was hoped the transitional model would allow for closer working across the Borough.

In a supplementary question Mr. Smith referred to his own Ward Councillors, the monthly Parish Meeting and the Ward Surgery meetings which were held immediately prior to the Parish Meeting and the reluctance to give community reports at Parish Meetings by Ward Members.

Mr. Smith described how he attended a meeting called by the three Ward Councillors entitled "Plan for Dinnington" which had been arranged following the termination of Area Assemblies. The Town Council had not been informed, nor consulted. Was this what that the Borough Council called transparency and openness and how were Parish Councillors to be kept informed.

Mr. Smith did suggest and request a response from a Dinnington Ward Councillor.

Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, responded by confirming this was not the first time this had been raised. Referring generally Councillor Yasseen explained that meeting spaces needed to be areas of mutual respect, where individuals felt safe and comfortable and to be able to engage in work together.

Mr. Smith took offence at his Town Council being accused of being a place where an individual was not able to come and give a proper report.

(2) Mrs. S. Thackery referred to Cedar House and its closure and asked what other provisions were going to be put into place in a mental health crisis for people in Rotherham who experienced mental health issues, which were urgent.

Councillor Roche, Cabinet Member for Adult Social Care and Health, explained mental health was taken seriously in Rotherham.

Over the past twelve months the Council has been working with partners to improve the range of mental health provision for people experiencing a mental health crisis and their carers. This included the availability of

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Council accommodation for places of safety, support at the Urgent and Emergency Care Centre, support from the Crisis and Home Treatment team, night support from the Integrated Rapid Response services and Mental Health Hospital provision. Further improvements and investment were planned over the next 12-18 months which was hoped would not only improve services for people in a mental health crisis, but also provide early support to prevent escalation to crisis.

With regard to the closure of the crisis provision at Cedar House at the end of September, the Council was currently working with the mental health trust – RDaSH, to ensure that all the people who have previously accessed the crisis provision at Cedar House have a new patient-centred crisis plan. These plans would look different for each person as each examined what type of help the individual would require during a crisis.

The Cedar House service would be replaced from 1st October, 2017 by the use of alternative service models. Support would come from the:-

- Mental health specialists based at the Urgent and Emergency Care Centre in the hospital.
- Mental Health Liaison service at the hospital.
- RDaSH Crisis and Home Treatment team in the individuals own home.
- Integrated Rapid Response service in the individuals own home.

The Council was also developing an appropriate protocol/pathway to address the needs of individuals experiencing an extreme heightened state of mental ill health due to inappropriate, unsafe housing issue/homelessness. This would ensure that alternative accommodation was available for people who have to be supported outside of their homes i.e. through use of emergency 'Crash Pads'.

Mrs. Thackery, in a supplementary question, referred to an online petition that had been running to save Cedar House which had attracted over 2,000 signatures and asked if she could present this to Council in October, 2017.

Councillor Roche, whilst not yet in receipt of the petition, pointed out the decision to close Cedar House was made as part of the budget setting meeting of Council in March, 2017. This was not to say the services provided were not valued.

Councillor Roche agreed to meet with Mrs. Thackery to hear her concerns after the meeting.

56. MINUTES OF 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 10th July, 2017, be received.

Mover:- Councillor Read

Seconder:- Councillor Alam

57. PROPOSED AMENDMENTS TO THE CONSTITUTION - STANDING ORDERS AND EMPLOYMENT PROCEDURE RULES & CODE OF CONDUCT

Consideration was given to the report which detailed recommendations from the Constitution Working Group and the Standards and Ethics Committee regarding amendments to the Constitution and Standing Orders undertaken by the Association of Democratic Services Officers.

Resolved:- (1) That the amendments to Standing Orders be agreed and the Constitution amended accordingly.

(2) That Contract Standing Orders be removed from Appendix 4 and included in Appendix 5 of the Constitution, with Financial Regulations, and the new Appendix 5 be renamed Financial Procedure Rules.

(3) That Standing Orders be renamed Council Procedure Rules.

(4) That a New Appendix 7 entitled Officer Employment Procedure Rules & Code of Conduct be adopted within the Constitution.

(5) That the name of the Appeals and Grievance Panel in Appendix 9 of the Constitution, Scheme of Delegation, be amended to Appeals Panel and the Grievance Policy be amended to reflect the removal of the provision for an appeal to Members under that policy.

Mover:- Councillor Read

Seconder:- Councillor Alam

58. MEMBERSHIP OF COMMITTEES, PANELS AND BOARDS

Consideration was given to the proposed changes to the membership of committees, panels and boards.

Resolved:- (1) That Councillor M. Elliott fill the UK Independence Party Group vacancy on the Licensing Board.

