



CABINET AND COMMISSIONERS' DECISION MAKING MEETING

**Monday, 13 November 2017
10.00 a.m.
Council Chamber, Town Hall,
Moorgate Street, Rotherham. S60 2TH**

Cabinet Members:-

Leader of the Council	Councillor Chris Read
Deputy Leader of the Council	Councillor Gordon Watson
Adult Social Care and Health Portfolio	Councillor David Roche
Corporate Services and Finance Portfolio	Councillor Saghir Alam
Housing Portfolio	Councillor Dominic Beck
Jobs and the Local Economy Portfolio	Councillor Denise Lelliott
Neighbourhood Working & Cultural Services Portfolio	Councillor Taiba Yasseen
Waste, Roads and Community Safety Portfolio	Councillor Emma Hoddinott

Commissioners:-

Lead Commissioner Mary Ney
Commissioner Patricia Bradwell
Commissioner Julie Kenny



CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Venue: **Town Hall, The Crofts,
Moorgate Street,
Rotherham. S60 2TH** **Date:** **Monday, 13th November, 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 in respect of matters within the Council's area of responsibility or influence.

Subject to the Chair's discretion, members of the public may ask one question and one supplementary question, which should relate to the original question and answered received.

4. Minutes of the previous meeting held on 16 October 2017 (Pages 1 - 12)

To receive the record of proceedings of the Cabinet and Commissioners' Decision Making Meeting held on 16 October 2017.

5. Exclusion of the Press and Public

Agenda Items 15, 16 and 17 have exempt appendices. Therefore, if necessary when considering those items, 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 agenda items 15, 16 and 17 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.

DECISIONS FOR CABINET

6. September 2017/18 - Financial Monitoring Report (Pages 13 - 34)

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 £4.012m 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 and the proposed re-profiling of expenditure be noted.

7. Interim Review of Polling Places 2017 (Pages 35 - 48)

Report of the Strategic Director of Finance and Customer Service

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

Recommendations:

1. That Council be recommended to approve the proposals for polling places as outlined in Appendix 1, in particular that:
 - a) The polling place for AD polling district be changed from Anston Hillcrest Primary School to the Methodist Community Hall, Sheffield Road.
 - b) The polling place for CG and KG polling districts be changed from the AMRC Design Prototyping & Testing Centre, Wallis Way to the AMP Technology Centre, Brunel Way.
 - c) The polling place for ID polling district be changed from the Maltby Service Centre, Braithwell Road to the Wesley Centre, Blyth Road.
 - d) The polling place for KB polling district be changed from the mobile library to Aston Fence Junior & Infant School.

8. Cessation of Charging for Payments Made by Credit Card (Pages 49 - 54)
Report of the Strategic Director of Finance and Customer Service

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

Recommendation:

That surcharging credit card payments be stopped across all Council services and payment platforms from 30 November 2017.

9. Business Rates Discretionary Relief for Revaluation Support (Pages 55 - 70)
Report of the Strategic Director of Finance and Customer Service

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

Recommendation:

That the implementation of the Revaluation Support Scheme, as outlined in Appendix A, be approved.

10. Waste Options Appraisal - Consultation (Pages 71 - 80)
Report of the Strategic Director of Regeneration and Environment

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

Recommendations:

1. That consultation with the residents of Rotherham on proposed changes to household waste and recycling collection services be approved.
2. That a further report be submitted in February 2018 to report on the outcome of the consultation and present the recommended options for approval.

11. Equality Act 2010 Licensed Driver Medical Exemption Policy (Pages 81 - 91)
Report of the Strategic Director of Regeneration and Environment

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

Recommendation:

That the Licensed Driver Medical Exemption Policy, attached at Appendix 1, be approved.

**12. Provision of Public Health Services - Integrated Wellness Service
(Pages 92 - 100)**

Report of the Director of Public Health

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

Recommendations:

1. That the award of the contract for the provision of the Integrated Wellness Service to Parkwood Healthcare Ltd (for the period advertised in the specification of 3 years with the option of extending for a further two years on a year by year basis, contractually defined as 3+1+1 years) be noted.
2. That the significant change to the model of delivery of Public Health lifestyle and behaviour change services brought about by the awarding of the contract be noted.

**13. Voluntary and Community Sector Infrastructure Services Review
(Pages 101 - 123)**

Report of the Assistant Chief Executive

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

Recommendations:

1. That the activities and outcomes of the review into voluntary and community sector infrastructure services be noted.
2. That approval be given to the start of the grant bidding process and to the appointment of a lead provider for voluntary and community sector infrastructure services delivery; with a grant funding agreement to be in place for the period 1 April 2018 to 31 March 2021 with a three year value of £560,578.
3. That within the generality of infrastructure services, umbrella support and communications, the grant funding agreement be to prioritise the following activity:
 - a) Supporting the move to North, South and Central community based working and the evolving council approach to neighbourhood working by providing capacity building support to current, new and emerging community and voluntary sector organisations based in the areas across the borough;
 - b) Supporting the development of active citizenship by helping to build social capital in communities through volunteering (both informal and formal);

- c) Encouraging greater participation of the VCS at both strategic and operational level across networks and partnerships in the borough;
- d) Providing the support and development opportunities for individuals working in the voluntary and community sectors to participate in policy development and partnership working with the Council and other local partners;
- e) Providing external funding support to community and voluntary sector organisations, achieving increased external funding into the borough; and
- f) Promoting equalities and tackling inequalities, including building stronger communities through helping different communities to work together (particularly those facing social exclusion) to foster community cohesion.

14. Member Development Strategy (Pages 124 - 156)

Report of the Assistant Chief Executive

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

Recommendation:

That the Member Development Strategy be approved.

15. Proposed Rother Valley Country Park Caravan Site (Pages 157 - 194)

Report of the Strategic Director of Regeneration and Environment
(Exempt Appendices)

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

Recommendations:

1. That Council be recommended to include the Rother Valley Country Park Caravan Site project within the approved Capital Programme as an invest-to-save initiative.
2. That the project be developed further in accordance with the preferred options detailed in the report, including obtaining planning and any other required permissions, and obtaining tender prices for construction of a caravan site with additional pitches for tents, both with and without an optional second toilet and shower block.
3. That, following receipt, tenders be evaluated to identify which option is most economically advantageous and, following consultation with the Cabinet Member, the preferred contractor to build the caravan site be appointed.

16. District Heating Scheme Charges Review (Pages 195 - 205)
Report of the Strategic Director of Adult Care and Housing
(Exempt Appendices)

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

Recommendations:

1. That the content of the report be noted.
2. That the Council be recommended:-
 - a) To approve the revised district heating cost model.
 - b) To reduce the unit Kwh charge across all district heating schemes to 6.28p per kwh (incl. VAT) and apply retrospectively from 1 April 2017.
 - c) To reduce weekly pre-payment charges on all pooled schemes as detailed in Option 3 of the report.

17. Development brief for site at York Road, Eastwood (Pages 206 - 220)
Report of the Strategic Director of Regeneration and Environment
(Exempt Appendices)

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

Recommendation:

That approval be given to the content of the Development Brief for York Road, Eastwood and its proposed submission to developers with a view to obtaining design submissions/development proposals.

18. 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 8 November 2017:

- Waste Options Appraisal – Consultation
- Voluntary and Community Sector Infrastructure Services Review
- Member Development Strategy
- District Heating Scheme Charges Review

Sharon Kemp.

SHARON KEMP,
Chief Executive.

**CABINET/COMMISSIONERS'
DECISION MAKING MEETING
Monday, 16th October, 2017**

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

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

48. DECLARATIONS OF INTEREST

Councillor Steele declared a personal interest in Minute No. 53 (Advice Service Review) on the grounds of being a non-voting member on the Citizens Advice Bureau Board.

Councillors Hoddinott and Read declared disclosable pecuniary interests in Minute No. 60 (Swinton Town Centre Redevelopment) on the grounds of a family member living very close to this area and left the room whilst this report was discussed.

49. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A member of the public made reference to a question he had asked previously regarding the Council's Standing Orders and the fifty word limit to questions from members of the public. He was assured by the Deputy Leader at the time that a review was to take place and this would be considered. Nothing further happened. He raised this matter again in March, 2017 and was advised by the Leader that Standing Orders was at that time subject to review. Unfortunately, no revision had been made to the word limit for questions and this was still constrained at fifty words.

In addition, at an earlier Cabinet meeting the member of the public had taken issue with only being allowed one question and a supplementary and was advised by the Monitoring Officer about the procedure in place. Having trawled through the Standing Orders, its appendices and schedules the procedure referred to was included, but asked was it feasible to expect a member of the public to have to extensively search for such a document.

The member of the public asked if the Council was to do what it promised and revise Standing Orders.

Councillor Read, the Leader, addressed the two questions asked and confirmed the fifty word limit related to questions to Council which must be received in writing in advance. Standing Orders had been reviewed and no changes were proposed to the word limit, although some amendments had been made to the petition scheme.

In terms of questions to the Cabinet this was a little more relaxed approach as there was no word limit, questions could be asked from the floor and engagement was welcomed where appropriate.

The Leader did accept and have some sympathy with the location of the procedure for asking questions at Cabinet meetings and would discuss this further with the Democratic Services Manager to ensure the procedure for Cabinet and the submitting of questions to Council was more accessible and readily available on the Council's website.

In a supplementary question the member of the public asked why it was mentioned in March, when it was now October, that a review of Standing Orders would take place and nothing further had been done.

The Leader described the extensive process of looking at Standing Orders, which had been taken forward and updated to make them easier to understand.

In a further supplementary question the member of the public pointed out he had submitted a written question for the next Council meeting which was three words over the word limit. He had been asked to redraft, but for the sake of three words this should be allowed. However, it was not always possible to set out complex questions into fifty words and suggested the word limit be relooked at as this had been in operation for a number of years.

The Leader explained Standing Orders had been reviewed, but was unable to offer a commitment to look at the fifty word limit again.

(2) The member of the public referred to the publication of the investigations reports where he had asked a question of Commissioner Ney around why Rotherham, which was no worse than other areas such as Newcastle, Bradford, Oxford or Rochdale, had called for independent enquiries and the others had not. He asked why was Rotherham still paying for Commissioners to oversee the work of the Council and believed it was time they left. He asked that feedback be provided to the Secretary of State in this regard by Commissioners and civil servants.

50. MINUTES OF THE PREVIOUS MEETING HELD ON 11 SEPTEMBER 2017

Resolved:- That the minutes of the Cabinet and Commissioners' Decision Making Meetings held on 11th September, 2017, be agreed as a true and correct record of the proceedings.

51. 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 Nos. 60 and 61 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.

52. CHILD AND ADOLESCENT MENTAL HEALTH SERVICES (CAMHS) SECTION 75 AGREEMENT

Consideration was given to the report which provided details of the existing Partnership Agreement for the commissioning of Child and Adolescent Mental Health Services (CAMHS) between Rotherham Metropolitan Borough Council and Rotherham Clinical Commissioning Group, the Partners to this Agreement. The transition of this into a Section 75 Agreement restated the shared commitment of the two organisations to the further development of their commissioning partnership and joint market approach in relation to service improvement and transformation of CAMHS in Rotherham.

The Section 75 Agreement would build upon the existing partnership by adding a robust framework for managing the service including performance management and formalising a pooled funding arrangement for the provision of CAMHS services over the medium term.

The Clinical Commissioning Group would act as host and the lead commissioner for the pooled fund in partnership with the Council who would maintain existing financial contributions to CAMHS and continue as provider of the Rotherham Therapeutic Team.

Commissioner Kenny agreed:- (1) That a Section 75 agreement be established outlining commissioning arrangements and a pooled fund for the provision of Child and Adolescent Mental Health Services.

(2) That authority be delegated to the Strategic Director for Children's Services to sign the Section 75 Agreement on behalf of the Rotherham Metropolitan Borough Council.

(3) That the Council's financial contribution into the pooled fund at the 2017/18 CAMHS budgeted cash limit be approved.

53. ADVICE SERVICES REVIEW

Consideration was given to the report which detailed the outcome of the review of advice services in Rotherham and made recommendations about future strategic direction for the services together with commissioning arrangements.

The review was set in the context of significant need for advice services by the residents of Rotherham, including those already impacted by welfare reforms, especially people with disabilities and families with children; and the anticipated additional demands arising from the full roll-out of Universal Credit from April, 2018.

The primary focus of the review were services provided in-house of Advocacy and Appeals and Financial Inclusion, together with external services provided by Citizen's Advice Bureau; Kiveton Park Independent Advice Centre; and Rotherham Diversity Forum immigration and nationality advisor.

The overall objectives of the review were to secure responsive and effective service provision meeting growing complex needs for these services, with maximum efficiency within the challenging budgetary climate.

The way forward sought to establish a streamlined and collaborative approach across advice services and providers over the medium term. This looked for a two stage approach. The initial stage invited a consortium approach to commissioning from voluntary sector providers through a co-production model. Funding would be awarded aligned to a three year service level agreement(s) commencing in April, 2018, with annual reviews to further the evolution of the full collaborative approach and ensure that priority needs continued to be met. The proposed processes for production of the model and commissioning were compliant with the "Rotherham Compact". The second stage, timed for 2019 would move to an integrated model of advice provision both in-house and with the voluntary sector.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, subject to consideration being given to the impact of the proposals on waiting times and level of demand in the Annual Review and for the Annual Review to be submitted to the Board for consideration.

Resolved:- (1) That the outcomes of the review be noted.

(2) That the progress arrangements for advice services in Rotherham be approved, including:-

- Co-design with voluntary sector organisations for services to be delivered by voluntary sector advice providers for three years commencing from April 2018;
- That the scope of services to be delivered by the voluntary sector focus on provision in levels two and three of the advice model through core service level agreements to a total value of £240k per annum, with the provision for additional project based arrangements covering specific advice service demands and developments over the medium term;
- Collaboration to produce an integrated model of advice provision across advice services including in-house provision effective from April 2019;
- Commissioning and funding model options that will best provide flexibilities for service development over the medium term through a

- consortium approach in the voluntary sector; and
- Identify as part of the Council's Customer Services and Efficiency Programme, improvements to level one signposting and self-serve provision.

(3) That, subject to the achievement of the objectives of this approach, service level agreement(s) be entered into with voluntary sector providers, including the expectation of leverage of external funds; adoption of priorities; and performance arrangements.

(4) That the detailed arrangements be subject to annual review and participation in the further alignment and other developments of advice services in Rotherham in 2019 and that consideration also be given to the impact of the proposals on waiting times and level of demand.

(5) That the Annual Review be submitted to the Overview and Scrutiny Management Board for consideration.

(Councillor Steele declared a personal interest in Minute No. 53 (Advice Service Review) on the grounds of being a non-voting member on the Citizens Advice Bureau Board)

54. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND), SUFFICIENCY AND INCREASE IN EDUCATIONAL PROVISION - CONSULTATION

Consideration was given to the report which outlined proposals to increase Special Education Needs and Disability (SEND) provision across the Authority up to 2021 and sought approval to commence a period of consultation.

The increase in SEND provision within the Authority was necessary as a result of the increased pupil population since 2010 as outlined in section 2.1 of this report and projected future growth, linked to a rising demographic profile and new housing developments in the local plan.

The creation of additional in borough provision would lead to a longer term saving on high needs funding as in borough placements cost on average £17.5k per annum as opposed to an out of authority placement which costs £35K on average, but could rise significantly up to £60k and beyond per annum dependant on the type of provision required.

Resolved:- (1) That a period of focused consultation on proposals to increase Special Education Needs and Disability (SEND) provision across the Borough be approved.

(2) That a further report be submitted in due course detailing the outcome of consultation and seeking approval of proposals.

55. BUSINESS RATES DISCRETIONARY RATE RELIEF FOR SMALL BUSINESSES AND PUBS

Consideration was given to a report which detailed how in the Spring Budget of 8th March, 2017, the Chancellor announced the introduction of a series of new Business Rates reliefs including Supporting Small Businesses and Support for Pubs and detailed:-

- Supporting Small Businesses - provided support for up to five years for those ratepayers facing large increases as a result of the loss of small business or rural rate relief following the 2017 revaluation. The support limits increased in their Non Domestic Rates bills to the greater of £600 or the real terms transitional relief cap for small businesses each year.
- Support for Pubs - provided Business Rates Relief of up to £1,000 support to public houses with a Rateable Value of up to £100,000. The relief would be for one year from 1st April, 2017.

The new reliefs were to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act. Further guidance was subsequently issued by the DCLG on 20th June, 2017 to cover the implementation of these reliefs and updated billing software was released by the Council's providers – Northgate on 21st August, 2017.

Both reliefs would be subject to the De-Minimis State Aid regulations, which limited assistance (to a maximum of 200,000 Euros in three fiscal years which was around £183,000) and it would, therefore, be necessary to obtain a State Aid declaration from ratepayers (as had been the case with other reliefs such as retail relief).

Billing authorities would be fully compensated through a Section 31 grant for the cost of the authority granting these reliefs.

Resolved:- (1) That the implementation of the Supporting Small Businesses and Support for Pubs discretionary Business Rates schemes be approved.

