



Council

Wednesday, 18 October 2017

2.00 p.m.

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

Rotherham
Metropolitan
Borough Council 

WELCOME TO TODAY'S MEETING

GUIDANCE FOR THE PUBLIC

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. 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.

FACILITIES

There are public toilets, one of which is designated disabled with full wheelchair access, with full lift access to all floors. Inducton 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
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james.mclaughlin@rotherham.gov.uk

Date of Publication:- 10 October 2017

COUNCIL

Wednesday, 18 October 2017 at 2.00 p.m.
Council Chamber, Town Hall, Moorgate Street, Rotherham. S60 2TH

THE MAYOR (Councillor Eve Rose Keenan)
DEPUTY MAYOR (Councillor Alan Buckley)

CHIEF EXECUTIVE (Sharon Kemp)

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

Time and Date:-

Wednesday, 18 October 2017 at 2.00 p.m.

Venue:-

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

1. ANNOUNCEMENTS

To consider any announcements by the Mayor in accordance with Council Procedure Rule 3(2)(ii)

2. APOLOGIES FOR ABSENCE

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

3. 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.

4. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 1 - 24)

To receive the record of proceedings of the ordinary meeting of the Council held on 13 September 2017 and to approve the accuracy thereof.

5. PETITIONS

To report on any petitions received by the Council and receive statements in support of petitions in accordance with the Petitions Scheme and Council Procedure Rule 13.

6. 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.

7. PUBLIC QUESTIONS

To receive questions from members of the public who may wish to ask a general question of the Mayor, Cabinet Member or the Chairman of a Committee in accordance with Council Procedure Rule 12.

8. EXCLUSION OF THE PRESS AND PUBLIC

Agenda Item 10 (Recommendation from Cabinet – Swinton Town Centre Redevelopment) has two exempt appendices. Therefore, if necessary, the Mayor 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 item of business 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.

9. LEADER OF THE COUNCIL'S STATEMENT

To receive a statement from the Leader of the Council in accordance with Council Procedure Rule 9.

10. MINUTES OF THE CABINET AND COMMISSIONERS' DECISION MAKING MEETING (Pages 25 - 44)

To note the minutes of Cabinet and Commissioners' Decision Making Meeting held on 11 September 2017.

11. SWINTON TOWN CENTRE REDEVELOPMENT - DEVELOPMENT BRIEF AND ACQUISITION OF INTEGRAL SITE (Pages 45 - 71)

To consider, subject to recommendation by Cabinet, a proposal in respect of addition to the Capital Programme of the acquisition of the integral site for the Swinton Town Centre redevelopment.

12. RECOMMENDATION FROM STANDARDS AND ETHICS COMMITTEE - REVIEW OF CODE OF CONDUCT AND ASSOCIATED PROCEDURES (Pages 72 - 86)

To consider recommendations from the Standards and Ethics Committee arising from a review of the Code of Conduct and associated procedures.

13. AUTHORISATION OF OFFICERS TO REPRESENT THE COUNCIL IN MAGISTRATES COURT PROCEEDINGS AND THE DELEGATION OF THE POWER TO AUTHORISE OFFICERS TO THE ASSISTANT DIRECTOR OF LEGAL SERVICES (Pages 87 - 90)

To consider a report seeking authorisation for officers to represent the Council in Magistrates Court proceedings and to delegate the power to authorise officers to the Assistant Director of Legal Services.

14. MEMBERSHIP OF COMMITTEES, PANELS AND BOARDS

To approve the following membership change to Committees, Panels and Boards:-

- Councillor Julie Turner to replace Councillor Napper on Improving Lives Select Commission, leaving a vacancy for the UKIP Group on Improving Places Select Commission.

- Councillor Ireland to replace Councillor Allcock on Improving Lives Select Commission, leaving a vacancy for the Labour Group on Health Select Commission.

15. OVERVIEW AND SCRUTINY UPDATE (Pages 91 - 98)

To receive an update on the activities of the Council's Overview and Scrutiny bodies in accordance with Council Procedure Rule 14.

16. SCRUTINY REVIEW - ALTERNATIVE MANAGEMENT ARRANGEMENTS FOR CHILDREN'S SERVICES IN ROTHERHAM (Pages 99 - 265)

To receive the scrutiny review and recommendations in respect of Alternative Management Arrangements for Children's Social Care.

17. SCRUTINY REVIEW - EMERGENCY PLANNING (Pages 266 - 313)

To receive the scrutiny report and recommendations in respect of Emergency Planning.

18. NOTICE OF MOTION - FRACKING

That this Council notes:-

- With concern that the government has made fracking a central plank of the UK's energy policy.
- That a number of exploratory licences have been granted across the North of England, including covering a large part of the Rotherham borough.
- That in areas where exploratory drilling is under consideration, local residents have expressed concern.
- That the Labour Party manifesto at the 2017 General Election included a clear commitment to ban fracking.
- That UKIP's 2015 election manifesto declared it's "time to get 'fracking'" and that "UKIP supports the development of shale gas..." UKIP's 2017 manifesto stated that "UKIP will invest in shale gas exploration."
- That all planning applications relating to fracking must be considered on their merits in planning terms, within the rules set out by the government.