(2) That Councillor Sansome replace Councillor Tweed on the Health Select Commission.

(3) That Councillor Tweed replace Councillor Sansome on Improving Lives Select Commission.

Mover:- Councillor Read

Seconder:- Councillor Beck

59. NOTICE OF MOTION - NJC (NATIONAL JOINT COUNCIL) PAY TO COUNCILS

Proposed by Councillor Hoddinott and seconded by Councillor Andrews

Rotherham Metropolitan Borough Council notes that:-

- NJC basic pay for local government workers has fallen by 21% since 2010 in real terms.
- NJC workers had a three-year pay freeze from 2010-2012.
- Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings.
- NJC pay is the lowest in the public sector.
- Job evaluated pay structures are being squeezed and distorted by bottomloaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage.
- There are growing equal and fair pay risks resulting from this situation.

This Council therefore supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of Council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This Council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements. This Council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

This Council therefore resolves to:-

- Call immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard.
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review.
- Meet with local NJC union representatives to convey support for the pay claim and the pay spine review.

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

60. 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

Seconder:- Councillor Allen

61. AUDIT COMMITTEE

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

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

62. HEALTH AND WELLBEING BOARD

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

Mover:- Councillor Roche

Seconder:- Councillor Evans

63. PLANNING BOARD

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

Mover:- Councillor Atkin

Seconder:- Councillor Walsh

64. LICENSING BOARD SUB-COMMITTEE

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

Mover:- Councillor Ellis

Seconder:- Councillor Beaumont

65. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

There were none.

66. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) **Councillor Cowles** referred to the Times on the 2nd September, 2017 where Sarah Champion stated "If they all knew what was going on why didn't the people who were meant to protect them do anything about it." He asked if the Leader could say, as according to Jay members knew about this and why did anyone not do anything about protecting vulnerable teenagers?

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The Leader explained the failures in Rotherham in dealing with child sexual exploitation had been laid bare more clearly than anywhere else in the world and he could add little to what was in the public domain about failings in the Council. It was seen from the reports last week that there was activity during the period of child sexual exploitation which meant children were failed badly and sadly short of the service people should expect and that failure was demonstrated. The situation was very different today with Members, Officers and Commissioners working together and this would continue to get better over time.

As part of his supplementary question Councillor Cowles digressed and referred to this week's Cabinet and Commissioners Meeting and buried within the performance report were figures for CSE instances in the first quarter for the current year. 45 cases were reported in the first quarter and if these were extrapolated this could be 135 a year with around 1350 over ten years. He asked what had changed and how was the situation being got hold of because he suspected if Professor Jay returned she might reach a similar conclusion to himself that the Council was not making the progress that was suggested.

Going back to Ms. Champion who this week (9th September) stated the "floppy left" was failing vulnerable children for fear of being branded racist, Councillor Cowles pointed out he could write to Ms. Champion and ask her this question himself, but having written previously to all three Rotherham Members of Parliament and not received a response, he asked if the Leader could write to her and ask who she meant were the "floppy left" and who were they from the previous week to deal with this issue properly.

The Leader was clear and had repeatedly said this in the press that there would always be in society people who wished to prey and sexually exploit children. The task would be misjudged if this was not the starting premise.

Beyond that it was the response in keeping children safe and how children were prevented from coming into contact with perpetrators across the different agencies. The measure had been included in the performance report about referrals about child sexual exploitation as a reminder that there would be children who needed protection. This had been the mistake made before.

What had now changed was that the Practice Partner, Lincolnshire Council, was now satisfied there was no longer any 'widespread systemic failures'. There was still a long way to go, but there was much stronger oversight by Members in how services were run alongside the work undertaken the Multi-Agency Safeguarding Hub team. If any Member wished to go and see that team they were welcome to do so and ask questions of what challenges they faced.

Children's Services had had £20 million invested which had facilitated the recruitment of more staff protecting children with lower caseloads. The service was now moving fast in the right direction.

In the last two and a half years thirty perpetrators from past and more recent abuse have been sentenced to more 350 years in prison.

(2) Councillor Cusworth referred to the ever increasing demand on Adult Social Care and asked could the Cabinet Member please tell her how the Council was making the best use of the increased Better Care Fund.

Councillor Roche, Cabinet Member for Adult Social Care and Health, confirmed the allocation of additional funding for Adult Social Care in Rotherham under the Improved Better Care Fund was £6.2m in 2017/18, £3.8m in 2018/19 and £1.9m in 2019/20. This was tapered funding and, therefore, investments must be sustainable within the budget allocation for the three year period.