(2) That the two schemes be implemented in accordance with guidance issued by the Department for Communities and Local Government.

56. BUSINESS RATES DISCRETIONARY RELIEF APPLICATION

Consideration was given to a report which provided details of an application for the award of a discretionary business rate relief for Chesterwood Trading Ltd. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved 12 December 2016).

Resolved:- That 100% discretionary rate relief be awarded to Chesterwood Trading Ltd for the period 1st April, 2017 to 31st March, 2018.

57. ROTHERHAM SIDE BY SIDE - HOUSING RELATED SUPPORT REVIEW

Consideration was given to a report which outlined review recommendations for the future commissioning of externally provided Housing Related Support Services in Rotherham. Housing Related Support services delivered positive outcomes with the vulnerable people they supported, preventing and dealing with emergency homelessness and averting the need for other costlier forms of service provision. Though Housing Related Support services sat within the Adult Care and Housing Directorate portfolio, the preventative element provided whole system benefits.

Homelessness and the risk of homelessness was the focus for all Housing Related Support services. Through the Rotherham Side by Side programme the Council had worked closely with existing providers, service users and wider stakeholders to co-produce the future model of externally commissioned Housing Related Support.

The review was undertaken to remodel the provision, to meet changing demand, and offer better value for money in addition to delivering the savings required for 2018/19.

Further information was provided on the high quality preventative services to vulnerable people of all ages (16+) across the many client groups, cost/benefit and social return on investment and the service user profile.

The report set out in detail the recent changes, including three services for young being redesigned, HRS tender outcomes, the case for change and the breakdown of savings.

Cabinet Members welcomed the priority given to the Domestic Abuse Pathway and the protection afforded to the current funding. Whilst some areas had closed their refuges Rotherham still remained part of the National Refuge Network.

The Council had 23 HRS services with external providers, including accommodation based and floating support for service users, including ethnic and minority groups. The contracts were outcome focused based on a number of service level outcomes which would be closely monitored and any issues reported to Elected Members and through the scrutiny process.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations as long as a post implementation review

was submitted to the Board subject to further discussion with officers about timescales.

Resolved:- (1) That the remodeling of the existing externally commissioned housing related support offer in Rotherham to deliver four Pathways of support to vulnerable people who are at risk of homelessness or are homeless as outlined in sections 4.0 to 4.2 of the report be approved. The four pathways were:-

- Vulnerable Adults
- Complex Need
- Domestic Abuse
- Young People and Young Parents

(2) That the redefinition of the existing offender, single homeless, homeless families, and mental health client groups as **Vulnerable Adults** to better meet multiple needs and redefine the age range across Vulnerable Adults' contracts to **21+** to prevent duplication of service be approved.

(3) That further efficiencies within the **Vulnerable Adults** pathway through the merger of 3 floating support services, currently providing 205 units in total, into one service providing 220 units, be approved.

(4) That the creation of a pathway for people with **Complex Needs** based on a Housing First model to support 20 – 30 people with complex needs be approved. To achieve this, it was proposed that the Council renegotiate existing contracts of dispersed accommodation. As outlined in sections 4.18 to 4.22 of the report.

(5) That the **Domestic Abuse Pathway** be approved as a priority and that current funding be protected, at this stage, as outlined in sections 4.23 to 4.34 of the report and to extend the Rotherham Rise refuge contract for 18 months under an exemption from Contract Procedure Rules.

(6) That the joint commissioning of the **Young People Pathway** with the designated lead for Children and Young People and designated Adult Care and Housing commissioning lead be approved, as outlined in section 4.35 to 4.40 of the report and the YWCA Yorkshire Fleming Gardens contract be extended for 18 months under an exemption from Contract Procedure Rules.

(7) That subject to the remaining efficiencies from the **Vulnerable Adults Pathway** being forthcoming an exemption from Contract Procedure Rules be granted for up to 18 months for the contracts currently provided by

South Yorkshire Housing Association at Browning Court and Action Housing & Support Ltd at Elliott House. Further information relating to this approach was outlined in section 4.7 and Table 7 of the report.

(8) That the proposal to transfer the governance and ownership of the Learning Disabilities contract with KeyRing to the remit of the Head of Service for Learning Disabilities, following conclusion of recommended savings activity as outlined in Section 5.1 of the report, be approved.

(9) That the existing Outcomes Framework for Housing Related Support be adapted as outlined in Section 6 of the report to better reflect the nature of the Pathways.

(10) That a post implementation review be submitted to the Overview and Scrutiny Management Board, subject to further discussions with officers about timescales.

58. OUT OF AREA CROSS CHARGING POLICY FOR SEXUAL HEALTH SERVICES - UPDATE 2017

Consideration was given to the report which described proposed changes to the sexual health out of area cross charging policy detailing how the authority would manage non contracted sexual health out of area Genito-Urinary Medicine activity (Rotherham residents attending sexual health services commissioned by other Local Authorities in England).

The amendment to the policy provided clarity on the conditions and payment terms for cross charging (see section 3 of Appendix A). This was based on the agreed Yorkshire and Humber approach endorsed by the Regional Directors of Public Health Network.

Under the new terms of the policy the Authority would only reimburse:-

- Invoices for Genito-Urinary Medicine (GUM) activity within the tariff cost envelope (agreed and set by the Yorkshire and Humber Regional Network of the Association of Directors of Public Health, taking into account efficiency savings reflecting the national Public Health grant reduction).

Under the terms of the policy the Authority would not:-

- Reimburse invoices for contraception activity.
- Pay charges for Market Forces Factor (MFF).

Before making payment invoice supporting data would be reviewed and the data would clearly provide all the required information to ensure Rotherham Metropolitan Borough Council (RMBC) were the responsible Authority (these were clearly outlined in the policy).

Resolved:- That the changes to the out of area cross charging policy (appendix A), which was based on the agreed regional approach endorsed by the Yorkshire and Humber Directors of Public Health Network, be approved.

59. **TRANSPORT FOR THE NORTH**

Consideration was given to a report which detailed how the Council, as Local Highway Authority, was to consider consenting to the making of Regulations by the Secretary of State to establish Transport for the North (TfN) as a Sub-National Transport Body under Section 102J of the Local Transport Act 2008.

The consent of each Highway Authority within the area of each Combined Authority, which was a Constituent Authority of TfN, was required to the making of Regulations by the Secretary of State because the Regulations contained provisions giving TfN highway powers to be exercised concurrently with the Local Highway Authorities.

The stated purpose of TfN was to transform the transport system of the North of England by planning and delivering the improvements needed to truly connect the region with fast, frequent and reliable transport links, driving economic growth and creating a Northern Powerhouse.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

Resolved:- That Rotherham Metropolitan Borough Council formally consent under Section 102J of the Local Transport Act 2008 to the making by the Secretary of State of Regulations to establish Transport for the North (TfN) as a Sub-National Transport Body and giving TfN concurrent highway powers.

(This decision was exempt from the call-in process in order to meet the deadline from Government on 20th October, 2017. The Chair of the Overview and Scrutiny Management Board and the Leader of the Opposition Group have consented to this request)

60. **SWINTON TOWN CENTRE REDEVELOPMENT - DEVELOPMENT BRIEF AND ACQUISITION OF INTEGRAL SITE**

Consideration was given to a report which sought approval for the Development Brief for Swinton Town Centre and its proposed submission to developers and further, approved the acquisition of the integral site identified in Exempt Appendices D and E, subject to agreement of satisfactory terms, as part of the Council's Town Centres regeneration ambitions.

The regeneration of Swinton Town Centre had been under consideration for some time. The proposal had been underpinned by a number of demolitions and this had resulted in a largely clear site which was ready to be redeveloped.

Certain public buildings were proposed to be retained as part of the development, namely the community centre, the parade of shops together with the residential accommodation above and also a library function, in some form, as part of the proposals. However, the main intended outcome of the development would be the delivery of new homes in a range of sizes and tenures.

Councillor Sansome, on behalf of the Swinton Ward Councillors, welcomed the proposals and looked forward to the progress in due course.

Resolved:- (1) That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.

(2) That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition be added to the Council's Capital Programme 2017/18.

(3) That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.

(4) That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

(Councillors Hoddinott and Read declared disclosable pecuniary interests in Minute No. 60 (Swinton Town Centre Redevelopment) on the grounds of a family member living very close to this area and left the room whilst this report was discussed)

61. RESIDENTIAL DEVELOPMENT OF MILLFOLD HOUSE, SHEFFIELD ROAD CAR PARK AND THE FORMER HENLEY'S GARAGE SITE

Consideration was given to the report which set out proposals to kick start residential development as early as possible on land at Millfold House, Sheffield Road car park and the former Henley's garage on Wellgate. These sites had previously been identified as possible "go early" sites, under the Starter Homes programme. However, there have been key developments at both the national and local level since the submission of the Starter Homes bid, which have influenced the decision to consider alternative outcomes for the sites.

The Council launched a soft market testing exercise in July in order to seek the opinion of prospective developer partners regarding opportunities and challenges presented by Sheffield Road car park and Millfold House. The soft market testing resulted in a number of positive responses and the report proposed that the Council procured a construction partner to deliver approximately 130 homes on these sites.

The report further proposed that the former Henley's garage site on Wellgate be developed into a scheme of low cost home ownership homes, and that procurement of a construction partner be carried out simultaneously with the other sites.

Cabinet Members sought reassurance that the existing tenants in Millfold House would be supported as part of the decamp proposals and assistance provided into alternative premises.

Resolved:- (1) That the Council, acting as the strategic housing enabler to develop Sheffield Road car park, Millfold House and the former Henley's garage on Wellgate into residential accommodation, be approved.

(2) That the Assistant Director of Planning, Regeneration and Transport be authorised to purchase additional land, as set out in exempt Appendices 3 and 4, to improve the scale of development potential.

(3) That expenditure on these acquisitions be capped at the limit set out in appendix 2, and be funded from resources allocated to the town centre regeneration programme.

(4) That officers be authorised to explore further possible acquisitions, to maximise the regenerative impact of these residential development schemes.

(5) That a further report be submitted setting out a detailed financial business case and development proposals.



Public Report

Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

September Financial Monitoring Report 2017/18

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

Anne Ellis, Finance Manager

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Ward(s) Affected

All

Summary

This report sets out the financial position for the Revenue and Capital Budgets at the end of September 2017 and is based on actual costs and income for the first six months of 2017/18 and forecasts for the remainder of the financial year. This is the third of a series of monitoring reports for the 2017/18 financial year which will continue to be brought forward to Cabinet and Commissioners on a regular basis.

Delivery of the Council's Revenue and Capital Budget and Medium Term Financial Strategy within the parameters agreed at the start of the current financial year is essential if the Council's objectives are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.

As at September 2017 the Council has a forecast overspend on the General Fund of £4.0m, an increase of £0.6m over the £3.4m as at July. The main reason for this increase is a continuing rise in the projected overspend by the Children and Young People's Directorate of £0.961m, chiefly attributable to continued increases in the number of children in care.

This increase in the number of Looked After Children has also placed significant and unavoidable pressure on Legal Services which is now forecast to overspend by £1.146m resulting in a net projected overspend for the Finance and Customer Services Budget of £0.603m.

Offsetting this increased overspending, the Adult Care and Housing forecast overspend has reduced from £5.142m to £5.066m, Regeneration and Environment Services projected outturn has moved from an overspend of £0.722m to a break even position achieved through a robust budget monitoring challenge process and ongoing tight day to day budgetary control. Similarly, the Assistant Chief Executive's Budget underspend has increased from £65k to £210k chiefly as a result of staffing savings offsetting other cost pressures.

As reported for July, Central Services is still predicted to deliver some £5m in savings the product of a review of Business Rates and Treasury Management. The majority of the £24m budget savings approved within the 2017/18 budget are being achieved. Of these savings, £11.9m are Directorate budget savings, in addition to those savings, however, Directorates also have to achieve £5.4m of budget savings in 2017/18 which were agreed in previous budgets. Total Directorate savings for 2017/18 are therefore £17.3m. The current position is that around £7.2m of those total savings are at risk of not being achieved in the current financial year in the manner approved by Council when the 2017/18 was set. These are reflected in the current overspend projection along with the impact of mitigating actions. Cabinet approval will be sought for any budget savings which are proposed to be delivered differently on a permanent basis.

Management actions to address areas of overspend are also ongoing and the overall budget position will continue to be monitored closely. Overall, however monitoring shows that the Council's Revenue Budget position has deteriorated by £0.6m since July and to the extent that expenditure cannot be contained within budgets by management actions or by identifying additional savings, the Council will need to call on its reserves in order to balance the revenue budget for 2017/18.

The use of £5.3m from the Council's reserves was approved as part of the 2017/18 Revenue Budget in order to provide time for further action to be taken to deliver the substantial further savings required over the two financial years 2018/19 to 2019/20. This approach was based on the Council currently having a balance of reserves which could mitigate overall budget risk in the short term and to support a sustainable financial plan in the medium term before reinstating these reserves in future years. The current financial climate and the risks associated with reducing Government funding and the resulting significant savings required by the Council mean that there is a need to maintain prudent reserves levels and to avoid additional calls on them, save in exceptional circumstances.

In light of this, all services will therefore continue to develop mitigating actions and alternative savings to compensate for financial pressures and delays in delivering the full amount of savings. The financial effects of the mitigating actions that have been identified and implemented to date are reflected in the current forecast outturn. Regular updates on the progress made in maintaining a balanced budget position will be reported regularly through these Financial Monitoring reports.

A significant in-year pressure on the Dedicated Schools Grant (DSG) High Needs Block remains – the projected overspend having increased by £760k from July to the current projection of £7.220m. Whilst this pressure does not directly affect the Council's financial position at this time it is imperative that the recovery strategy is implemented, clearly setting out how this position will be resolved and to avoid any

risk to the Council in the future. This includes the planned transfer of £3m DSG in 2017/18 to reduce the forecast High Needs Block deficit.

The service has developed a recovery plan which aims to mitigate as far as possible the in-year pressure and achieve the previously reported position of an overall cumulative deficit of £1.796m by April 2019. As reported, the key areas of focus which will deliver the targeted deficit reduction by April 2019 include:

- A revised Special School funding model (November 2017);
- A review of high cost out of authority education provision to reduce cost and move children back into Rotherham educational provision (November 2019); and
- A review of inclusion services provided by the Council (December 2017).

The Public Health Budget is forecast to spend at budget whilst Housing Revenue Account (HRA) spending is forecast to be £0.457m below budget, reducing the planned use of HRA reserves from £1.16m to £0.7m.

The 2017/18 Capital Programme is currently forecasting an in-year underspend of £6.676m – a change of £7.7m from the over-commitment reported in the first 2017/18 monitoring report in July. The change is principally due to:

- Adult Care and Housing (Housing Revenue Account) – Strategic Acquisitions £4m underspend as a result of developer and Council new build schemes progressing more slowly than anticipated.
- Regeneration and Environment £1.089m underspend mainly as a result of slippage on two capital projects

The majority of the forecast underspend has been re-profiled into 2018/19. This revised and re-profiled Capital Programme will continue to be closely monitored and any further revisions and adjustments to the Programme will be included within the next monitoring report for Cabinet approval.

Recommendations

1. That the current forecast overspend for 2017/18 of £4.012m 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 and the proposed re-profiling of expenditure be noted.

List of Appendices Included

None

Background Papers

Revenue Budget and Council Tax Setting Report for 2017/18 to Council 8th March 2017

May Financial Monitoring Report 2017/18 - 10th July 2017

July Financial Monitoring Report 2017/18 – 11th September 2017

Unlocking Property Investment - Brighton Link – Report to Cabinet and Commissioners' Decision Making Meeting of 11th September 2017.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 22 November 2017

Council Approval Required

No

Exempt from the Press and Public

No

September Financial Monitoring Report 2017/18

1. Recommendations

- 1.1 That the current forecast overspend for 2017/18 of £4.012m be noted.
- 1.2 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.
- 1.3 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.
- 1.4 That the current forecast outturn position on the approved Capital Programme for 2017/18 and 2018-2022 and the proposed re-profiling of expenditure be noted.

2. Background

- 2.1 As part of its performance and control framework the Council is required to produce regular and timely reports for the Strategic Leadership Team and Cabinet to keep them informed of financial performance so that, where necessary, actions can be agreed and implemented to bring expenditure in line with the approved budget for the financial year.
- 2.2 This report is the third financial monitoring report to Cabinet for 2017/18, which sets out a view of the forecast revenue budget financial position based on actual cost and income for the first half of the financial year and a forecast year end position.
- 2.3 Delivery of the Council's Revenue Budget, Medium Term Financial Strategy (MTFS) and Capital Programme within the parameters agreed by Council is essential if the Council's objectives are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.
- 2.4 Control over spending is critical to a robust MTFS to avoid the impact of unplanned spending on the Council's reserves. The Council's current MTFS identified that, in response to declining Government funding, the Council needs to reduce its net spending by around £42m for the two years 2018/19 and 2019/20. The MTFS is currently being reviewed and updated to report back to Cabinet.
- 2.5 The Council's Capital Strategy and Capital Programme (2017-2022) was approved by Council on the 8th March 2017. This was further updated on the 10th July 2017 when the Cabinet and Commissioners' Decision Making Meeting approved the financial outturn report for 2016/17, including a revised capital programme in light of the 2016/17 year end position.