That this Council, therefore:-

- a) Regrets the decision of the then Liberal Democrat Secretary of State for Energy and Climate Change, Ed Davey, to lift the national ban on fracking in 2012.
- b) Commits to not allow any fracking activities, including survey work, on Council owned or controlled land and property.

Proposer:- Councillor Beck

Seconder:- Councillor Wilson

19. NOTICE OF MOTION - INDEPENDENT INVESTIGATION REPORTS

This council notes:

1. The publication of independent reports on Wednesday 6th September 2017 into issues raised by Professor Jay's 2014 report into child sexual exploitation in Rotherham over the period between 1997 and 2013
2. With great disappointment that the reports were unable to recommend disciplinary action or sanctions relating to the pensions of any former or current member of staff at Rotherham Borough Council, relating to the failings at the council between 1997 and 2013
3. That the Leader of the Council has subsequently written to the Secretary of State for Communities and Local Government to ask him to consider the iniquity of the current law, under which senior managers can oversee systematic failures of public services seemingly without consequences, if they leave their jobs before those failings are exposed
4. That the Independent Police Complaints Commission continue to formally examine allegations of misconduct against 30 police officers during the time period covered by the Jay Report
5. That the National Crime Agency continue to pursue criminal investigations relating to the period covered by the Jay Report, the largest ever criminal investigation into non-recent child sexual exploitation in the UK
6. That significant progress has been made since the publication of the Jay Report in Rotherham, resulting in 30 perpetrators of child sexual exploitation offences being sentenced to a total of more than 350 years in prison

The council therefore resolves to:

1. Express our deep sorrow for the failings of the past within the council, and to continue to prioritise dealing with child sexual exploitation
2. Ensure that the new Senior Leadership Team of the Council take responsibility for ensuring the recommendations of the September 6th reports are followed through
3. Recognise the bravery of Rotherham's child sexual exploitation survivors and their families, who were so badly let down
4. Continue to support all efforts to bring perpetrators of child sexual exploitation, and any professional who colluded in such abuse or otherwise engaged in any other related criminal activity, to justice
5. Make formal representation to the Home Office with regards to the "Fusion Bid" for additional essential financial support to ensure that survivors of child sexual exploitation in Rotherham have the best possible support during forthcoming criminal trials of alleged

perpetrators

6. Condemn unequivocally those former members of staff and elected members of the council who declined to take part in the independent investigations that reported on September 6th; their unwillingness to try to help survivors to seek justice is utterly unacceptable
7. Make formal representation to the government in order to ensure that new guidelines to the Criminal Injuries Compensation Board make it clear that a child under the age of 16 cannot consent to their own abuse; it is not acceptable that victims of child sexual exploitation offences have been refused compensation for this apparent reason

Proposer:– Councillor Read

Seconder:– Councillor Watson

20. NOTICE OF MOTION - PUBLIC INQUIRY INTO CHILD SEXUAL EXPLOITATION (CSE)

This council wishes to show both solidarity and support with the victims of CSE, their families and the wider general public of Rotherham in requesting the following:

That the Prime Minister should without delay authorise a full public inquiry to be conducted by an agreed independent body of the period covered by the Jay Report into CSE. This inquiry should have the authority to investigate all persons from all functions and departments both public and private sector, in order to identify those who were aware of what was taking place and who took little or no action to prevent further harm to victims and to make them both responsible and accountable for their actions.

Proposer:– Councillor Cowles

Seconder:– Councillor Jepson

21. STANDARDS AND ETHICS COMMITTEE (Pages 314 - 318)

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

To confirm the minutes as a true record.

22. AUDIT COMMITTEE (Pages 319 - 326)

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

To confirm the minutes as a true record.

23. HEALTH AND WELLBEING BOARD (Pages 327 - 336)

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

To confirm the minutes as a true record.

24. PLANNING BOARD (Pages 337 - 340)

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

To confirm the minutes as a true record.

25. LICENSING BOARD SUB-COMMITTEE (Pages 341 - 343)

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

To confirm the minutes as a true record.

26. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

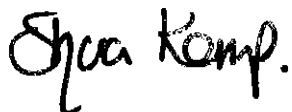
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council Procedure Rule 11(5).

27. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

To put questions, if any, to Cabinet Members and Chairmen (or their representatives) under Council Procedure Rules 11(1) and 11(3).

28. URGENT ITEMS

Any other public items which the Mayor determines are urgent.



SHARON KEMP,
Chief Executive.

**The next meeting of the Council will be on
Wednesday 13 December 2017 at 2.00 p.m. at the Town Hall.**