This additional Fund would allow for concentration on early intervention and prevention and inform the Place Plan, such as support for the 24 hour emergency centre and the health village.

The Rotherham IBCF Plan had been submitted to NHS England within the 11th September, 2017 deadline following agreement between the Council and Rotherham CCG, with ratification from the Health and Wellbeing Board. The Plan had five themed areas for investment of the full £6.2m in 2017/18 and further proposals for 2018/19:-

- 1) Sustainability and mitigation of service reduction, to allow transformation.
- 2) Information Sharing / system development.
- 3) Leadership capacity for system transformation.
- 4) Discharge pathways and patient flow.
- 5) Market capacity/sustainability.

Three examples of some of the areas for investment included:-

Given the wider financial challenges and to support the wider health system, it was imperative the frontline functions of Adult Care are sustainable. It was, therefore, proposed to utilise £4m from the SYB Sustainability and Transformation Collaborative Partnership Board - 08.09.17 IBCF to mitigate against adverse impacts across all cohorts supported by Adult Care. This would allow for the joint funding, transform our services and integrated place plan and provide additional social work capacity.

Rotherham had an excellent national reputation for embracing the wholesale use of social prescribing by GP's to support people with long term conditions and mental ill-health. The service was run by Voluntary

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Action Rotherham (VAR) and it was proposed to invest a further £100,000 in the model. This investment would increase the social prescribing offer to support low level mental health and social isolation for adults within the Borough.

An investment of £60,000 to design an integrated approach to Delayed Transfers of Care discharge pathways would facilitate further multi-disciplinary working to improve patient flow and ensure that people go home where possible and when this was not possible that they go to the most appropriate setting.

Councillor Roche was convinced that this additional funding would make a real difference to the services provided with a deeper partnership between the hospital and the CCG.

(3) Councillor Reeder asked could the Leader tell us how much the investigation report that was released on Wednesday cost the tax payers of Rotherham.

The Leader confirmed the six reports produced that were released last week came at a total cost of just of £440,000.

(4) Councillor Carter asked why did Councillor Read not make himself available to the press on 7th September, 2017 to answer questions on the latest reports of investigations after the Jay and Casey inquiries?

The Leader confirmed this matter fell to him as Leader with overall responsibility to field those kind of enquiries from the media. On the day of the meeting he was interviewed by Channel 4 News, BBC, Hallam FM, Rother FM, the Rotherham Advertiser and he spoke briefly to the Yorkshire Post.

He was unaware he was asked to undertake any media interviews on the following day (7th). Following reports that no-one had come forward from Radio Sheffield the Leader offered time in his diary on the 8th September, but no-one turned up at the agreed time. The Leader queried Councillor Carter's attendance on the 6th September, 2017.

In a supplementary question Councillor Carter asked did the Leader, having heard what he had heard today, not think it was correct that the public were unable to ask questions on the day of the Council Meeting and the inability to question the Leaders of this Council on serious matters such as serious matters of child sexual exploitation.

The Leader explained there were arrangements in place to enable people to do this which required individuals to put questions in advance of Council meetings. There was also the opportunity to ask questions at the Cabinet meeting without formal notice.

The Leader was open to public questions and if anyone wanted to ask him a question in private his email address and address were in the public domain and were welcome to do so.

(5) **Councillor Cowles** confirmed that in the report of the Federation for Small Businesses it was reported “we are delighted that the Councils of Yorkshire have unanimously agreed this most effective way of building an inclusive economy within Yorkshire that works for all”. All, that was, except Sheffield and Rotherham, who were conspicuous by their absence and he asked the Leader to explain what was going on?

The Leader explained he had been given a commentary about what had been happening over the last few months. The position of the Council had not changed with the devolution deal that was signed two years ago alongside colleagues from South Yorkshire. It was considered then and still was considered to be the best solution to delivering devolution to South Yorkshire.

In view of other legal challenges other Leaders had taken a different view, looking at alternatives and were discussing the possibility of taking forward a Yorkshire deal. An announcement would be made early next week about the next stages for South Yorkshire, but no deviation had been made from what the Council believes was the best route for Rotherham.

In a supplementary question Councillor Cowles referred to it appearing that Sheffield City Region was splintering with Chesterfield and Bassetlaw seemingly intent in one direction and Barnsley and Doncaster in another. Rotherham and Sheffield seemed to no longer feature as part of the wider Yorkshire region and a sad day for the north and a sad day for the Sheffield City Region and asked if the Leader agreed.

The Leader agreed that the events were sad for the City Region. A proposal was being taken forward and interests had been expressed at moving away. Districts were never full members despite expressing an interest. There was talk of a choice between the Sheffield City Region and the Yorkshire deal, but there was no Yorkshire deal and no serious conversation taking place on what such a proposal would look like.