2.6 The budget process, which has led to the recommended capital programme for 2017/18 to 2021/22, ensures that Council's capital investment plans are aligned with strategic priorities and available funding. The financial implications of the programme are reflected in the Council's Medium Term Financial Strategy (MTFS) and Treasury Management and Investment Strategy.

2.7 Over the five year period of this programme the Council's approved programme invests £281.9m in capital schemes across the borough, including £120.9m to be invested in regeneration and enhanced infrastructure schemes and £91.4m towards improving council housing.

3. Key Issues

3.1 Table 1 below shows by Directorate, the summary forecast revenue outturn position after management actions which have already been quantified and implemented.

Table 1: September Cumulative - Forecast Revenue Outturn 2017/18

Directorate / Service	Revised Annual Budget 2017/18	Forecast Outturn 2017/18	Forecast Variance (over (+) / under (-) spend) AFTER management actions
	£'000	£'000	£'000
Children & Young People's Services	62,473	66,026	+3,553
Adult Care & Housing	62,087	67,153	+5,066
Regeneration & Environment Services	43,923	43,923	0
Finance & Customer Services	13,264	13,867	+603
Assistant Chief Executive	6,229	6,019	-210
Capital Financing, Levies and Central Services	16,850	11,850	-5,000
SUB TOTAL	204,826	208,838	+4,012
Public Health (Specific Grant)	16,734	16,734	0
Dedicated Schools Grant	106,312	113,532	+7,220
Housing Revenue Account (HRA)	84,564	84,107	-457

Directorate Services Savings of £11.9m were included in the 2017/18 Budget, in addition to £5.4m of savings agreed in previous budgets for delivery in 2017/18, giving a total of £17.3m savings in 2017/18. The following amounts totalling £7.2m from that savings total have been identified as currently being at risk of not being achieved in 2017/18 and are reflected as such in the projected outturn position, along with the impact of mitigating actions.

• Children and Young People's Services	£0.6m
• Adult Care and Housing	£5.8m
• Regeneration & Environment Services	£0.5m
• Finance & Customer Services	£0.3m

Although not being achieved by the means approved by Council when the 2017/18 was set, some of the above pressures are being mitigated by Directorates and this has been reflected in the forecast outturn figures included in Table 1 above. The following sections (paragraphs (3.2 to 3.37) provide key reasons for the forecast level of annual revenue under or overspend within Directorates and of progress in savings delivery.

Children & Young People's Directorate (£3.554m forecast overspend)

- 3.2 The September full year revenue forecast for Children's and Young People's Services is £3.554m over budget – an increase of £0.961m since the last report in July due mainly to a continuing increase in the number of children in care. The projected overspend is the product of a range of continuing pressures facing the service which are considered below. Further actions to mitigate the budget pressures are being developed by the service.
- 3.3 The Children's and Young People's Budget Sustainability proposals were presented to Cabinet in November 2016 as part of a wider report updating the Council's Medium Term Financial Strategy. The robustness of the strategy and the associated investment proposals were predicated upon a number of assumptions derived from what was understood about service demand levels in Rotherham at that time. The number of Looked after Children (LAC) in September 2016 was 443 and a rise to 460 was predicted by the end of the financial year. This assumption had the caveat that, if the number of children in care increased beyond the predicted level, then the result would be further pressure on social care budgets and a risk that the reported position, and associated financial projections in later years, would be adversely affected. The growth in placements over and above 460 contributed significantly to the £2.344m overspend position for the directorate in 2016/17 with the number of LAC increasing to 487 as at 31st March 2017.

- 3.4 The transformation initiatives associated with the investment in Children's Services are based on a need to continue to improve the quality of practice and outcomes for children and young people whilst preventing 52 children entering (or remaining in) care during this financial year. The future growth in placements estimated in September 2016 predicted that, with no preventative action, an additional 48 placements could be expected on top of the baseline position as at 1st April 2017. Given the starting point of 487 placements and a reduction of 4 during the year, the target to meet financial sustainability was 483. The LAC placement budget was finalised using zero based budgeting principles and was set to fund the costs of 480 placements. More recently, funds have been redirected into the placement budget to meet the predicted costs associated with a LAC cohort of up to 500.
- 3.5 The majority of the investment projects are now established. A Placements Review Group has been established to confirm the appropriateness of placements and to review existing high cost packages of care to ensure both their quality and efficacy. This group provides assurance to the Children's Business Savings and Delivery Operational Group regarding the approved investment and associated savings. These projects are on target to deliver or exceed original the original target outcome (net reduction of 4 LAC) with a forecast net decrease in LAC numbers of 8 (without this intervention the number of children currently in care would have been 530).
- 3.6 The current number of children in care as at the end of September 2017 is however, 522. An increase of 35 or 7% compared with the base figure of 487 and a further increase of 5 since July's monitoring. This increase to 522 equates to an in-year cost pressure of £1.846m (based on an average unit cost of £50k per LAC placement). This significant increase in the number of LAC is due entirely to the unforeseen and extraordinary impact of complex child protection work, the associated costs of which are substantial. The above forecast includes 39 children and young people in care who are directly linked to this work (including 10 new placements from 1st April).
- 3.7 It should be noted that the current forecasts do not incorporate any further growth in placements. It is currently estimated that this could exacerbate the latest position by between £1.6m and £2.3m million in this financial year depending on the number and timing of any further placements that could be necessary. In addition, any further increase in numbers above the latest position of 522 or a movement of existing placements to more expensive provision will result in further cost pressure on the social care budgets.
- 3.8 The latest full year forecast for Children's and Young People's Services is £3.554m over budget. This figure includes £1.846m in respect of the LAC placement budget as detailed above. The service continues to face a range of other pressures which are considered below. Further actions to mitigate the budget pressures are being developed by the service.

3.9 A number of budget savings options and considerations have been identified from within the recent budget review meetings. The Directorate is currently undertaking a challenging examination of potential efficiencies, recognising the need for these to be thoroughly reviewed discussed and considered to bring forward options for prompt implementation. Proposals are being actively pursued to identify savings in this financial year, having due regard for the continued safeguarding of vulnerable children and include:

- Plans for drawing down additional Payments by Results income from the Troubled Families programme by increasing both conversion rates and widening the cohort and number of families engaged on the programme;
- A further review of all budget variances across the Directorate to determine what spend can be stopped, scaled back or delayed to mitigate the impact of the in-year service pressures;
- Other actions including further vacancy management action across all services and a thorough review of all continuing health care contributions from the CCG.

These interventions are expected to contribute towards addressing the forecast shortfall in the agreed saving for 2017/18 (£575k) in respect of the review of Business Support, Market Development (contract review) and Pooled Budgets.

3.10 A further step down in placements to reduce the overall placement costs and avoid the use of more expensive Out of Authority and Independent Fostering Agency (IFA) placements and provide additional, more cost effective in-house fostering placements which deliver better outcomes for children in care, will generate further efficiencies is being implemented. It should be noted, however, that this may be impacted by the extraordinary increase in the overall numbers of children in care resulting in future cost avoidance rather than savings on the current budget.

3.11 A consequence of the unforeseen increase in the number of Looked after Children arising from complex child protection work has been an impact on savings that had been earmarked as a result of increasing in-house fostering capacity. The service will achieve targeted recruitment of additional in-house foster carers. These additional places will, however, need to be directed towards new placements, rather than enabling a step down from more expensive out of authority settings. As a corollary, the impact of the new LA fostering placements will be one of cost avoidance rather than of delivering budget savings.

3.12 There is a further additional pressure on the Child Arrangement Orders and Special Guardianship Orders budgets of £442k. These services offer continued therapeutic service support in line with specific needs and provide children with permanency within a family setting. Whilst using these services has a cost implication to Children's Services, it is significantly less than the cost of foster care or residential placement and the longer term benefit is that permanence for children will be achieved.

- 3.13 Expenditure on the Leaving Care budget also continues to rise above budgeted forecasts (£611k), due to a general rise in the number of care leavers, some of whom are supported in accommodation at high cost. There are now 230 care leavers (an increase of 8 since July) with 28 supported young people in accommodation as at the end of September.
- 3.14 There remains a budget pressure resulting from the increased costs to meet the support needs of work related to Child Sexual Exploitation and Operation Stovewood, an active National Crime Agency (NCA) operation which is incomparable with any other recent or historic investigation. In addition a separate team has recently been established in order to take forward complex abuse investigation and associated interventions (£1.2m). It is expected that these costs will be funded through additional monies arising from a joint 'Fusion Centre' bid for Government funding, which is subject to approval, although the phasing has now been confirmed following further dialogue with the Department For Education with an allocation of £500k for the current year rather than the £750k previously reported.
- 3.15 As part of the 2017/18 Revenue Budget the Council approved a saving for delivery against the directorate's Business Support function. A Business and Savings Delivery Group has been established to provide assurance in respect of the delivery of savings and the management of the associated financial risks and issues. To date, the Group has identified annual savings of £400k across the directorate to offset the Business Support Review savings target – the balance of £400k remains a cost pressure within social care at this time together with the £175k estimated shortfall in savings regarding the review of contracts (Market Development) and Pooled Budgets.
- 3.16 There is also a cost pressure arising from additional staff required for the Children's Service Resourcing Team and associated support budget, which is currently unbudgeted (£200k). The team has been established to search for and recruit the best social care professionals. Recruitment continues to be successful with a net reduction in the number of agency staff and associated budget savings.
- 3.17 Savings have been achieved within Children's Services arising from effective vacancy management within Early Help services and other non-social care budgets (£440k). A redistribution of Special Educational Needs and Disabilities (SEND) funding within the Education and Skills service in respect of Education Psychology has led to further savings (£380k).
- 3.18 Other Services within the Directorate including School Improvement are currently forecast to spend broadly in line with budgets.

Dedicated Schools Grant

3.19 The Directorate is currently forecasting an over spend on its Dedicated Schools Grant (DSG) High Needs Block of £7.220m an increase of £760k since the last report. A report on the position further information and details will be considered by the Schools' forum in November followed by an update to the OSMB in December. The other elements of DSG are currently forecast to spend in line with budgets. At the end of 2016/17 the outturn position showed an overall deficit of £5.213k on the non-delegated DSG, comprised as follows:

- Early Years Block: +£0.217m Overspend
- Schools Block: -£0.640m Underspend
- High Needs Block: +£5.636m Overspend

3.20 The service has developed a recovery plan which aims to mitigate as far as possible the in-year pressure of £7.220m and achieve the previously reported position of an overall cumulative deficit of £1.796m by April 2019. As reported, the key areas of focus which will deliver the targeted deficit reduction by April 2019 include:

- A revised Special School funding model (November 2017);
- A review of high cost out of authority education provision to reduce cost and move children back into Rotherham educational provision (November 2019); and
- A review of inclusion services provided by the Council (December 2017).

Adult Care & Housing (£5.066m forecast overspend)

3.21 Adult Care Services are currently forecasting an overall overspend of £5.235m in 2017/18. This is a reduction in forecast overspend by £76k since July. The forecast outturn position takes into account an allocation of £4.9m from the Additional and Improved Better Care Fund allocations announced in the 2017/18 Local Government Finance Settlement and Spring Budget Statement to assist in meeting pressures within the social care system. The forecast also includes a current anticipated shortfall of approximately £5.8m in delivering all of the 2017/18 budget savings in the current financial year (which are currently being re-profiled). Within Adult Care there are at present pressures relating to the assessment capacity which is being addressed by the introduction of a flatter structure within the teams whilst a realignment of the current pathways takes place. This is now scheduled for late October 2017 and will include strengthening procedures to ensure that demand management is robust, in order to divert, signpost and provide a customer focussed service.

3.22 Any change to an individual package of support, legally requires a reassessment of client need. Therefore the change to systems will take time if it is to be sustainable; and consequently a planned approach to implementing the changes will be required.

3.23 Due to historical practice a significant amount of budget is committed to 24-hour care - amounting to £30m out of an approximate £63m net budget. Work is required to understand how this historical pattern of spending will change. Either naturally, as a result of people no longer needing a service, or due to changes in practice moving clients (particularly people over the age of 65 years) from residential care to types of community accommodation.

3.24 The main budget pressures continue to be in respect of Direct Payments and Managed Accounts and Residential and Domiciliary Care across all client groups. There is a further pressure arising from anticipated delays in achieving budgeted savings due to further consultation with clients, carers and partners being required.

3.25 The most significant pressure on the Directorate budget relates to residential and nursing care budgets across all client groups – where an overspend of £2.7m (after the allocation of £3.4m from iBCF) is currently forecast. This includes budget savings of £4.2m relating to the reduction of high cost placements within the Learning Disability and Older People client groups, by the use of strength based assessments, and the use of alternative service provision within the community through engaging voluntary and independent providers.

3.26 As stated, the budget pressure in respect of Direct Payments and Managed Accounts is £0.6m (after the allocation of £500k iBCF). This is, however, a reduction in the overspend compared to the outturn for 2016/17, reflecting additional one-off grant funding and an overall reduction in the number of clients by 4% (47 clients) in the first 6 months of 2017/18.

3.27 A budget pressure of £1.1m in respect of the provision of Domiciliary Care for Older People is also forecast. This is attributable to a 12% increase in client numbers during the first 6 months of the current financial year, together with a recurrent income budget pressure in respect of income from fees and charges.

3.28 In addition to the above forecast overspends, there are further delays in achieving budget savings in Care Enabling within Extra Care Housing (£0.4m) and the review of Rothercare and Assistive Technology provision (£0.3m). These savings are being re-profiled to ensure that they are achieved and where that is not possible; plans are put in place to ensure savings are achieved from other projects or new pieces of work.

3.29 Neighbourhood Services' (Housing) latest forecast outturn position is an underspend of £169k, mainly due to additional income from Furnished Homes and current staff vacancies within Neighbourhood Partnerships pending final recruitment to the recently agreed new Neighbourhood Working Model.

Adult Care & Housing – Recovery Strategy Update

3.30 Although the demand for residential placements is reducing, budget pressures remain due to the increasing cost of care packages. Unachieved budget savings carried forward from previous years are also an underlying pressure. These include: Continuing Health Care funding and a reduction in the level of client contributions to services after financial assessment.

3.31 One of the main budget saving measures identified is the continued review of out of area and high cost care packages across all services in order to identify opportunities to reduce costs and to pursue rigorously all Continuing Health Care funding applications with the Clinical Commissioning Group. Budget meetings are held with senior managers to review in detail the budget forecasts, monitor demographic pressures, to identify further savings opportunities and to mitigate pressures. Progress continues on the delivery of the Adult Services Development Programme to improve the outcomes for service users and additional reports on a range of options for future service delivery, including consultation with service users and carers were considered by Cabinet in July. Consultation is currently ongoing and will be completed in December.

3.32 Within adult care as the improvement continues, the focus is on two key areas; cost avoidance through strengthening the front door and focussed assessments and using enablement to maximise clients' independence. The budget overspend has continued to decrease, albeit at a low level, but this is alongside significant levels demand. The reduction in overspending despite high levels of demand demonstrates that some of the key actions and changes to practice and the pathway are taking effect.

3.33 Further investment, as approved by Council in December, has been made in a brokerage team, additional social worker capacity and additional resources to review Direct Payments and Managed Accounts.

Public Health (forecast balanced outturn)

3.34 The forecast outturn for Public Health is to spend at budget. The budget was set taking into account the 2017/18 reduction in Government grant funding of £423k, which was largely been mitigated through the use of the balance on the Public Health grant reserve.

Regeneration and Environment Services (forecast balanced outturn)

3.35 The Regeneration and Environment Directorate Management Team have reviewed the forecast outturn position following the September monitoring cycle and are forecasting that a balanced outturn position will be achieved. This latest monitoring cycle has identified net pressures of £0.345m for the Directorate. The Directorate Management Team are confident however, that a balanced position can be achieved through the continuation of the robust budget monitoring challenge process that has been put in place and ongoing tight day to day budgetary control. Careful financial management will be achieved through the management of vacant posts and by operating strict controls on non-essential spend.

3.36 The Directorate has agreed savings totalling £4.89m in 2017/18 some of which are predicated on property savings arising from service reviews within other Council services. In particular, a pressure of £478k is being reported in respect of the Corporate Review of Land and Property (Savings reference: CCR2). The saving is dependent on decisions being taken in other Directorates in respect of future service delivery options, which will determine which buildings can be released. Other reviews have identified potential savings (e.g. the review of Corporate Transport, including Home to School Transport), however, these savings will take longer to deliver than had previously been assumed. Mitigating alternatives have therefore been put in place to meet these specific savings targets.

3.37 Across the Directorate, there are a number of overspends and underspends. The main forecast overspends within the Directorate are in summary: Facilities Management (£478k), in respect of saving CCR2, Street Scene Services (£219k), and Planning and Building Control (£93k). These forecast overspends are partly mitigated by forecast underspends in other areas – in particular in Regulation and Enforcement (£259k).

3.38 The current Directorate forecast position excludes any pressure which may be incurred on the Winter Maintenance budget. This is weather dependent and is flagged as a risk at this stage.