It remained the Leader’s view that the best way of securing investment and powers for the benefit of the Borough was through the Sheffield City Region. If that deal was not possible consideration would have to be given as to what other options there were, but not an option at this stage.

(6) **Councillor B. Cutts** asked what was the total cost of compensation to date for the sexual abuse and to how many and what to date was the total number under review?

The Leader explained there was a small number of people who have so far received compensation and a larger number going through the process. As there was such a small number involved he had been legally advised he could not provide the information on how many were involved and how much they had received as they may be identifiable.

Councillor B. Cutts gave this as a typical example of the answer given to the public from this Chamber because there are few numbers the information could not be given. He went on to ask, therefore, how many more were in the pipeline.

The Leader could confirm there were fifty-seven cases seeking compensation consideration at this time. At the centre of all this was the victims, survivors and their families and due to the small numbers involved it was possible to identify who they may be and he did not wish to place this at risk.

(7) Councillor Cowles explained following the Improvement Plan Meeting, the CEO informed us she had tried to get shared services projects with other local authorities. She had little success, there was no political will for such projects. He asked why was the Leader and his colleagues preventing the implementation of a modern efficient council across the region?

The Leader confirmed he was not preventing any implementation of a modern efficient council across the region.

In a supplementary question Councillor Cowles referred to such projects that realised an improvement in efficiency and 10-20% reduction in operating costs. In order to provide the tax payer with the least cost back office functions surely you as Leader should be pressing for such projects amongst your colleagues rather than simply ignoring.

The Leader pointed out that if Rotherham's Chief Executive was the lead Chief Executive trying to develop shared services because he did not want to see them happening, then Councillor Cowles was misunderstood.

(8) Councillor Cowles confirmed following the bank holiday, he was invited to Eastwood it was grim, fly-tipping still rife, ordinary litter and nut shells everywhere, and the subway stank. People state that the Council was deluded if they suggested it was improving. He asked where was the enforcement when it was needed?

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, shared information on enforcement and confirmed since April 2017, 195 fixed penalty notices have been issued 51 formal enforcement notices have been issued since April relating to a range of offences including overcrowding, housing hazards, noise nuisance, waste in gardens and filthy and verminous premises. 6 prosecutions were currently awaiting court action.

Last year (2016/17), there were 438 enforcement investigations including 38 for fly-tipping offences and 175 for the accumulation of waste in gardens.

It was not just about enforcement there was the Eastwood Deal with a whole range of activity with other agencies, 5 community litter picks; one of which was attended by over 40 members of the community and very successful.

Issues were ever changing and agencies and Ward Councillors would respond to see what could be done.

In a supplementary question Councillor Cowles described Eastwood as a 7 x 24 problem with the plan no more 5 x 8 response sheet. He asked where was the enforcement when it was needed. The place was covered in litter and nut shells and it was irrelevant how many fixed penalty notices had been issued as it was not enough.

Councillor Cowles would not be raising Eastwood again, but would simply put photos in the media with a cost to date.

Councillor Hoddinott responded by confirming the residents of Whiston would welcome Councillor Cowles not asking questions about Eastwood.

(9) Councillor Cutts asked when was there to be acceptance of the offer to restore the old building in the conservation area on Domine Lane as this would only further delay/disadvantage the needed employment of “craft” skills with in the town.

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, explained the Council had agreed to the sale of Westgate Chambers subject to planning and contracts have been exchanged. A planning application had been submitted from the developer to both restore and redevelop the building and this was progressing through the planning process. The application was available for viewing via the Planning Portal and was for 50 apartments plus ground floor commercial space and work had been taking place with the developer who had been stripping the building out and a bat survey undertaken.

In supplementary question Councillor B. Cutts asked who the developer was of this building.

Councillor Lelliott confirmed the developer to be HMP Bespoke Construction Ltd. – a Mr. Peter Hill.

(10) Councillor B. Cutts referred to Riverside Offices and asked what were the circumstances and who was responsible and mind-set that positioned the most important flag into the least conspicuous position.

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The Leader was pleased to report the Council followed the guidance included in "The Flag Institute A Guide to Flag Protocol in the United Kingdom", this set down the precise order that should be followed when flying flags on multiple flag poles. Where there were two or more flagpoles parallel to the building line, the senior National Flag should be the first flag on the left of an observer facing the main entrance of the building. The remaining flags then appear in order of precedence from left to right.

In the case of Riverside the protocol stated that the order of precedence for four flag poles for the "default flags" are:-

Flag Pole 4: National (union flag) which took the honours (which was the first flag pole to the right hand side with your back to the main entrance of Riverside House).