Finance & Customer Services (£0.603m forecast overspend)

3.39 The Directorate is currently forecasting an overspend of £0.6m by year end after mitigating actions. This is attributable to significant pressures in Legal services (£1.126m) linked to the continuing increase in the number of Looked After Children and related child protection hearings. Locums and the temporary staffing support provided by Sheffield City Council are being used to help to manage the continuing increase in childcare cases. There is also an increase in adult care cases meaning that the total additional cost for legal staffing support has led to an anticipated overspend on staffing of c£500k by year end. In addition the £0.650m court related costs budget is projected to be £0.6m overspent as a result of additional fees in relation to child protection works.

3.40 These and other more minor pressures are being partly mitigated by a forecast recovery of Housing Benefit overpayments (£300k). Staff turnover in Revenues and Benefits has contributed £95k to the mitigation and delays in the implementation of the Financial Services restructure have contributed £122k. There are also significant vacancies being held in Customer, Information and Digital Services in order to manage cost pressure on IT contracts until this can be addressed. This projected position does not include any pressure on the schools trading account (£210k) which is hoped can be addressed by year end.

Assistant Chief Executive (£210k forecast underspend)

3.41 An underspend of £210k is forecast for the year by the Assistant Chief Executive's Directorate an increase of £145k compared to the position reported in July. Although the HR and Payroll Service has lost income from schools and academies, demand/income from disclosure and barring checks has reduced and the Design Studio has a £10k income shortfall, these pressures are more than offset by the reduced cost of Members' allowances and staff cost savings from vacancy control across the wider Directorate. In particular delays in recruitment to the Business & Innovation Team which had resulted in the need to use external support at additional cost have come to an end with the start a recruitment a projected saving of £96k has been identified.

Corporate & Central Services – (£5m forecast underspend)

3.42 The Corporate and Central services Budget which covers capital financing costs, levies and central costs is currently forecast to achieve a saving of £5m on the 2017/18 budget. The underspend arises from a combination of further business rates income (£3m) and savings from the treasury management strategy (£2m). The Council budget report for 2017/18 indicated that the anticipated amount of retained income from council tax and business rates, compared with the Government's estimates of that income included in the Finance Settlement, would be reviewed in-year. This has now been done and an estimated additional £3m of business rates income is included in the outturn forecast.

3.43 A review of the capital financing budget within treasury management along with the Council's treasury strategy to maximise the benefit from low interest rates on short-term loans, results in an expected £2m of savings from the treasury budget.

3.44 The Council's flexible use of capital receipts policy for 2017/18 anticipates a requirement to fund the first £2m of any staff severance costs, incurred as part of delivering agreed budget savings, from in-year capital receipts. The actual level of capital receipts for 2016/17 was £2.3m and it is expected that at least £2m will be generated in 2017/18. The use of any capital receipts above the level of £2.0m will be determined within the Council's overall financial strategies.

Capital Programme

3.45 The table below shows the September forecast outturn position for the 2017/18 approved Capital Programme by Directorate, which currently shows a forecast in-year underspend of £6.676m, compared to an over commitment of around £1m in July, when the first 2017/18 monitoring report was prepared. The major variances are as follows:

- Adult Care and Housing (Housing Revenue Account) – Strategic Acquisitions - £4m underspend as a result of developer and Council new build schemes progressing more slowly than anticipated.

- Regeneration and Environment - £1.089m underspend mainly due to slippage on two capital projects.

The majority of the forecast underspend has been re-profiled into 2018/19 and further details are set out within the Directorate commentary below.

Directorate	Current Year		
	2017/18		
	Budget	Forecast	Variance
	£	£	£
Adult Care & Housing	40,970,502	37,736,810	-3,233,692
Children & Young Peoples Services	8,770,967	8,149,620	-621,347
Finance & Customer Services	3,444,844	3,269,844	-175,000
Regeneration & Environment	35,273,402	32,627,915	-2,645,487
Total	88,459,715	81,784,189	6,675,526

Directorate Programme Commentaries

3.46 Adult Care and Housing (ACH) Capital Programme 2017/18

The key element of the ACH programme is the Annual Housing Investment programme to maintain decent homes standards, carry out stock improvements, aids and adaptations, new stock provision, energy efficiency and environmental works to the 21,000 Council homes. These properties currently meet Rotherham decent homes plus standard and the Council continues to improve access and reduce CO2 emissions. In addition Members also approved the Site Cluster II report on the 10th July 2017 which recommends the building of 217 new residential properties at various sites across the borough. The budget for that project is £9.466m in 2017/18, which will be funded by a combination of capital receipts (£2.0m), grant (£0.360m) and revenue contribution (£7.106m).

3.47 The Adult Care and Housing (ACH) Capital Programme 2017/18 forecast outturn is £37.737m, which represents a projected in-year reduction of £3.224m, however within the Programme a number of budget pressures are being reported as follows:

- **Aids and Adaptations** (£0.352m pressure) – HRA there is an overspend of £0.477m currently forecast on public sector adaptations. Demand for this service has increased by 30% compared to last year. In part this can be explained by the need to catch up following the assessment back-log previously reported. There has however, also been a significant increase in the cost of some adaptations during the year. A forecast underspend of £0.125m on private sector adaptations is partly offsetting this overspend. Further work investigating the reasons for the overspend and to identify mitigating actions is being undertaken by the Service. The outcome of this work will be reflected in the next monitoring report.
- **General Fund** - the Furnished Homes capital budget allocation for current and future years was reduced on the expectation of lower take up of the service as a consequence of welfare reform. Due to delays in the implementation of these government reforms, however, demand for this service has continued to increase. The Capital Programme Budget for Furnished Homes for this financial year and the next two years is £720k per annum. The service provides furniture, white goods and carpets to council house tenants enabling them to move into their new council home quickly, thus reducing void periods and improving the sustainability of tenancies. It should be noted that the scheme currently operates at a surplus which is reflected in Neighbourhood Services' revenue budget position. Without an increase in the 2017/18 budget, the service will be unable to provide new furniture for new tenants, resulting in the scheme ceasing for new subscribers. It is therefore proposed that £486k be re-profiled from the 2018/19 budget into 2017/18 to address the current level of demand and that future years' budgets be reviewed as part of the revised Capital Strategy that will be considered as part of the Annual Budget Setting Report that is presented to Council for approval in March.
- **Strategic Acquisitions** (£4.0m underspend) – Offsetting the identified pressure on the HRA capital programme it is proposed that £4.0m of the Strategic Acquisitions Budget be re-profiled to 2018/19 reducing the 2017/18 budget to £3.846m. This follows a detailed review of the programme and takes account of the fact that the developer schemes at Waverly and Kiveton Park are progressing more slowly than originally programmed, leaving £0.554m to be re-profiled. In addition, the start on site of the construction of new Council bungalows at Catherine Avenue Swallownest and St. Mary's Drive Treeton has slipped from the original June 2017 date until the end of October. This is as a consequence of a longer than expected procurement exercise and the requirement for more detailed drawings, which will require £0.301m to be re-profiled. Finally, it is proposed that the £3.145m of unallocated budget for this year be re-profiled to fund a potential 65 S106 acquisitions at Waverley North Anston and Aston in 2018/19.

3.48 Children and Young People's Services (CYPS) Capital Programme 2017/18.

It is the Council's responsibility to manage the supply and demand and to increase choices for primary and secondary school places in its area and secure a place for every child of statutory school age who wants one. To meet this responsibility the Children and Young People's Services capital programme prioritises investment to help increase capacity and provide sufficient school places. The capital programme also aims to improve and maintain the existing school estate (buildings and grounds) where the council is responsible for the buildings, ensuring that all pupils are kept safe, dry and warm so that they can learn effectively.

3.49 The CYPS programme forecast outturn for 2017/18 is £8.150m, which represents a forecast in-year reduction of £621k compared with the position last reported in July. This change represents the re-profiling into 2018/19 of expenditure on the project to adapt homes to enable families to provide foster care places.

3.50 Early Years Capital Grant totalling £0.131m has been repaid to the Department for Education as High Greave school has decided not to proceed with part of the Thrybergh CC Satellite project. In addition, when the remaining projects in the programme are complete, the Authority will be required to repay grant in respect of projects where actual expenditure is lower than the original funding allocation.

3.51 In addition, Cabinet and Commissioners' Decision Making Meeting are asked to note that a project is to be added to the approved Capital Programme for 2018/19. The project will be fully funded from a Section 106 contribution of £60,892 and will provide additional accommodation at Bramley Sunnyside Junior School. An unused modular classroom is to be relocated at the junior school in respect of ancillary accommodation for space for interventions, small groups and working with pupils with special educational needs, to enable the school to meet the demands of the pupil population following an increase in the school's published admission number in 2013 from 80 pupils per year group to 90.

3.52 Finance and Customer Services

The Finance and Customer Services programme 2017/18 forecast outturn is £3.270m, which represents a forecast in-year reduction of £0.175m compared with the July position. The total planned expenditure over the remaining years of the programme is £5.099m. Projects within this Directorate relate to the Council's ICT and Digital Strategy. The only change to the approved programme is the re-profiling of the ICT Digital Strategy, over this and the subsequent two years, following further detailed planning.

3.53 Regeneration and Environment

The key themes for capital expenditure within the Regeneration and Environment (R&E) Directorate include:

- Investment in Transportation, Highways and Network Management. This includes £3m investment in 2017/18 in the Borough's unclassified roads network, as part of a programme to permanently repair 50km of the network, building on the £2m investment in 2016/17 with works being clearly targeted at maximising the improvement to the durability and condition of the network.
- Works focussed on regenerating the town centre, with £6.439m earmarked in the 2017/18 Capital Programme for the Town Centre Investment programme. In addition, a £5m Growth Fund is included in this year's Capital Programme. The majority of this funding has been identified for the acquisition of investment properties at Brighton Link, approval for which was granted at the Cabinet and Commissioners Decision Making Meeting of 11th September 2017.

3.54 The R&E programme forecast outturn position for 2017/18 is £32.628m, which represents a forecast in-year reduction of £2.645m. The majority of this in year underspend is to be re-profiled into 2018/19. The major re-profiling changes are as follows:

- Holmes Tail Goit Pumping Station - £1.089m – Delays to the signing of the legal agreement.
- A630 Sheffield Parkway Re-widening - £0.661m – Discussions ongoing with DfT on the most cost effective engineering solutions which are impacting on the original programme timetable.
- Waverley Link Road - £0.419m – Discussions ongoing with DfT as to whether this scheme will proceed.
- Treeton St. Helen's Churchyard - £0.430m – Works now to commence in 2018/19.

3.55 In addition, the timescale for the delivery of other elements of the 2017/18 programme, including the Operational Buildings Capital Investment Programme and the Town Centre Investment Programme, is being reviewed which may lead to further re-profiling of budgets into 2018/19.

3.56 General Fund Capital Receipts Position as at 31st July 2017

The Council is continuing to undertake a comprehensive review of its assets and buildings portfolio with the aim of rationalising both its operational and non-operational asset holdings. This will contribute future capital receipts which can be used to support the revenue budget, using the capital receipts flexibilities introduced from the 1st April 2016 and implemented by the Council aimed at generating revenue savings. Within the 2017/18 Revenue Budget, an assumption has been made that Capital Receipts of £2m will be generated in 2017/18, to fund expenditure relating to transforming Council services to generate future revenue efficiency savings.

As at 30th September £1.1621m of Capital Receipts have been secured and the Council is on track to deliver at least the £2m currently assumed in the 2017/18 Budget. Currently this budget is earmarked for expenditure on voluntary severance costs

The completed sales in the year to date include the Habershon House in Filey, the Millside Centre and the disposal of the Pithouse West site to Gulliver's.

Housing Revenue Account (HRA) – (Forecast -£0.457m underspend)

3.57 The Housing Revenue Account is a statutory ring-fenced account that the Council has to maintain in respect of the income and expenditure incurred in relation to its council dwellings and associated assets. The HRA forecast outturn underspend for the current financial year means that the budgeted use of HRA reserves for 2017/18 (£1.16m) will now be £457k less than planned. The surplus is mainly due to staff vacancies with the Supervision and Management section of the HRA, plus additional income from the revised management and administration charges for Leasehold properties.

4. Options considered and recommended proposal

4.1 With regard to the current forecast revenue overspend of £4.012m:

- Management actions are being identified with the clear aim of bringing expenditure into line with budgets and the impact of these actions will be included in future financial monitoring reports to Cabinet.
- In addition, £7.2m of Directorate savings targets are currently identified as at risk of delivery in 2017/18 and for which Directorate Management Teams are tasked with continuing to find alternative and additional savings from other areas in order to achieve a balanced position.

4.2 In setting the 2017/18 Revenue Budget the use of £5.3m reserves was approved providing time for further action to be taken to deliver the substantial further savings required over the two financial years 2018/19 to 2019/20. This approach was based on the Council currently having a balance of reserves which could mitigate overall budget risk in the short term and to support a sustainable financial plan in the medium term. It is inevitable that to any extent that planned savings are not delivered and a balanced budget cannot be maintained for 2017/18, there will be an impact on the Council's reserves.

4.3 Within the current financial climate, effective and carefully planned use of reserves is ever more critical to the Council's ability to maintain a robust balanced budget. Additional use of reserves in the current financial year will have implications for the authority's overall financial resilience and could result in consequent pressure on future years' budgets. It is therefore important that reserves are not called upon save in exceptional circumstances with the agreement of the Leader of the Council, Chief Executive and the Strategic Director of Finance & Customer Services and approved by the appropriate body of the Council in accordance with the Constitution.

5. Consultation

5.1 The Council consulted extensively on budget proposals for 2017/18. Details of the consultation are set out within the Budget and Council Tax 2017/18 report approved by Council on 8 March 2017.

6. Timetable and Accountability for Implementing this Decision

6.1 Strategic Directors, Managers and Budget Holders will ensure continued close management and scrutiny of spend for the remainder of the financial year.

6.2 Financial Monitoring reports are taken to Cabinet/Commissioner Decision Making meetings during the year. The next Financial Monitoring Report will be considered by Cabinet in January 2018.

7. Financial and Procurement Implications

7.1 There is currently a projected overspend of £4m as set out within section 3 of this report. This includes a current shortfall in delivery of £7.2m of the total amount of budget savings agreed for 2017/18, net of mitigating actions and savings.

7.2 It is inevitable that to the extent that planned savings are not delivered and expenditure exceeds budgets in year, there will be implications for the level of reserves held by the Council, as unplanned spending impacts on reserves. Control over spending is therefore critical to a robust Medium Term Financial Strategy. All areas at risk of shortfall in savings or subject to budget pressures are subject to review to identify alternative savings.

7.3 Failure to achieve planned savings and to contain spending within the agreed budget in the current financial year will also have implications for subsequent financial years 2018/19 and 2019/20, when the Council already has significant challenges ahead across the medium term. The Council's Medium Term Financial Strategy is currently being updated and will take into account the financial risks outlined within this report.

8. Legal Implications

8.1 No direct implications.

9. Human Resources Implications

9.1 No direct implications.

10. Implications for Children and Young People and Vulnerable Adults

10.1 This report includes reference to the cost pressures on both Children's and Adult' Social care budgets.

11. Equalities and Human Rights Implications

11.1 No direct implications.

12. Implications for Partners and Other Directorates

12.1 No direct implications. As management actions are developed some of these may impact upon Partners. Timely and effective communication will therefore be essential in these circumstances.

13. Risks and Mitigation

13.1 At a time of economic difficulty and tight financial constraints, managing spend in line with the Council's Budget is paramount. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain a top priority if the Council is to deliver both its annual and medium term financial plans while sustaining its overall financial resilience.

13.2 Current spending forecasts for Children and Young People's Services do not incorporate the potential cost of any further Looked After Children placements (up to 70 have been identified) that could cost between £1.6m and £2.3m million in this financial year depending on the number and timing of placements.

13.3 Potential pressures on the winter maintenance budget arising from adverse weather are not reflected in this report.

13.4 There is a risk that the costs falling on the Council for sponsored academy conversions in-year may exceed the funding set aside for this purpose.

13.5 Although both Council Tax and Business Rates collection levels are on target there is a minimal risk that this could change during the remaining months of the year.

14. Accountable Officer(s)

Graham Saxton, Assistant Director – Financial Services
 Anne Ellis, Finance Manager

Approvals obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	20/10/2017
Assistant Director of Legal Services	Neil Concannon	25/10/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

Report Author: *Anne Ellis, Finance Manager*

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Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Interim Review of Polling Places 2017

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Author(s)

Claire Wardle, Electoral Services Manager
01709 823521 or claire.wardle@rotherham.gov.uk

Ward(s) Affected

Anston and Woodsetts, Brinsworth and Catcliffe, Maltby, Rother Vale

Summary

This report deals with an interim, partial review of polling places within the Borough of Rotherham. Following approval from Council on 12 July 2017 to undertake a review, a public consultation on the current polling scheme and the Returning Officer's proposals started on 21 July and ended on 29 September 2017. This report considers the consultation responses and makes recommendations for the implementation of revised polling arrangements.

Recommendations

1. That Council be recommended to approve the proposals for polling places as outlined in Appendix 1, in particular that:
 - a. The polling place for AD polling district be changed from Anston Hillcrest Primary School to the Methodist Community Hall, Sheffield Road.
 - b. The polling place for CG and KG polling districts be changed from the AMRC Design Prototyping & Testing Centre, Wallis Way to the AMP Technology Centre, Brunel Way.

- c. The polling place for ID polling district be changed from the Maltby Service Centre, Braithwell Road to the Wesley Centre, Blyth Road.
- d. The polling place for KB polling district be changed from the mobile library to Aston Fence Junior & Infant School.

List of Appendices Included

Appendix 1 - Polling place scheme, Returning Officer's proposals and responses to the consultation

Background Papers

Review of Polling Districts and Polling Places Consultation Paper – 21 July 2017

[Electoral Commission guidance on the review of polling districts and polling places](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Council – 13 December 2017

Council Approval Required

Yes

Exempt from the Press and Public

No

Interim Review of Polling Places 2017

1. Recommendations

1.1 That Council be recommended to approve the proposals for polling places as outlined in Appendix 1, in particular that:

- a. The polling place for AD polling district be changed from Anston Hillcrest Primary School to the Methodist Community Hall, Sheffield Road.
- b. The polling place for CG and KG polling districts be changed from the AMRC Design Prototyping & Testing Centre, Wallis Way to the AMP Technology Centre, Brunel Way.
- c. The polling place for ID polling district be changed from the Maltby Service Centre, Braithwell Road to the Wesley Centre, Blyth Road.
- d. The polling place for KB polling district be changed from the mobile library to Aston Fence Junior & Infant School.

2. Background

2.1 Under the Representation of the People Act 1983 (the 1983 Act), the council has a duty to divide its area into polling districts and to designate a polling place for each district.

2.2 The following definitions may be helpful when considering the report.

- “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
- “Polling places” are the buildings or areas designated by the council where electors in a polling district go to vote in person.
- “Polling stations” are the number of issuing desks in the building that is the designated polling place.

2.3 The Electoral Administration Act 2006, as amended, introduced a duty on all local authorities in Great Britain to review their polling districts and polling places at least once every five years. The Council undertook the last full compulsory review between November 2013 and December 2014. The next full compulsory review is due to take place between November 2018 and December 2019. That full review will take into account the new borough ward boundaries which will be in place for the May 2020 local government elections, as well as potential new parliamentary constituency boundaries.

2.4 The 1983 Act (Section 18C(3)) allows a local authority to conduct an interim review of polling places within its area, outside the timescales for a compulsory review. The Council gave approval to undertake an interim review of polling places on 12 July 2017, to address issues which had arisen with four of the council’s designated polling places in Anston & Woodsetts, Brinsworth & Catcliffe, Maltby and Rother Vale wards.

2.5 Although the process for an interim review is not stated in legislation, the interim review has been undertaken with regard to the Electoral Commission guidance on the review of polling districts and polling places, which includes publishing the scheme of polling places and the Returning Officer's proposals for changes. A consultation started on 21 July and ended on 29 September 2017, inviting views on the proposals and any alternative venues for polling places.

3. Key Issues

3.1 Anston and Woodsetts Ward

The current polling place for AD polling district is Anston Hillcrest Primary School. The Council has been asked to consider designating a different polling place. Returning Officer staff have provisionally identified a potentially suitable alternative site for a polling place, at the Methodist Community Hall on Sheffield Road. Consultees were invited to comment on this proposed change, and there have been no objections raised about the use of the Community Hall, though concerns have been raised by a ward councillor about traffic volumes on an already busy stretch of road. Highways have confirmed that they would support Electoral Services in an attempt to prevent any on street car parking in proximity to the polling station, thereby avoiding any potential obstruction of the road.

3.2 Brinsworth and Catcliffe Ward / Rother Vale Ward

The current polling place for CG / KG polling district is the AMRC Design Prototyping & Testing Centre, Wallis Way. The Council has been asked to look at alternative venues. Returning Officer staff have provisionally identified a potentially suitable alternative site, a meeting room at the AMP Technology Centre, Brunel Way. Consultees were invited to comment on this proposed change, and there have been no objections raised.

3.3 Maltby Ward

The current polling place for ID polling district is the Maltby Service Centre, Braithwell Road. Due to the expansion of services provided here, the centre is no longer ideal as a polling place. Returning Officer staff have provisionally identified a potentially suitable alternative site for a polling place, at the Wesley Centre, Blyth Road. Consultees were invited to comment on this proposed change, and there have been no objections raised.

3.4 Rother Vale Ward

A new polling place will need to be designated for KB polling district, with the withdrawal of the mobile library service. No suitable premises have been identified in the district, but the relatively nearby Aston Fence J & I School, which is already used as a polling place, can accommodate a further polling station. Consultees were invited to comment on this proposed change, and there have been no objections raised.

3.5 Further details about the existing polling scheme, the proposals for changes and responses to the consultation are outlined in Appendix 1.

4. Options considered and recommended proposal

4.1 Option 1 – Do not change any polling places before the next full compulsory review. This option has been discounted. Although there are some premises which the Returning Officer has a right to use, this is not the case for all polling places, and where places become unavailable we must designate alternative venues.

4.2 Option 2 – Consider the results of the interim review and determine changes in time for the next scheduled elections in May 2018.

4.3 It is recommended that the proposals for changes to polling places as outlined in this report and Appendix 1 be approved.

5. Consultation

5.1 The consultation period for the review ran from 21 July 2017 to 29 September 2017. Public notice of the review was given, and information about the review made available on the council's website and in Customer Service Centres. Any registered elector was entitled to make representations.

5.2 Details of the review and the consultation paper were also sent to Ward Members, MPs, Parish Councils, and local groups including those representing disabled people. Electoral Services staff also attended a meeting with a local "Speakup" group, to discuss the review and to address any concerns about the accessibility of polling places. The meeting also provided the opportunity to provide additional information about what assistance is available to make the voting process accessible for disabled and learning disabled voters.

6. Timetable and Accountability for Implementing this Decision

6.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides for decisions on polling districts and places to be made by the Council.

6.2 Once the council has made its determination, the conclusion of the review will be published. Certain persons, on specific grounds, can appeal to the Electoral Commission about the alteration of polling places.

6.3 The Assistant Director for Legal Services will be responsible for implementing the decisions. Electoral Services will take the measures to bring the changes into effect, so that new polling places are used for the next scheduled elections and any by elections which may occur.

6.4 Rotherham will undergo another full compulsory review in 2018/19, in time for the May 2020 local government and Police and Crime Commissioner elections, and taking into account new electoral boundaries.

7. Financial and Procurement Implications

7.1 The financial and resource implications arising from this report will be met from within existing budgets.

8. Legal Implications

8.1 The council has a legal duty to review polling districts and polling places, as described in this report. Reviews of polling districts and places must take place in accordance with section 18C and Schedule A1 to the Representation of the People Act 1983 [as amended].

9. Human Resources Implications

9.1 None arising directly from this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The voting age is 18 or over. The recommendations link to the council priority - every adult secure, responsible and empowered.

11 Equalities and Human Rights Implications

11.1 The council must ensure that, so far as is reasonable and practical, every polling place for which it is responsible is accessible to people who are disabled. Provision of reasonably convenient polling arrangements is an essential element of the free and fair elections required under Protocol 1, Article 3 of the Human Rights Act.

12. Implications for Partners and Other Directorates

12.1 None arising directly from this report.

13. Risks and Mitigation

13.1 Polling places are essential for the conduct of elections. Inadequate provision of polling places and polling stations could have a detrimental effect on voter turnout and could be the source of an election challenge.

14. Accountable Officer(s)

Dermot Pearson, Assistant Director – Legal Services

Approvals on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Lisa Darnell	09/10/2017
Assistant Director of Legal Services	Dermot Pearson	06/10/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

Report Author: Claire Wardle, Electoral Services Manager

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Polling station scheme and responses to the Returning Officer's Proposals
 Electorates as at 1 February 2017

Anston and Woodsetts Ward, Rother Valley Constituency

Polling District	Parish	Electorate	Current Polling Place	Number of polling stations
AA	Anston	1678	Anston Greenlands Primary School, Edinburgh Drive	1
AB	Anston	1609	Anston Park Junior School, Park Avenue	1
AC	Anston	2114	Anston Parish Hall, 15A Ryton Road	1
AD	Anston	1989	Anston Hillcrest Primary School, Hawthorne Avenue	1
AE	Woodsetts	1468	Woodsetts Village Hall, Gildingwells Road	2 (polling place is also used for district DF – Dinnington Ward)

The Headteacher at Anston Hillcrest Primary School has asked the Returning Officer to consider alternative venues to avoid closing the school.

Two alternative venues have been suggested, South Anston Methodist Community Hall on Sheffield Road and the Pre-School building at the rear of the school. The Pre-School is small with limited parking, so it is not considered to be suitable. The Methodist Community Hall is considered to be a suitable venue for polling, containing a large room with good facilities for voters, and having disabled access.

Consultees were asked whether they approved of the use of the Methodist Community Hall as a polling place.

Responses

Cllr Jepson has responded that whilst he has no objections with regard to the use of the Community Hall, he does have concerns with regard to the amount of traffic in and out of the polling station on an already busy stretch of road, and has asked for some form of traffic management system to be put in place.

Colleagues in Highways would support Electoral Services in an attempt to prevent any on street car parking in proximity to the polling station, thereby avoiding any potential obstruction of the road.

No other responses have been received.

Recommendation

It is recommended that the Methodist Community Hall, Sheffield Road is used as a polling place for AD polling district in future elections.

Brinsworth and Catcliffe Ward, Rotherham Constituency

Polling District	Parish	Electorate	Current Polling Place	Number of polling stations
CA	-	802	Rotherham West Community Centre, Brinsford Road	1
CB	Brinsworth	2909	Brinsworth Community Hall, Brinsworth Lane	2
CC	Brinsworth	1240	Brinsworth Howarth Primary School, Whitehill Lane	1
CD	Brinsworth	1554	Brinsworth Whitehill Primary School, Howlett Drive	1
CE	Brinsworth	1220	St Andrews Church, Bonet Lane	1
CF	Catcliffe	1528	Catcliffe Memorial Hall, Old School Lane	1
CG	Catcliffe	307	AMRC Design Prototyping & Testing Centre, Wallis Way	2 (polling place is also used for district KG – Rother Vale Ward)

The council has been asked to consider an alternative venue for polling district CG and KG, as the AMRC Design Prototyping and Testing Centre has become much busier in recent times, and is not ideal for polling.

The Returning Officer's staff have visited the area and consider that the nearby AMP Technology Centre, Brunel Way, is a more suitable venue. A large meeting room is available on the first floor, with lifts available. There is also on-site parking and good facilities.

Consultees were asked whether they approved of the use of the AMP Technology Centre as a polling place.

Responses

There have been no responses received about this proposal.

Recommendation

It is recommended that the AMP Technology Centre, Brunel Way is used as a polling place for CG and KG polling districts in future elections.

Maltby Ward, Rother Valley Constituency

Polling District	Parish	Electorate	Current Polling Place	Number of polling stations
IA	Maltby	1340	Maltby Linx Youth Centre, Lilly Hall Road	1
IB	Maltby	527	The Grange Warden Centre, St. Bartholomew's Close	2 (polling place is also used for district IH)
IC	Maltby	1659	Maltby Manor Academy, Davy Drive	1
ID	Maltby	1199	Maltby Service Centre, Braithwell Road	1
IE	Maltby	1135	Edward Dunn Memorial Hall, Tickhill Road	1
IF	Maltby	1158	Maltby St Marys Catholic Primary School, Muglet Lane	1
IG	Maltby	918	Ascension Close Warden Centre, Ascension Close	1
IH	Hooton Levitt	101	The Grange Warden Centre, St. Bartholomew's Close	2 (polling place is also used for district IB)
II	Maltby	650	Charles Foster Community Centre, Woodland Gardens	1

As part of the council's Library Strategy, Maltby Library is scheduled to move into the Maltby Joint Service Centre on Braithwell Road in spring/summer 2017. This means that we will no longer be able to use the meeting room on the ground floor of the Service Centre as a polling place. There are meeting rooms on the first floor, but these are not as accessible or convenient for voters, and there could be issues with congestion.

The Maltby Linx Youth Centre, in Lilly Hall Road, which is currently used as a polling place for the IA polling district, could easily accommodate another polling station. However, this would not be the preferred option, due to problems with parking in the area.

The Returning Officer's staff have approached other venues, including the Wesley Centre in Blyth Road. The Wesley Centre is considered to be a suitable venue for polling, containing a large hall with good facilities for voters, and having disabled access.

Consultees were asked whether they approved of the use of the Wesley Centre as a polling place.

Responses

One member of the public has responded that he fully supports the relocation of the polling station from Maltby Service Centre to Matby Wesley Centre.

Recommendation

It is recommended that the Wesley Centre, Blyth Road is used as a polling place for the ID polling district in future elections.

Rother Vale Ward, Rother Valley Constituency

Polling District	Parish	Electorate	Current Polling Place	Number of polling stations
KA	Treeton	2435	Treeton Youth Centre, Church Lane	1
KB	Orgreave	577	Mobile Library Unit, Rotherwood Avenue	1
KC	Aston-cum-Aughton	1497	Swallownest Community Centre, Rotherham Road	2 (polling place is also used for district FD – Holderness Ward)
KD	Aston-cum-Aughton	617	Aston Fence J & I School, Sheffield Road	1
KE	Ulley	137	Ulley Village Hall, Main Street	1
KF	Thurcroft	4223	Gordon Bennett Memorial Hall, Green Arbour Road	2
KF	Thurcroft		Gordon Bennett Memorial Hall, Green Arbour Road	
KG	Orgreave	771	AMRC Design Prototyping & Testing Centre, Wallis Way	2 (polling place is also used for district CG – Brinsworth and Catcliffe Ward)

The council's Mobile Library service has been withdrawn from April 2017, and is no longer available for use as a polling station.

There are no obvious options for a polling place in KB polling district, and it is not considered practical to site a portacabin on-street nor at the recreation ground.

However, Aston Fence Junior and Infant School, in Sheffield Road, which is currently used as a polling place for the KD polling district, could easily accommodate another polling station. This has good facilities for voters, and is around a 3 minute drive from Rotherwood Avenue.

Consultees were asked whether they approved of the use of Aston Fence Junior and Infant School as a polling place for the KB polling district.

Responses

There have been no responses received about this proposal.

Recommendation

It is recommended that Aston Fence J & I School is used as a polling place for the KB polling district (as well as the KD polling district) in future elections.

It is also recommended that the AMP Technology Centre, Brunel Way is used as a polling place for CG and KG polling districts in future elections (see p.3).

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Cessation of Charging for Payments made by Credit Card

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Author(s)

Richard Lancashire – Principal Finance Officer - Revenues, Benefits and Payments
01709 822021 or richard.lancashire@rotherham.gov.uk

Ward(s) Affected

All

Summary

In June 2015 the Council introduced a surcharge of 1.75% for payments made to the Council by credit card in order to offset charges being levied upon the Council by the card schemes, Mastercard and Visa. This was detailed in Budget Savings Proposal RES24 which was approved within the Council's Budget for 2015/16. Whilst surcharging was a legitimate and widely accepted practice, it was noted at the time that the European Commission was considering legislation to stop surcharging card payments at some point in the future.

The detail of changes has now been released by the European Commission within the 'Payment Services Directive 2', which H.M. Treasury have announced will be incorporated into UK legislation from 13th January 2018. It will therefore be against the law to surcharge for most credit card payments from this date.

Making the change ahead of the mandatory January 2018 deadline would benefit the citizens of Rotherham.

Recommendations

That surcharging credit card payments be stopped across all Council services and payment platforms from 30 November 2017.

List of Appendices Included

None

Background Papers

Explanatory Memorandum to the Payment Services Regulations 2017 (HM Treasury - 2017 No. 752).

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Cessation of Charging for Payments made by Credit Card

1. Recommendations

- 1.1 That surcharging credit card payments be stopped across all Council services and payment platforms from 30 November 2017.

2. Background

- 2.1 In 2015 the cost to the Council for accepting credit card payments stood at approximately £35k per year. Charges were introduced to recover this cost from customers although it was anticipated that some would switch to paying by debit card which remained free owing to the lower transaction charges. An ongoing income budget of £35k was built into the Central Services Medium Term Financial Strategy (MTFS).
- 2.2 Charges have generated income of £12,174 in 2015/16, £13,093 in 2016/17 and £6,736 to September in 2017/18.