Flag Pole 3: National flag of the country (George Cross).

Flag Pole 2: Counties and metropolitan cities (Yorkshire flag).

Flag Pole 1: Cities and towns. (Rotherham Flag).

In a supplementary question Councillor B. Cutts why the Union Flag flown the furthest away from the road.

The Leader responded again by confirmed in light with national guidelines and protocols the senior flag was the one that is flown the furthest away from the road.

(11) Councillor B. Cutts asked when the Commissioners gave the Rotherham Council's report to the Council and public on Wednesday the 6th last week could the Leader give him a list of constraints placed on Councillors and the reason why.

The Leader explained the investigations reports published on Wednesday, 6th September were written by independent authors, they were not reports of the Council. The meeting convened for 2.00 p.m. on Wednesday, 6th September was not a formal Council meeting, but was rather a meeting held in public to formally receive the investigations reports from the independent authors.

In recognition of the way in which the Jay Report had been published in 2014, Members were given the opportunity to read the reports from 9.00 a.m. on the day of the meeting. Under that arrangement, Members were asked to sign for a numbered copy of the pack of reports to ensure that information was not subject to wider circulation ahead of the formal publication of the investigation reports at 2.00 p.m. The reason for the use of numbered copies to be read within Committee Rooms 1 and 2 was to ensure that Members would not be subject to allegations of leaking information prior to the publication of the reports.

The Leader acknowledged the need of Members to digest and have the opportunity to ask questions on the reports and some time would be set aside on the next Council agenda to enable this to happen.

In a supplementary question Councillor B. Cutts asked if the investigation report document was not a Council report why did he have to be supervised within the Town Hall if he left the reading room.

This had been covered in the comments by the Leader previously.

(12) Councillor Carter asked how could conclusions be drawn from these reports when 27 key people did not participate in these reports?

The Leader understood the frustrations around former Members and officers who refused to take part and agreed with Councillor Carter's premise that it would have been preferable if they had contributed.

In a supplementary question Councillor Carter struggled to see how conclusions could be drawn if evidence was lacking and found it peculiar that reports were commissioned only for them to come back and report that no-one was at fault, rather than there was not enough evidence to base recommendations or conclusions on. He asked if the Leader agreed.

The Leader believed the focus was around the Gowlings report which was about senior staff looking specifically at what was in the Council's domain around terms of employment and the Local Government Pension Scheme. Whilst much of the coverage he did not agree with, it was not possible to confirm if charges would be brought against certain people or not.

The reports were based on the terms of reference and questions asked and on the information available. It was limiting, but this was the chance for the Council to exercise any potential influence or authority, quite rightly these independent reports were commissioned on the Council's behalf and published so the public could draw their own conclusions.

(13) Councillor Carter asked now that a new library was planned for Brinsworth, what provisions have the Council made to make the new library sustainable?

Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, confirmed a detailed briefing had been provided for Councillor Carter on this issue. Discussions have been taking place for some time with Brinsworth Parish Council to find a long term solution aspirational and sustainable library provision in the area. The Parish Council and in particular Councillor Buckley had worked hard to get to this point and had been proactive and championed the cause locally to ensure a successful outcome.

The Parish Council's success in obtaining significant funding to deliver their new Community Resource Centre has opened up new opportunities to relocate the current library from Ellis Street, as part of the overall development. The Parish Council have recently submitted a planning

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application to develop an existing building on their site which could potentially include library provision, funded with support of Section 106 monies.

Whilst awaiting the outcomes of planning work had been taking place with the Parish Council looking at a detailed revenue plan which was not able to be shared at this time.

In a supplementary question Councillor Carter asked would the new library give local community groups subsidised rent or free use of the room.

Councillor Yasseen believed the Parish Council would consider as part of the plan to look at community use. Co-location of some services was being explored. However, should Councillor Carter have any further questions it was better he direct them to the Parish Council as part of their plans for the area.

(14) Councillor Carter asked now Council officers have looked into a new crossing on Bawtry Road in Brinsworth, would the Cabinet Member ringfence money to ensure that a new crossing happens?

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, thanked all three Ward Councillors for raising these issues on behalf of residents. A meeting took place recently to look at what safety measures were feasible and which could be implemented including some immediate safety measures on reducing the speed limit, narrowing running lanes and vehicle activated signs.

Discussion took place on a pedestrian crossing, which was not quite so simple given that it was such a long stretch of road. It was agreed that Councillors would discuss with local residents and local groups about what was the most appropriate place for a crossing in this area. A further meeting was planned, but it was difficult to ringfence funding until it was known was feasible and what would work in that area.

In a supplementary question Councillor Carter asked if officers were to look into this in further detail would it not be better use of officer time and less wasteful if the conclusion was a crossing in a certain area that the money was ring fenced in the first instance.

Councillor Hoddinott referred back to previous discussions and the need to consider safety requirements consultation processes which could mean the timescales may go beyond the financial year. It would be irresponsible to ringfence funding when further discussions were required and for Councillors to consult with local residents what was felt right for that area.

(15) Councillor Carter referred to the last meeting where this Council agreed to lobby the Government for more funding for the local NHS, when and what action has the Council taken to do this?

Councillor Roche, Cabinet Member for Adult Social Care and Housing, confirmed the Council agreed to write to Government to lobby for more funding for the local NHS and social care in the Borough. A letter had been sent to the Secretary of State for Health setting out the content of the Council's resolution on 12th July, 2017. The Council, as a member of the Local Government Association, continued to lobby for increased funding for both the NHS and Adult Social Care.

Members have lobbied the MP's representing the Borough to ensure that pressure had been applied both inside and outside of Parliament.

The Joint Health Overview and Scrutiny Committee for South Yorkshire, North Derbyshire and North Nottinghamshire, of which the Chair of our Health Select Commission was a member, continued to scrutinise the Sustainability and Transformation Programme plans and were a consultee on all proposals. It was clear that it was important that this area of work was better communicated and local people were consulted on the implications of any proposals which may arise.

The Labour Party was rightly proud of the NHS. If the previous Liberal Democrat coalition with the Tory Government along with the current Tory Government had really thought through what was needed in the NHS or a reform programme, it would not have needed a motion that came to the Council in July. Nurses and doctors in the NHS were dissatisfied and it was hoped that it did not come to privatising the NHS and the lobbying was making a real difference.

In a supplementary question Councillor Carter heard of what had happened, but asked for an indication of when those things would happen and asked could he have a written copy of those actions taken.

Councillor Roche confirmed this would be provided outside of the meeting.

(16) Councillor Carter asked what was the Council doing to improve air quality in Rotherham?

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, confirmed the Council had statutory obligations to declare Air Quality Management Areas in locations where air pollution exceeded national trigger levels. In Rotherham there was a particular issue around traffic movements and a number of things have been implemented to improve congestion in key areas and reduce speed limits to try to mitigate this.

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The Council also undertook other work to affect air pollution in the Borough, including enforcement of compliance of emissions limits in industrial premises, smoke control and domestic statutory nuisance enforcement against domestic pollution.

The Council would like to do more on air pollution and had made recent bids to increase electric car usage, but these have been rejected.

In a supplementary question Councillor Carter referred to the school at Tinsley which had recently been moved further away from the motorway due to air quality. He asked would this Council consider making better provisions within his Ward and around the Borough to improve air quality around schools.

Councillor Hoddinott indicated this was a National Government issue. Rotherham suffered with major motorways going through the Borough which were a major source of air pollution. More action was required than reducing speed limits and extra lanes to tackle vehicle emissions. The Government need to seriously improving electric car infrastructure, tackling diesel emissions and scrappage schemes.

Unfortunately, the Government Air Quality Plan solution was to include road charging and had recommended charging on the Parkway and Centenary Way. This was not a solution as this would disperse traffic onto residential roads and make the position even worse for residents. Government had listened in part to the Council's objections and had removed proposals for the charging on Centenary Way, but still wanted to consider or implement charging on the Parkway. The Council had real concerns and how this would affect residents and key strategic sites like the AMP. The Government had requested a Feasibility Study on road charging, but this was not the solution and more Government action was needed.

(17) **Councillor Carter** asked what was the Council's position on new fracking developments in Rotherham?

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, the Council did not have a specific position in respect of 'fracking' developments. Each application submitted would be considered on its own merits, in accordance with National and Local Policy and taking account of all material planning considerations.

A Members' seminar was held recently which gave all the details around fracking. Unfortunately, Councillor Carter was not present and could have received all the information he required.

(18) **Councillor Carter** asked was the Council working towards making all Council buildings carbon neutral?

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, confirmed the Council did currently have a policy for working towards making all Council buildings carbon neutral. The Council did adopt a 2% year on year CO2 reduction target for operational buildings and street lighting in 2010, complying with the Government target of 80% (from the 1990 baseline) by 2050.

The Council had exceeded this target each year since 2014.

If needed the figures are:-

Emissions Annual Reporting Period	Total Emissions (tonnes of CO2)
2014/2015	14,589
2015/2016	12,796
2016/2017	10,896

Examples of how the Council was reducing its emissions include the conversion of street lighting to LEDs, switching to LED lighting in buildings (for example in Riverside House), use of solar panels (e.g. in schools), better insulation and other energy efficiency measures.