The Payment Services Directive II

- 2.3 The European Commission introduced the Payment Services Directive II (PSDII) in order to “enhance competition, harmonise information disclosure and standardise the rights and obligations for the provision and use of payment services in the EU, with a strong emphasis on customer protection”.
- 2.4 The Directive covers many areas but specifically bans the surcharging of payments made by card. *“PSDII introduces a ban on retailers’ ability to charge for the use of payment instruments, where their interchange fees are capped under the Interchange Fee Regulation, which includes the majority of consumer debit and credit cards. The Regulations go further by extending the ban on surcharging to all non-commercial retail payment instruments. This is intended to level the playing field across all non-commercial retail payment instruments and create a clearer picture for consumers in which they know the full price of the products/services they are purchasing upfront and are confident that there will be no additional charges when they come to pay using a particular payment instrument”.* (Paragraph 7.16 of the explanatory note to The Payment Services Regulations 2017 – 752 of 2017).
- 2.5 *“The impact on the public sector is expected to affect local and central Government, as a result of the ban on surcharging”.* (Paragraph 10.2 of the explanatory note to The Payment Services Regulations 2017 – 752 of 2017).
- 2.6 PSDII was published in the Official Journal of the European Union on 23 December 2015 requiring national governments to implement the Directive into domestic law ahead of it coming into force on the 13 January 2018.
- 2.7 Although the UK voted in June 2016 to leave the EU, until the exit negotiations have been completed, the UK Government is committed to implementing and applying EU legislation. The Payment Services Regulations 2017 (Appendix A) are, therefore, made to comply with the requirements of PSDII.

2.8 Communications with colleagues in other local authorities who also surcharge indicates a general awareness of PSDII and all have advised they are mobilising to stop surcharging ahead of the 13th January 2018 deadline.

2.9 On 19 July 2017 the BBC News website headline reported “Credit and debit surcharges to be banned”. Similarly, the popular consumer website MoneySavingExpert.com has reported “Government to ban ALL charges for paying by debit or credit card”.

The full articles can be seen at [BBC News 190717 - Card Surcharges](http://www.bbc.co.uk/news/190717 - Card Surcharges) and [moneysavingexpert.com 190717 Surcharges](http://moneysavingexpert.com/190717 Surcharges).

2.10 It is, therefore, reasonable to assume that as the January 2018 deadline approaches, public awareness will be raised further. The Council complying with the legislation ahead of the deadline may be viewed as a goodwill gesture.

3. Key Issues

3.1 Approximately 90% of the Council’s card payments are processed through the corporate income management system administered within Revenues, Benefits & Payments. This includes on-line payments via the Council website, the Automated Telephone Payments (ATP) lines and the payment kiosks located in the Customer Service Centres. It is estimated that system changes to stop charging would have cost of £1,000, this being mainly attributed to the cost of re-recording the script on the ATP. However, this can be incorporated into a pre-planned piece of work to review the ATP script in order to reduce the length of time a customer spends on the telephone making a payment.

3.2 The remaining 10% of card payments are processed using bespoke systems across different services, for example the theatre booking system, or by pin entry devices at customer points of contact for example at the country parks or the Riverside House Café. A co-ordinated instruction to stop surcharging would need to be delivered across all services to ensure a consistent approach and fairness to all customers.

4. Options considered and recommended proposal

4.1 There are no alternative options being considered and the recommendation is that the Council cease charging for credit card payments in accordance with the forthcoming legislation.

5. Consultation

5.1 The recommendations have been considered by the relevant Cabinet Member who is supportive of the recommendation to cease surcharging on 30 November 2017.

6. Timetable and Accountability for Implementing this Decision

6.1 Following the Cabinet decision and expiry of the call-in period, work will immediately commence to plan system and documentation changes to be effective from 30 November 2017. This will include changing payment details on all invoices and bills, instructions on the Council website and payment platforms, re-recording the script on the Automated Payment Lines, amending system parameters and a co-ordinated communication across all services to ensure a consistent approach.

7. Financial and Procurement Implications

7.1 The estimated cost of the supplier changing the ATP script is £1,000.

7.2 The impact of ceasing charges will be reflected within the budget for 2018/19.

8. Legal Implications

8.1 The Payment Services Regulations 2017 implement the 'Payment Services Directive 2' into UK domestic law and with effect from 13 January 2018 prohibit the Council from surcharging consumers for the use of debit/credit cards.

9. Human Resources Implications

9.1 No direct implications from this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 No direct implications from this report.

11. Equalities and Human Rights Implications

11.1 No direct implications from this report.

12. Implications for Partners and Other Directorates

12.1 No direct implications from this report

13. Risks and Mitigation

13.1 No direct implications from this report

14. Accountable Officer(s)

Graham Saxton, Assistant Director of Financial Services
Robert Cutts, Service and Development Manager - Revenues, Benefits and Payments

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	24/10/2017
Assistant Director of Legal Services	Neil Concannon	27/09/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

*Report Author: Richard Lancashire
Principal Finance Officer - Revenues, Benefits and Payments*

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



Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Business Rates Discretionary Rate Relief for Revaluation Support

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Author(s)

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Ward(s) Affected

All

Summary

In the Spring Budget of 8 March 2017, the Chancellor of the Exchequer announced the introduction of a series of new Business Rates reliefs including Revaluation Support to assist businesses impacted by an increase in Business Rates as a result of the 2017 revaluation. Two national relief schemes – Supporting Small Business and Support for Pubs, which were also announced by the Chancellor have already been implemented by the Council following a report to Cabinet on 16th October 2017

The new relief is to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act. Each authority has been given their own allocation, being the total relief that they can offer, and still be compensated through a Section 31 grant for their 49% share. Authorities will not be compensated for relief granted above their allocated funding and unused funding **cannot** be carried forward to future years.

Rotherham's allocated funding is as follows:

- 2017/2018 - £365k
- 2018/2019 - £85k
- 2019/2020 - £35k
- 2020/2021 - £5k

No national scheme has been proposed, as the Government believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies. There are however some conditions and requirements for local schemes that have been set out:

- Billing authorities are expected to consult with their major precepting authorities (Fire and Rescue authority).
- De-Minimis State Aid regulations apply.
- Other discretionary reliefs funded by Section 31 Grant should be awarded first before Revaluation Support.

Although councils are free to design their own schemes analysis of a number of other authorities proposed schemes has highlighted some common themes and it is with these in mind that Rotherham's scheme has been designed.

Rotherham's scheme, details of which can be found in Appendix A, has been designed to support small and medium businesses who have seen their Non Domestic Rates bills increase significantly as a result of an increase in the Rateable Value of their properties in the 2017 revaluation.

Recommendations

That the implementation of the Revaluation Support Scheme, as outlined in Appendix A, be approved.

List of Appendices Included

Appendix A – Revaluation Support scheme

Appendix B – State Aid Declaration

Background Papers

Business Rates Information Letter (4/2017): Spring Budget Update

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Business Rates Discretionary Rate Relief for Revaluation Support

1. Recommendations

1.1 That the implementation of the Revaluation Support Scheme, as outlined in Appendix A, be approved.

2. Background

2.1 In the Spring Budget of 8th March 2017, the Chancellor announced the introduction of a series of new Business Rates reliefs including Revaluation Support to assist businesses impacted by an increase in Business Rates as a result of the 2017 revaluation. Two national relief schemes, Supporting Small Business and Support for Pubs, which were also announced by the Chancellor have already been implemented by the Council following a report to Cabinet on 16th October 2017. These reliefs will be funded by Section 31 grants and as with other national reliefs will be taken into account before the local relief scheme is applied.

2.2 The new relief is to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act. Each authority has been given their own allocation, being the total relief that they can offer, and still be compensated through a Section 31 grant for their 49% share. Authorities will not be compensated for relief granted above their allocated funding and unused funding cannot be carried forward to future years. Rotherham's allocated funding is as follows:

- 2017/2018 - £365k
- 2018/2019 - £85k
- 2019/2020 - £35k
- 2020/2021 - £5k

Proposed Rotherham Scheme

2.3 Authorities have Local Discretion regarding the design and structure of the Revaluation Support scheme and this has resulted in a wide variety of different qualification criteria and calculation methods being proposed by councils. The design of schemes is driven in part by the impact of the 2017 Revaluation locally on each council.

2.4 A number of other authority's schemes have been analysed and common themes with regards to eligibility for the relief and the subsequent calculation of the relief amount have been identified. The Rotherham scheme has been developed with these themes in mind and using a calculation method which based on the current make up of Rotherham's Non Domestic Ratepayers will offer the maximum support to small and medium sized businesses which have been most negatively affected by the 2017 revaluation.

- 2.5 The authority is able to identify the businesses which will be eligible for Revaluation Support using the criteria set out in Appendix A. The relief will however be subject to the De-Minimis State Aid regulations, and it will therefore be necessary to require ratepayers to complete an application form which includes a State Aid declaration before awarding the relief and issuing revised rates bills.
- 2.6 Consultation has been undertaken with the major preceptor, Fire and Rescue Authority.

Required Qualifying Criteria

- 2.7 Although the Government believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies, they have set some conditions and requirements for local schemes;
 - Billing authorities are required to consult with major precepting authorities (Fire and Rescue).
 - De-Minimis State Aid Regulations apply.
 - Other discretionary reliefs funded by Section 31 Grant should be awarded first before Revaluation Support.

Rotherham's Additional Qualifying Criteria

- 2.8 In order to support businesses impacted negatively by the 2017 revaluation it is proposed that the following additional qualifying criteria be included in Rotherham's Revaluation Support scheme;
 - The Rateable Value of the property and the net charge, after award of other reliefs, must have increased as a result of the 2017 revaluation.
 - Relief will only be awarded to businesses which have seen their net bill, after other reliefs, increase by at least 7.5%. This is a common percentage used by other authorities and has been set following modelling of the current Non Domestic Ratepayers in Rotherham.
 - The business must have been in occupation of the property on both 31/3/2017 and 1/4/2017. Any business which becomes liable for Business Rates for a period after 1/4/17 will not be eligible for the relief as they would be aware of the new rateable value at the time of occupation.
 - In order to ensure that funding limits are not exceeded properties must have been on the rating list as at 1/4/17 in order for relief to apply. No relief will be awarded to properties entered onto the list retrospectively.
- 2.9 In order to support small and medium sized businesses who are actively trading in Rotherham it is proposed that the following additional qualifying criteria also be included in Rotherham's Revaluation Support scheme;
 - In order that available support is targeted at small and medium sized relief will only be granted to properties with a Rateable Value of £100,000 or below on the 2017 rating list as at 1/4/2017.

- No award will be made for empty periods. After 1/4/2017 if the property becomes vacant or the liable party changes the relief will cease and be recalculated from the date of change.
- No relief will be awarded to public bodies (eg NHS, DWP etc) or those organisations funded by central government or an agency thereof (eg Academies and medical premises (eg Doctors and Dentists). By excluding such bodies and organisations, the Rotherham scheme is able to allocate greater support to small and medium size businesses.
- No relief will be awarded to large national and multi-national companies or chains, including franchises. By excluding such companies, which would be unlikely to apply due to State aid rules, the Rotherham scheme is able to allocate greater support to small and medium size businesses.

Rotherham's Relief Calculation

2.10 It is proposed that relief be awarded to those applicants who meet the qualifying criteria based on the following calculations;

- Relief awarded in 2017/18 will be 90% of the increase in the net Business Rates charge, after other reliefs have been awarded. The percentage award will be adjusted in future years, based on qualifying businesses at the time, in order to ensure that Rotherham does not exceed the allocated funding :
 - 2018/19 = 25%
 - 2019/20 = 10%
 - 2020/21 = 2.5%
- In order to ensure as many businesses as possible may be supported a maximum award of £5,000 per property per annum will be awarded.
- In order to reduce administrative burden, a specified minimum award threshold will be introduced under which no relief will be awarded.

3. Key Issues

3.1 It is proposed that the Council exercise its discretionary powers to award Revaluation Support using the qualifying criteria and calculation method set out in Appendix A attached.

3.2 The authority is able to identify the businesses which are eligible for Revaluation Support using the criteria set out in Appendix A. The relief will however be subject to the De-Minimis State Aid regulations, and it will therefore be necessary to require ratepayers to complete an application form which includes a State Aid declaration before awarding the relief and issuing revised rates bills. A copy of the application form which the Council has used in relation to State Aid is attached as Appendix B.

4. Options considered and recommended proposal

4.1 No national scheme has been proposed, as the Government believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies. As such a number of options were considered before design of the proposed scheme was finalised. After modelling of the impact of the 2017 revaluation on the current Business Rates payers it is considered that the proposed scheme offers the best distribution of available funds to Rotherham's small and medium sized businesses.

5. Consultation

5.1 As required consultation has been undertaken with the major preceptor South Yorkshire Fire and Rescue. They have advised that as there is no detriment to them in terms of overall Business Rates receivable and they do not qualify for relief, they are content not to make further comment or seek a discussion as part of the consultation with them.

5.2 The recommendations have been considered by the relevant Cabinet Member who is supportive of the recommendations to award relief in accordance with Government criteria.

6. Timetable and Accountability for Implementing this Decision

6.1 Businesses which have been identified as potentially eligible for Revaluation Support will be contacted within 10 working days of the Cabinet decision advising them of their potential eligibility for the relief and with a request that they complete and submit an application form incorporating a state aid declaration.

6.2 Once completed applications and State Aid Declarations have been received revised rates bills backdated to April of this financial year will be issued.

7. Financial and Procurement Implications

7.1 Each authority has been given their own allocation, being the total relief that they can offer, and still be compensated through a Section 31 grant for their 49% share. As stated Rotherham's allocations are: Rotherham's allocated funding is as follows:

- 2017/2018 - £365k
- 2018/2019 - £85k
- 2019/2020 - £35k
- 2020/2021 - £5k

7.2 Authorities will not be compensated for relief granted above their allocated annual funding and unused funding **cannot** be carried forward to future years.

7.3 All authorities have each been allocated £12k New Burdens from the Government funding to compensate for the introduction of new Non Domestic Rates reliefs in 2017/18.

8. Legal Implications

- 8.1 The new reliefs are to be granted by Authorities using their Discretionary Relief powers under Section 47 of the Local Government Finance Act 1988 as amended by the Localism Act 2011 and are subject to State Aid Rules.
- 8.2 Billing authorities are required to consult with major precepting authorities (Fire and Rescue Authority) and this consultation has been carried out.

9. Human Resources Implications

- 9.1 No direct implications from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 No direct implications from this report.

11 Equalities and Human Rights Implications

- 11.1 No direct implications from this report.

12. Implications for Partners and Other Directorates

- 12.1 No direct implications from this report.

13. Risks and Mitigation

- 13.1 Modelling of the proposed scheme has been undertaken by the Revenues and Benefits Service and the proposed scheme has been developed within the funding limits at a specified moment in time. Subsequent changes to liabilities may result in an under spend of the available funding.

14. Accountable Officer(s)

Graham Saxton – Assistant Director of Financial Services

Robert Cutts – Service & Development Manager - Revenues, Benefits & Payments

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	18/10/2017
Assistant Director of Legal Services	Neil Concannon	20/10/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

*Report Author: Robert Cutts
Service & Development Manager – Revenues, Benefits & Payments*

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Appendix A

Rotherham Metropolitan Borough Council

Revaluation Support Scheme

1. Background

- 1.1 The Government has nationally allocated £300m in funding over the period 2017/18 to 2020/21, to provide additional relief to businesses that need additional support following the impact of the 2017 revaluation. Each authority has been given their own allocation, being the total relief that they can offer, and still be compensated through a Section 31 grant for their 49% share. Authorities will not be compensated for relief granted above their allocated funding and unused funding cannot be carried forward to future years.
- 1.2 Rotherham's allocated funding for Revaluation Relief is as follows. The figures used in the calculation of relief under the Revaluation Support Scheme (percentage relief awarded & maximum relief awarded) will be adjusted annually in order that the total relief awarded will not exceed Rotherham Councils funding for that year.
 - 2017/18 = £365k
 - 2018/19 = £85k
 - 2019/20 = £35k
 - 2020/21 = £5k
- 1.3 Rotherham's scheme has been designed to support small and medium businesses which have seen their Non Domestic Rates bill increase significantly as a result of an increase in the Rateable Value of their properties in the 2017 revaluation.
- 1.4 This document sets out the Council's intentions for dealing with applications for relief under the Revaluation Support Scheme.

2. Qualifying Criteria

- 2.1 Relief will only be awarded under the Revaluation Support Scheme where all qualifying criteria are met as at 1/4/2017.

Qualifying Criteria - Property

- 2.2 As a result of the 2017 revaluation;
 - The Rateable Value of the property must have increased from the 2010 list to the 2017 list as at 1/4/2017
 - The Non Domestic Rate net charge (as defined in section 3), after all other reliefs have been deducted, must have increased by 7.5% or more between 2016/17 and 2017/18 as at 1/4/2017.
- 2.3 The property must have been on the rating list as at 1/4/17 in order for relief to apply. No relief will be awarded to properties entered onto the list retrospectively.
- 2.4 The property must have had a Rateable Value of £100,000 or below on the 2017 rating list as at 1/4/2017.
- 2.5 Where a property was empty on the 1st April 2017, no relief will be awarded. Where a property becomes empty after that date any award will end on the date the property becomes empty, and no further relief will be granted for that property.
- 2.6 Where the liable party for Non Domestic Rates on a property changes after 1/4/2017 any award will end on the date of the liability change, and no further relief will be granted for that property.

Qualifying Criteria – Applicant

- 2.7 The applicant meets the conditions attached to State Aid under European Union regulations (limiting relief maximum of 200,000 Euros – around £173,000 over three financial years comprising the current financial year and the two previous financial years).
- 2.8 The applicant must have been in occupation of the property on both 31/3/2017 and 1/4/2017.
- 2.9 Any business which becomes liable for Business Rates for a period after 1/4/17 will not be eligible for relief.
- 2.10 No relief will be awarded to applicants who the authority believe fall into one of the following categories;
 - Public bodies (eg NHS, DWP etc)

- Organisations funded by central government or an agency thereof (eg Academies and medical premises such as Doctors and Dentists)
- Large national and multi-national companies or chains, including franchises.
 - Relief will be targeted to local independent businesses and not those businesses that are part of a franchise, national or multi-national in nature. Local businesses are, for the purposes of this scheme, those which have premises wholly in Rotherham or neighbouring South Yorkshire council's areas.

3. Calculation of Relief

- 3.1 Relief under the Revaluation Support Scheme will be awarded after all relevant reliefs and exemptions have been deducted.
- 3.2 Where all the qualifying criteria have been met the relief awarded will be a percentage of the net increase in the Non Domestic Rates between 2016/17 and 2017/18 as at 1/4/2017 up to a maximum value.
- 3.2 Where the Non Domestic Rates charge for 2016/17 or 2017/18 was for part of the financial year or contained any empty periods the net charge for the year will be calculated as an annualised charge based on the average daily charge for the periods when the property was not empty.
- 3.3 The percentage of relief awarded will be as follows. These percentages may be revised prior to the start of a financial year in order to ensure that the maximum relief is awarded without exceeding Rotherham Council's allocated funding.
 - 2017/18 = 90%
 - 2018/19 = 25%
 - 2019/20 = 10%
 - 2020/21 = 2.5%
- 3.4 The maximum relief that will be awarded, against a property, will be as follows. These maximum award figures may be revised prior to the start of a financial year in order to ensure that the maximum relief is awarded without exceeding Rotherham Council's allocated funding.

- 2017/18 = £5,000
- 2018/19 = £1,000
- 2019/20 = £500
- 2020/21 = £100

3.5 Where a qualifying ratepayers rates bill for 2016/17 or 2017/18 is adjusted for any of the following reasons the amount of relief awarded under the Revaluation Support Scheme will be adjusted or removed accordingly;

- The award of other reliefs or exemptions
- The vacation of the property
- A change in the liable party

3.6 The Council will recover any overpayments of relief through the ratepayer's Business Rates account.

4. Application Process

4.1 Business Rate payments remain legally due and payable in accordance with the most recent bill until such time as any rate relief is awarded. The rate relief will usually be awarded by means of a reduction shown on the business rate bill issued to the ratepayer. Where this puts the account in credit for the year, a refund will be made at that time.

4.2 All applicants are required to complete the Council's Revaluation Support Scheme application form which includes a State Aid declaration. Such information and evidence as the Council requires must be provided to support an application and in the event that the requested information and evidence is not provided the application may be refused. The Council will ensure that application forms are made available to business ratepayers.

4.3 Where the qualification criteria continue to be met relief under the Revaluation Support Scheme will be made each year for the life of the scheme without the need for an annual application form to be completed. Those awarded relief under the scheme must advise the Council of any

changes in their circumstances which would mean they no longer meet all the qualifying criteria.

- 4.4 The Council will identify all ratepayers it considers may be eligible for relief and will invite them to make an application for relief.
- 4.5 The website will be updated with details of the Revaluation Support Scheme so that any new ratepayers that have yet to be identified as qualifying may make an application.

5. Decision Making Process

- 5.1 Decisions on granting or refusing an application will be made by the Business Rates team in accordance with this scheme which has received Cabinet approval.
- 5.2 Rating legislation provides no right of appeal against the decision of the Council not to grant relief, however, if a ratepayer is aggrieved by a decision made under this scheme they should request in writing that the decision be reviewed by someone who was not involved in the original decision.

State Declaration

Dear Sir/Madam,

Account No.**Address****State Aid De Minimis Exemption**

State Aid rules exist to avoid public funded interventions distorting competition within the European Union. You should note carefully the requirements needed to comply with the European State Aid rules and if need be, refer to the relevant legislation. Details are available at www.gov.uk/state-aid.

You are being considered for assistance under the De Minimis Regulation (Regulation 1998/2006). The De Minimis Regulation allows an enterprise to receive up to 200,000 Euros De Minimis Aid over any period of three fiscal years (as set out in EC Regulation 1998/2006 as published in the Official Journal of the European Union on 28 December 2006).

To establish whether you are eligible to receive De Minimis aid you must declare the full amount of De Minimis aid which you have already been granted during the previous two fiscal years and the current fiscal year. Any assistance you may have received from a public body might be a De Minimis aid. This could be from central, regional, devolved governments or agencies or a local authority.

Please complete the enclosed Statement of Previous Aid received under the De Minimis exemption and arrange for a director of your business to sign the declaration. We will use this information to assess your eligibility to receive assistance.

The following is not a comprehensive list of all possible forms of aid. However, it should give you an indication of common forms of aid which you may have been given. If you have received De Minimis aid, you should have been given a letter informing you that the assistance you were given was under the De Minimis Regulation.

Forms of possible aid:

- State grants
- Interest rate relief
- Tax relief
- Tax credits
- State guarantees or holdings
- State provision of goods or services on preferential items
- Direct subsidies
- Tax exemptions
- Preferential interest rates
- Guarantees of loans on especially favourable terms
- Acquisitions of land or buildings either gratuitously or on favourable terms
- Provision of goods and services on preferential terms
- Indemnities against operating losses
- Reimbursements of costs in the event of success
- State guarantees, whether direct or indirect, to credit operations preferential re-discount rates
- Dividend guarantees
- Preferential public ordering
- Reduction of, or exemption from, charges or taxes, including accelerated depreciation and the reduction of social contributions
- Deferred collection of fiscal or social contributions
- Assistance financed by special levies
- Capital transfers
- Certain State holdings in the capital of undertakings

NNDR+A89495+DLT-FO-ST3

Statement of Previous Assistance/Aid Received

I confirm thathas received the following De Minimis aid during the previous 3 fiscal years (this being the current fiscal year and the previous two fiscal years):

Organisation Providing the Assistance/Aid	Value of Assistance	Date of Assistance	Nature of Assistance

I acknowledge that I am authorised to sign on behalf of and understand the requirements of De Minimis (EC Regulations 1998/2006).

.....is not a business "in difficulty" as defined at 2.1 of the Community Guidelines and State Aid for Rescuing and Restructuring Firms in Difficulty (2004/C22/02) at the date of this declaration.

I understand that if claimed incorrectly, any relief awarded will be recovered by the Council.

By signing below, I confirm that I representand that the information set out above is accurate for the purposes of the De Minimis exemption.

SIGNATURE:.....

NAME:.....
Please Print

BUSINESS:.....
Please Print

POSITION:.....
Please Print

DATE:.....



Public Report

Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Waste Options Appraisal - Consultation

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

All

Summary

This report seeks Cabinet approval to carry out consultation on proposed changes to the Council's waste collection service.

Waste collection services in Rotherham have developed over the last 14 years and currently consist of a hybrid of previous kerbside sorting regimes and current collection operations.

The Council is keen to consider how the service could be modernised ensuring full consideration is given to maximising recycling and reducing costs.

Recommendations

1. That consultation with the residents of Rotherham on proposed changes to household waste and recycling collection services be approved.
2. That a further report be submitted in February 2018 to report on the outcome of the consultation and present the recommended options for approval.

List of Appendices Included

None

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 8 November 2017

Council Approval Required

No

Exempt from the Press and Public

No

Waste Options Appraisal - Consultation

1. Recommendations

- 1.1 That consultation with the residents of Rotherham on proposed changes to household waste and recycling collection services be approved.
- 1.2 That a further report be submitted in February 2018 to report on the outcome of the consultation and present the recommended options for approval.

2. Background

- 2.1 Waste collection services in Rotherham have developed over the last 14 years and currently consist of a hybrid of previous kerbside sorting regimes and current collection operations. The service uses a range of bins, boxes and bags, which are traditional methods for kerbside collection and sorting and these have continued to today even though the Council no longer sorts waste at the kerbside.
- 2.2 These types of containers have been found to cause issues with manual handling, containment (windblown litter) and can result in littering on collection days. They are considered inappropriate for the current collection methodology using refuse vehicles. A modern collection service should ensure the provision of appropriate bins for residents, service requirements and staff operational requirements.
- 2.3 The Council is committed to achieving its priority of a strong community in a clean, safe environment. It is committed to a Rotherham where neighbourhoods are safe, clean, green and well-maintained, working together with residents to achieve these priorities.
- 2.4 As the number of households across the Borough grows, it is important that the Council has reviewed its waste services to ensure that it continues to meet its priorities whilst providing best value to residents. A range of options have been considered to provide an efficient and effective waste management service, delivering high levels of customer satisfaction whilst identifying opportunities for cost reduction, service improvements and increased income generation.
- 2.5 In addition, advice has also been sought regarding policy guidance, legislation, best practice as well as cost and performance considerations.

3. Key Issues

- 3.1 The Council's current kerbside collection consists of four waste collection streams:
 - Black bin 240L Wheeled Bin – Household General Waste
 - Green bin 240L Wheeled Bin – Household Garden Waste
 - Blue 60L sack – Cardboard, newspapers, magazines, telephone directories
 - Blue 55L Box – Mixed glass, food tins, drinks cans, foil and textiles

- 3.2 Facilities are available for recycling at the Council's four Household Waste Recycling Centres (HWRCs) at Bramley, Greasbrough, North Anston and Rawmarsh alongside a number of recycling points (bring banks) which also take recyclates across the Borough.
- 3.3 Barnsley, Doncaster and Rotherham (BDR) Councils have jointly managed waste generated in the three boroughs for more than two decades to boost recycling and divert waste from landfill. The success of the BDR Waste Partnership helped secure PFI funding to build the award-winning waste treatment facility at Manvers. It treats 250,000 tonnes a year of leftover household waste from 340,000 households, extracting the remaining recyclable materials including plastics, glass and organic matter, and turning the rest into a valuable resource rather than sending it to landfill. Non recyclable materials are turned into fuel which produces low carbon electricity for the National Grid.
- 3.4 Since the facility opened in 2015, around 95% of waste has been diverted from landfill, reducing C02 emissions and landfill costs. The state-of-the-art facility is one of the first in the UK to use pioneering new technology which enables it to deal with the vast majority of household waste on one site.
- 3.5 The target for the UK is to recycle at least 50% of household waste by 2020. In 2016/17 the Council recorded a recycling rate of 45.15% of all household waste collected. Councils are under increasing pressure to review and deliver waste services to ensure value for money as well as high reuse, recycling and composting performance. It is important that any agreed changes are introduced during 2018 to ensure the savings generated can support the Councils current budgetary challenges.
- 3.6 The Environmental Protection Act 1990 is the primary legislation in relation to the provision of household waste collection. This is supported by various Regulations including Controlled Waste Regulations 2012 and the Household Waste Recycling Act 2003. As a Metropolitan Borough, the Council is both a Waste Collection Authority and Waste Disposal Authority.
- 3.7 The Waste (England and Wales) Regulations 2011 and the Waste (England and Wales) (Amendment) Regulations 2012 stipulate that authorities must provide, where it is technically, environmentally and economically practicable (TEEP), separate collections of paper, metal, plastic and glass.

4. Options considered and recommended proposal

Kerbside waste collection consultation

- 4.1 Having reviewed the current service provision, the Council now wishes to have a conversation and seek the views of residents on a range of improvements outlined below.

Materials for recycling and the use of wheeled bins

- 4.2 Kerbside dry recycling is currently collected fortnightly from approximately 116,700 properties across the Borough. The Council currently recycles paper, card, cans and glass at the kerbside in reusable bags and 55 litre blue boxes. Plastics are removed from Rotherham's general waste at the BDR waste facility at Manvers for recycling and can also be recycled at Household Waste Recycling Centres and Bring Sites across the Borough.
- 4.3 Residents have raised concerns regarding the use of bags and boxes, particularly with regard to the lack of capacity to recycle, windblown rubbish and littering.
- 4.4 Councils are under increasing pressure to review and deliver value for money waste services as well as high reuse and recycling performance. At the kerbside, the yields of all recyclables that are collected can be improved and there is a desire increase recycling rates across Rotherham. To maximise revenue to the Council, the collection of recyclate is undertaken in two streams; paper and card separately from cans and glass.
- 4.5 In order to increase recycling, it is proposed that the existing bags and boxes are replaced with 240 litre wheeled bins to be collected alternate fortnightly. This means that a recycling collection will take place every fortnight with each bin collected 4-weekly.
- 4.6 It should be noted that Barnsley Metropolitan Borough Council currently use wheeled bins to collect recycling and that Doncaster Council will also be using wheeled bins following their recent waste consultation.
- 4.7 By providing 2 x 240 litre wheeled bins for dry recycling, the total capacity for households to recycle will be doubled (compared to the existing bags and boxes). The consultation will also include a proposal to utilise existing bins where possible for recycling to minimise expenditure and maximise efficiencies across the service.
- 4.8 Using wheeled bins for collection of all waste streams, including recycling, has several advantages. They are easy to move both for the residents and the collection crew, they keep the recycling materials dry, they reduce the incidence of windblown litter and vermin, they have greater capacity than boxes or bags and it is unlikely that they will be blown away.
- 4.9 Investment in vehicles suitable for waste collection is substantial. By streamlining the types of wheeled bins used across the range of recycling materials collected, there will be no requirement for vehicles to be dedicated to one particular waste stream, providing a more efficient and effective service.

Residual waste

- 4.10 Every household in Rotherham is currently provided with a 240 litre black bin for non-recyclable residual (household) waste. The size of the bins has not changed since they were first introduced when there were very limited opportunities for recycling.

4.11 To enable the Council to reduce waste by encouraging recycling, the proposal for consultation will include reducing the size of the residual waste bin at the same time as providing 240 litre wheeled bins to improve the opportunities to recycle. The proposal for consultation will outline the introduction of a smaller 180 litre wheeled bin alongside the improved facilities for recycling. It will also seek resident's views regarding proposals to extend waste collection times to improve the efficiency of the service. This may include earlier or later collections each day.

4.12 The table below demonstrates the bin changes proposed for consultation. In practice, this demonstrates how waste collections could be provided over a rolling 4 week period as follows:

Week 1	Household waste collections
Week 2	Glass and cans (and, if subscribed, garden waste)
Week 3	Household waste collections
Week 4	Paper and card (and, if subscribed, garden waste)

Current collection			
 	 	 	
60ltr bag – Fortnightly collections of paper and cardboard	55ltr box - Fortnightly collections of glass bottles and jars, steel and aluminium cans	240ltr Fortnightly (30 weeks) Garden waste	Residual waste 240ltr Fortnightly.
Collection service for consultation			
 	 	 	
240ltr - 4 Weekly (Alternate). Paper and Cardboard (utilising existing bin)	240ltr – 4 Weekly (Alternate) Glass bottles and jars and steel and aluminium tins and cans (utilising existing bin)	240ltr Subscription bin for garden waste	Residual waste 180ltr Fortnightly – New bin

Garden waste

- 4.13 The Council currently collects garden waste at the kerbside during April – October each year. Residents regularly raise concerns regarding the ceasing of collections in October (particularly in relation to autumn leaf fall) and the Council would like to address these concerns by providing the opportunity for residents to consult on an all year round garden waste offer.
- 4.14 Unlike the collection of general household waste which the Council is statutorily obliged to undertake, the collection of garden waste is a discretionary service for which the Council may make a reasonable charge under the Controlled Waste Regulations (CWR) 2012.
- 4.15 To protect the waste service and to ensure its continued provision, the proposal includes consultation with residents on the introduction of a full year-round charged for green waste collections on an opt-in subscription basis of around £40 per annum is to be considered. Introducing a charge for this discretionary service means that the Council will be more able to maintain the delivery of other services.
- 4.16 The introduction of a charged for garden waste service will increase interest in alternative garden waste disposal methods such as home composting. The Council will look to increase its current promotion of home composting to residents.
- 4.17 There is an increasing trend for Councils to charge for green waste collections with over 60% of UK local authorities now providing a chargeable garden waste collection.
- 4.18 In addition, the Council has been working across the BDR Partnership to develop a South Yorkshire Municipal Waste Strategy. By introducing a chargeable green waste service similar to Sheffield and using bins instead of boxes and bags for their dry recycling Rotherham will be in a better position to meet some of the aspirational targets contained in the Strategy including reducing waste by 2 kilos per household year on year by 2021 and aligning collection frequencies.

Consultation

- 4.19 The relevant guidance states Local Authorities should consult widely on any proposed changes to their local policies with all interested parties. The Council knows how important an efficient waste service is to residents.
- 4.20 The 8 week consultation, commencing on 27th November 2018 will ensure customers understand the proposed changes, the reasons for them and communicate how they can contribute to the consultation. Engagement will take place using a combination of drop-in sessions and online feedback. Communications around the proposed changes and the subsequent consultation will be undertaken using a combination of mechanisms, including social media, traditional media and printed material.