Officers were in the process of reviewing and developing a new environmental and energy policy that would be ready for Cabinet Member consideration in the Autumn, prior to public consultation.

A full copy of the response would be provided to Councillor Carter in writing and an opportunity of speaking to the Cabinet Member and relevant officers was offered.

In a supplementary question Councillor Carter asked would the Council commit to all new Council buildings becoming more carbon neutral and environmentally friendly.

Councillor Lelliott confirmed this would be looked at in all developments, but confirmed she was happy to sit down with Councillor Carter and look at this further.

(19) **Councillor Carter** asked as Rotherham only had one Park Green Flag award were there plans in place to increase the number of awards won by 2020?

Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, confirmed Rotherham residents were lucky that they had access to so many green spaces such as country parks at Ulley, Thrybergh, Rother Valley and, of course, Clifton Park. All within access of a few miles.

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There were currently no plans to increase the number of applications to Green Flag for urban parks in Rotherham. This was as a result of previous budget decisions, which required savings to be made in relation to the cost of entering parks for the award and reductions in grounds maintenance resources that made meeting the necessary standards more challenging.

Priority had been given to Adult and Children's Services so it means investment needed to apply for Green Flag status more challenging.

However, the service was applying for Country Park Accreditation at two country parks (Thrybergh and Rother Valley) as there was no cost for this and to date standards at these parks have been maintained.

It was also pointed out that from Rotherham consultation undertaken in 2015, it was reported that the parks and green spaces were in the top three priorities for residents and as part of the Cultural Strategy process the Council was reviewing plans with partners for parks and green spaces, including participation in Green Flag and other award schemes and becoming more creative.

In a supplementary question Councillor Carter alluded to other funds and budgets that could be applied for as a Council and asked would lottery funding be applied for to improve the park provision in Rotherham given the importance for communities.

Councillor Yasseen confirmed some of this was already done by the Assistant Director for that area to enhance the investment in Rotherham as part of the cultural offer and how to be more creative. The Council did readily apply for pots of money when they became available and there were a couple of opportunities currently, the details of which would be forwarded on to Councillor Carter for information.

(20) **Councillor Carter** asked how could the Council properly scrutinise external bodies when Council bodies were accepting verbal, not written reports?

The Leader explained in general reports were received for meetings, but asked Councillor Carter if he had an examples have in mind.

In a supplementary question Councillor Carter referred to the briefing pack for the Health and Wellbeing Board and asked should it not be a written premise that written reports be received so Members could give proper consideration and digest before having to react to a verbal report given by an external body.

The Leader explained it depended very much on the circumstances if there were particular developments or proposals to study written documents. However, this was sometimes difficult for public sector partners who were under pressure and more a matter for the Chair to take

a view what was appropriate when matters were to be reported into those meetings.

(21) **Councillor Carter referred to the** Health Board noting that the number of care homes in Rotherham rated as inadequate was 23.3%, around the national average and asked why was the Council accepting mediocrity when looking after vulnerable people?

Councillor Roche, Cabinet Member for Adult Social Care and Health, explained there were often good reasons why a Member could not attend a meeting, but had Councillor Carter attended a seminar on care homes in Rotherham a few months ago he would have received a more detailed report. That seminar was based on a very similar question raised at full Council a few months ago and offered to send Councillor Carter the information from the seminar and any other associated document.

At the seminar it also went into detail why powers were so very limited because all were private businesses. It was hoped Councillor Carter would attend the seminar later on the year by CQC which regularly monitored the quality of care. The Cabinet Member had spoken to the Lead Inspector from CQC and she was happy with the state of affairs in terms of Rotherham's care homes.

There were 35 independent sector care homes in Rotherham that supported Adults (65+) supplying 1709 beds that provided residential care, nursing care and specialist dementia provision. All were contracted with the Council's Adult Care Directorate who implement a robust contract monitoring system.

One failing care home in Rotherham was one too many, but contrary to suggestion of mediocrity as the picture of quality in the region reported by *Independent Age: Care Home Performance Across England*, as of January 2017 describes Rotherham as in third in terms of rank for quality in the region (1 best – 15th worst):-

1. Doncaster (18.2%)
2. East Riding (22.0%)
3. Rotherham (23.3%)
4. City of Kingston upon Hull (24.1)
5. North Yorkshire (24.2%)
6. North Lincolnshire (25.5%)
7. North East Lincolnshire (32.0%)
8. Sheffield (32.7%)
9. Barnsley (36.7%)
10. York (39.5%)
11. Leeds (39.5%)
12. Kirklees (39.7%)
13. Calderdale (43.1%)
14. Bradford (46.5%)
15. Wakefield (46.0%)

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A dedicated team of Officers regularly monitored the quality of care in collaboration with health partners Safeguarding and the Care Quality Commission (CQC) – the latter having the statutory responsibility for care quality. The Adult Care Directorate had systems to capture contract concerns, reports of concerns from professionals visiting care homes via the 'eyes and ears' reporting, and safeguarding issues and to maintain oversight both remotely and by attending the locations.

A Quality Board had been established and was led by the Council. This would meet for the first time in late September and had membership from a range of health and care stakeholders and the CQC. The Quality Board would have a focus on quality, safety and effectiveness of services commissioned and delivered by the Council and Rotherham CCG. The Quality Board would bring together the different parts of the system to share information and would be a proactive forum for collaboration and report to the Health and Wellbeing Board.

In a supplementary question Councillor Carter asked would the Council commit to aim to becoming the best in the region in terms of care home provision.

Councillor Roche confirmed he would certainly aspire to do his best.

(22) **Councillor Carter** referred earlier this year to the district heating scandal and asked what guarantees could the Cabinet Member give to residents in his Ward that they were not facing similar unprecedented charges?

Councillor Beck, Cabinet Member for Housing, confirmed the charges for all district heating schemes were in the process of being reviewed. Reports and recommendations would come forward and it was expected reductions would be made. The properties in the Brinsworth Ward would be involved.

The review would include residents and if any Elected Member wished to become involved then please let the Cabinet Member know.

For information as part of the engagement exercise with tenants on the district heating schemes sixteen events were planned. Seven had already taken place and the one for Brinsworth would be on 28th September, 2017. Details would be forwarded on to Councillor Carter.

Councillor Wyatt raised a point of clarification on the issue of district heating and urged the Cabinet Member for Housing to press on with the review as a written response received from the Director of Housing back in February, 2016 indicated rebates would be issued where appropriate.

(23) Councillor Carter referred to Votes at 16 being a longstanding Liberal Democrat policy. Since the Council backed this at the last Council meeting, what had the Council done to make this closer to becoming a reality?

The Leader confirmed the Council had written to the Minister of State for the Constitution to lobby the Government to lower the voting age to 16 for all elections.

Councillors and MP's have continued to advocate the lowering of the voting age to 16.

In a supplementary question Councillor Carter asked would the Council, if a scheme was trialled in the country, be in favour of this for local Council elections here in Rotherham.

The Leader offered his personal opinion and agreed this would be a good idea.

(24) Councillor Carter referred to the last meeting when the Cabinet Member stated that the Council exceeded the new housing target last year and asked how many of these houses were built on Green Belt land?

Councillor Beck, Cabinet Member for Housing, confirmed this figure as none.

In a supplementary question Councillor Carter asked would this continue to be the case throughout the Council term.

Councillor Beck explained the Local Plan would be adopted next summer and on adoption great swathes of land across Rotherham would be released from Green Belt and developers invited to come forward for suggestions for development. The Planning Board was subject to its own regulations and would consider merits of each application as they came forward.

(25) Councillor Carter referred to IKEA moving to Sheffield and asked what plans do the Council have to attract major new retailers to the town?

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, confirmed IKEA have taken a large out of town store near to Junction 34 of the M1. Rotherham was well provided with out of town shopping options and continued to attract businesses and investors. For example, Australian firm, Bunnings, one of the world's leading retailers of home improvement and outdoor living products, had announced plans to open a new store in Rotherham by taking over the former B&Q store close to Parkgate.

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A number of new retail outlets have just opened or are about to open at Cortonwood including Marks and Spencer, JD Sports, Mountain Warehouse, Wilko's, H&M, River Island and New Look.

A major investment at Waverley for a new local and retail centre had also been submitted to the Planning Department.

It was also important to bring retailers into the town centre as part of the master plan and included the major investments for the cinema and food stores. The Town Centre Master Plan was agreed by Cabinet on Monday and applications from developers on how to take forward proposals were invited, alongside major industry projects bringing confidence and investment into the town.

On the finalisation of questions the Chief Executive clarified the reference to questions disappearing or being scrapped and confirmed some questions were removed as they did not meet constitutional requirements. Democratic Services had spoken to those individuals before the meeting to explain why they did not meet the criteria. Any Member seeking clarification on questions or how they should be framed should speak to Democratic Services before the next meeting.

67. URGENT ITEMS

There were none, but the Mayor allowed Councillor Cowles at this point to address the Council as part of his presentation of the petition requesting the re-introduction of monthly Area Assembly meetings.