5. Timetable and Accountability for Consultation

- 5.1 Following the approval to commence consultation, activities will be commenced in accordance with an agreed consultation plan, marketing and timetable.
- 5.2 The Head of Street Scene Services and the Interim Assistant Director of Community Safety and Street Scene will be responsible for the delivery of the consultation.

6. Financial and Procurement Implications

- 6.1 Savings that arise from any changes to the Council's waste collection service, following the outcome of the consultation process, will contribute towards the Council's revenue savings for 2018/19 and future years, which reflect central government grant funding reductions. All local authorities have a duty of Best Value enshrined in the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness." This review has been carried out in line with these principles.

7. Legal Implications

- 7.1 As a matter of public law, a proposal of this nature to significantly change a service will require a reasonable period of engagement and consultation with those affected by such a proposal. The amount of time required for a consultation exercise should be decided on a case by case basis. The latest Government guidance on consultation principles confirms that the length of a consultation exercise should be decided upon taking into account the nature and impact of the proposal. The consultation should achieve real engagement, rather than merely following a bureaucratic process. The guidance indicates that the period of consultation will usually last for between 2 and 12 weeks. In these circumstances a consultation lasting 8 weeks is proposed.
- 7.2 The purpose of the consultation is to gather the views and preferences of those consulted on the proposal and its implementation, and to understand whether there are any possible unintended consequences of the proposal. The product of the consultation will then help to inform final proposals.

8. Human Resources Implications

- 8.1 There are no human resource implications arising from this report. However, following the outcome of the consultation exercise, it will be necessary to consider any human resource impacts in relation to any subsequent options being recommended for approval.
- 8.2 Full engagement with staff and unions will be undertaken as part of this consultation process.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications arising from this report, however, following the outcome of the consultation exercise, it will be necessary to consider any implications for children and young people and adults in relation to any subsequent options being recommended for approval.

10. Equalities and Human Rights Implications

10.1 Ensuring the Council meets its equalities and human rights duties and obligations is central to how it manages its performance, sets its priorities and delivers services across the board.

10.2 An Equalities Impact Assessment will be undertaken prior to the commencement of and following the waste consultation.

10.3 These service options will see no change to the council's assisted collection arrangements and when provision is made for an additional 140L bin due to family size or medical need this will be maintained.

11. Implications for Partners and Other Directorates

11.1 Issues for partners and other directorates will be assessed and addressed as part of the full analysis of the consultation and implementation plans following final approval of any service changes.

11.2 The Waste Service will consult and work with all partners and other directorates to keep them fully informed of any changes to the service and work to mitigate and minimise any impact on them. This will include full consultation with the BDR PFI facility contractor at Manvers.

12. Risks and Mitigation

12.1 Any revision to the waste collection service is likely to create interest as it will impact on all households across the Borough. Whilst, this in itself should not prevent the review, there are likely to be clear impacts which the Council needs to be mindful of. The consultation itself, does not present any potential risks provided it is comprehensive and inclusive.

12.2 It is anticipated that a further report will be presented to Cabinet following the consultation in February 2018 which will outline the outcome of the consultation exercise and will present proposals for approval. This report will provide more details regarding any potential risks relating to the implementation of any changes to the waste service and mitigation measures including a detailed communications and implementation plan.

13. Accountable Officer(s)

Ajman Ali – Interim Assistant Director, Community Safety and Street Scene
Martin Raper – Head of Service, Street Scene

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	25/10/2017
Assistant Director of Legal Services	Stuart Fletcher	26/10/2017
Head of Procurement (if appropriate)	Joanne Kirk	20/10/2017
Head of Human Resources (if appropriate)	John Crutchley	20/10/2017

Report Authors: *Karen Hanson, Assistant Director – Community Safety & Street Scene*
Martin Raper, Head of Service – Street Scene

This report is published on the Council's website or can be found at:-
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>



Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Equality Act 2010 Licensed Driver Medical Exemption Policy

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment

Report Author(s)

Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene

Ward(s) Affected

All

Summary

The operative parts of Sections 165 and 167 of the Equality Act 2010 came into effect in April 2017. Section 167 of the Act gives Local Authorities the power to publish a list of wheelchair accessible vehicles (known as the Section 167 list). Section 165 places duties on the drivers of those vehicles in relation to the carriage of passengers in wheelchairs.

Drivers of vehicles that are on the Section 167 list are able to apply for a medical exemption from any of the duties listed under Section 165. In order to process an application for a medical exemption, the Council is required to set out a policy for exempting drivers on medical grounds.

This report seeks approval of that policy, and proposes arrangements for the maintenance of the Section 167 list.

Recommendation

That the Licensed Driver Medical Exemption Policy, attached at Appendix 1, be approved.

List of Appendices Included

Appendix A – Equality Act 2010 Licensed Driver Medical Exemption Policy

Background Papers

The following documents have been considered when preparing this report:

- Equality Act 2010
- Rotherham Metropolitan Borough Council Licensing Policy

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Equality Act 2010 Licensed Driver Medical Exemption Policy

1. Recommendations

- 1.1 That the Licensed Driver Medical Exemption Policy, attached at Appendix 1, be approved.

2. Background

- 2.1 The Equality Act 2010 replaced several anti-discrimination laws with a single Act. In broad terms, the Act provides protections to consumers, that is, those who access goods, facilities or services, in relation to direct discrimination on the basis of a 'protected characteristic'. The relevant characteristics are:
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race – this includes ethnic or national origins, colour and nationality
 - Religion or belief
 - Sex
 - Sexual orientation
- 2.2 Many of the requirements of the Act came into effect in October 2010, however, a phased approach was introduced in relation to certain discretionary aspects. Most notably, in relation to the way that the Act was applied to hackney carriage and private hire licensing, (particularly with reference to Sections 165 and 167 of the Act), these have been introduced from April 2017.
- 2.3 Section 165 of the Act makes it a criminal offence for drivers of designated taxi and private hire vehicles to refuse to carry passengers in wheelchairs, to fail to provide them with appropriate assistance or, to charge them an extra fee.
- 2.4 Section 167 of the Act gives Councils the discretionary power to produce a list of designated vehicles to which Section 165 will apply, known as a Section 167 list.
- 2.5 The introduction of such a list requires the Council to inform all drivers of vehicles that appear on the list of their obligations under the Act. Additionally, the Council would need to make drivers aware that they may apply for exemptions from these obligations on medical and physical condition grounds. Subsequently, the Council is required to develop a policy that deals with whether or not a medical exemption should be granted.
- 2.6 Once the list has been produced, it should be published by the Council so that it is easily available to passengers.
- 2.7 Vehicle owners have the right to appeal against a Council decision to include their vehicle on a Section 167 list, or to refuse to issue a driver with a medical exemption. Such appeals must be made to the local Magistrates Court.

2.8 The Equality Act 2010 also imposes duties on the drivers of taxis hired by or for a disabled person who is accompanied by an assistance dog, or by another person who wishes to be accompanied by a disabled person with an assistance dog. The driver must carry the disabled person's dog and allow it to remain with them, and not make any additional charge for doing so. It is a criminal offence not to comply with these duties. Drivers may apply for a similar exemption certificate as they with regard to their obligations to wheelchair users.

3. Key Issues

3.1 Statutory guidance in relation to the Equality Act 2010 makes it clear that the production of a Section 167 list is strongly recommended. It is therefore appropriate that the Council develops and publishes a Section 167 list. This will ensure that passengers that use wheelchairs are better informed about the accessibility of designated vehicles in Rotherham, and consequently more confident of receiving the assistance they need to travel safely.

3.2 There are currently seven vehicles licensed by the Council that are considered suitable for inclusion in a Section 167 list. These vehicles are all capable of carrying a passenger whilst seated in their wheelchair.

3.3 The owners of the identified vehicles have been written to and informed of the proposal to develop a Section 167 list, making the details available to the public on the Council's website. In addition, information has been provided that informs of the appeals process against inclusion on the list.

3.4 Similarly, drivers of these vehicles have been informed of their duties under the Act, together with details of the exemptions that might apply.

3.5 A draft policy has been prepared (Appendix 1), that provides detail on the medical exemption process. This policy is to be presented to the Council's Licensing Board on 30th October 2017 for comment. These comments will be incorporated into this report to the Cabinet and Commissioners' Decision Making Meeting prior to publication.

3.6 The Section 167 list will be published on the Council's website, and paper / electronic copies will be available on request from the Council's Licensing team.

3.7 The Council recognises that some passengers in wheelchairs may prefer to transfer from their wheelchair into the vehicle and stow their wheelchair in the vehicle's boot. Although the legal requirement for drivers to provide assistance does not extend to the drivers of vehicles that cannot accommodate a passenger seated in their wheelchair, Department for Transport guidance recommends that Local Authorities also publish a list of vehicles that are accessible to passengers in wheelchairs who are able to transfer from their wheelchair into a seat within the vehicle.

3.8 The Council has taken the view that all vehicles are accessible to wheelchair users who are able to transfer from their wheelchair into a seat within the vehicle, although this will vary depending on the degree of disability and the type of vehicle. Therefore, rather than publish a list of 'transferable vehicles', the Council will add a statement to the Section 167 list that confirms the Council's position regarding these vehicles and advises passengers to make Private Hire Operators or Hackney Carriage Drivers aware of their needs when requesting a booking. The statement will also confirm that all drivers are trained in the provision of assistance to passengers in wheelchairs (as part of the BTEC / NVQ), and are required to provide reasonable assistance to passengers that wish to travel in their vehicle.

4. Options considered and recommended proposal

4.1 The Council is not obliged to produce and publish a Section 167 list, and consequently might consider it unnecessary to alter current arrangements.

4.2 The publication of information that will assist disabled passengers is clearly desirable and strongly recommended by statutory guidance issued by the Department for Transport. If such a list is published it is necessary for the Council to adopt a policy that outlines how medical exemptions will be handled.

4.3 In order to improve information available to disabled passengers, and to increase confidence in services available, it is proposed that the policy to enable the Section 167 list is agreed. A draft of this policy is attached at Appendix 1 of this report.

5. Consultation

5.1 Members of the Council's Licensing Board will be provided with the opportunity to make comments on the proposed policy. This will be undertaken at the meeting on 30th October 2017.

6. Timetable and Accountability for Implementing this Decision

6.1 If approved, the policy will come into effect on the first day of the following month from the decision.

7. Financial Implications

7.1 Any administration costs incurred by the Council in the issuing of the medical exemption will be recovered via licensing fees.

7.2 The cost of the medical examination will be met by the driver making the application for an exemption.

7.3 The cost of issuing medical exemption certificates is already incorporated within the existing charging structure for licences (the Council currently has the facility to issue exemption certificates and the cost of this has previously been considered during the fee setting process).

8. Legal Implications

8.1 The statutory authority to introduce the proposed policy, publish a list of wheelchair accessible vehicles and provide exemption certificates is provided to the Council by virtue of Part 12, Chapter 1 of The Equality Act 2010. The proposed policy conforms with this legislation.

9. Human Resources Implications

9.1 There are no human resource implications arising from these proposals.

10. Implications for Children and Young People and Vulnerable Adults

10.1 There are no direct implications for Children and Young People and Vulnerable Adults arising from this report.

11. Equalities and Human Rights Implications

11.1 Section 149 of the Equality Act 2010 imposes a public sector equality duty (PSED). This duty requires the authority (inter-alia) to eliminate discrimination, advance equality of opportunity and foster good relations when exercising any of its functions.

11.2 The Human Rights Act 1998 requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in any way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality: the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

11.3 This report has been passed to the Council's Equalities Forum for information and noting.

12. Implications for Partners and Other Directorates

12.1 There are no specific implications for partners and other directorates introduced by this report.

13. Risks and Mitigation

13.1 Failure to maintain the Section 167 list on a regular basis may lead to inaccuracies in relation to the vehicles that are detailed on the list. This would give misleading information to passengers seeking the services of a wheelchair accessible vehicle.

13.2 In order to mitigate this risk, it is proposed that the responsibility for maintaining the list is given to the Council's Licensing Manager to ensure that the information is relevant and maintained in an effective manner.

14. Accountable Officer(s)

Karen Hanson Assistant Director, Community Safety and Street Scene
Damien Wilson Strategic Director, Regeneration and Environment

Approvals Obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	25/10/2017
Assistant Director of Legal Services	Stuart Fletcher	25/10/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

Report Author: Alan Pogorzelec, Licensing Manager

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Appendix 1: Equality Act 2010 Licensed Driver Medical Exemption Policy

ROOTHERHAM METROPOLITAN BOROUGH COUNCIL

EQUALITY ACT 2010 LICENSED DRIVER MEDICAL EXEMPTION POLICY

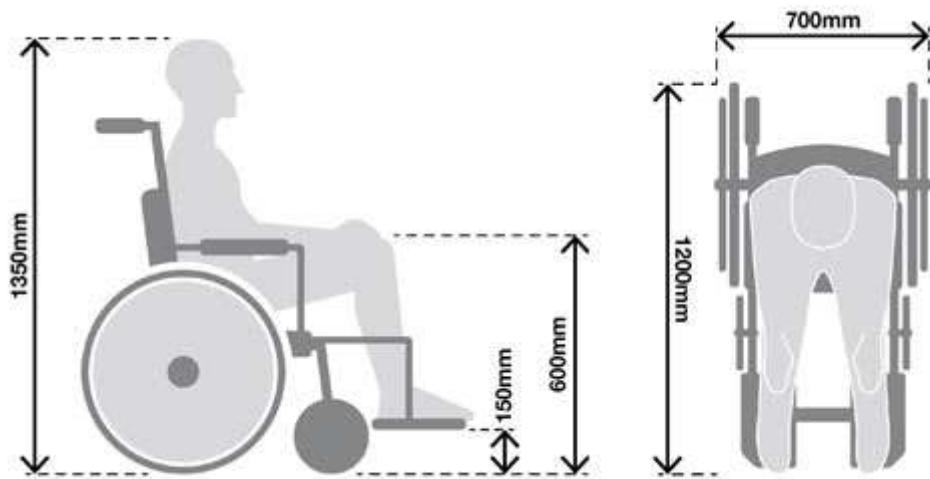
Introduction

The Equality Act 2010 requires employers and service providers to make 'reasonable adjustments' or changes to take account of the needs of disabled employees and customers.

Rotherham Metropolitan Borough Council is committed to an accessible public transport system in which disabled people have the same opportunities to travel as other members of society. Hackney Carriages and Private Hire Vehicles are a vital link in the accessible transport chain and it is important that people who use wheelchairs or assistance dogs can have confidence that drivers will accept them and their wheelchair or assistance dog and carry them at no extra charge.

Section 167 of the Equality Act 2010 permits the Licensing Authority to designate Hackney Carriages and Private Hire Vehicles as being wheelchair accessible. The Department for Transport's Statutory Guidance on Access for wheelchair users recommends that vehicles should only be included in the list if it would be possible for the user of a "reference wheelchair" to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in their wheelchair.

A reference wheelchair is illustrated below:



Vehicles identified as such shall be included on a list of designated vehicles.

Duties under the Act

The Equality Act 2010 (Section 165) places the following duties on drivers of designated wheelchair accessible Hackney Carriages and Private Hire Vehicles:

- To carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat, to carry their wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- To give the passenger such mobility assistance as is reasonably required.

In addition, Sections 168 and 170 places the following duty on drivers of Hackney Carriages and Private Hire vehicles;

- To carry the passenger's assistance dog, allowing it to remain with the passenger and not make any additional charge for doing so.

Failure to comply with any of the above is an offence under the Act. A person that is found guilty of such an offence is liable, on conviction by the Magistrates Court, to a fine of up to £1000.

Exemptions and appeals

In some circumstances a driver of a designated Hackney Carriage or Private Hire vehicle may be unable to fulfil the requirements of the Equality Act 2010 for medical reasons, either short or longer term.

Section 166 of the Act allows Licensing Authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with the duties.

Sections 169 and 171 of the Act allow Licensing Authorities to exempt drivers from the duties to transport passengers assistance dogs if they are satisfied, that it is appropriate to do so on medical grounds.

To apply for a medical exemption certificate a driver must submit an application form to the Licensing Team along with a medical report from their General Practitioner or an Independent Medical Assessor appointed by the Council. The medical report must be dated no more than 28 days prior to submission of the application, detailing exactly what duties cannot be undertaken, why they cannot be undertaken and for how long they cannot be undertaken. This assessment will be at the applicant's expense as part of the application process.

Upon receipt the Licensing Manager will consider the evidence and may request further independent medical assessment to decide if the driver is:

- Fit for work
- Temporarily unfit to carry passengers in wheelchairs and / or assistance dogs

- Permanently unfit to carry passengers in wheelchairs and / or assistance dogs (see below regarding Independent Medical Assessor).

If the driver is declared fit for work no exemption certificate will be issued and a letter explaining the decision will be given to the driver.

All decisions on whether an exception should be granted or not are delegated to the Licensing Manager (or in their absence, a more senior officer of the Council). There is no provision under this policy for decisions to be referred to the Licensing Board (or Sub-Committee of the Licensing Board).

Exemption certificates will be issued for a period of up to 12 months on the basis of information provided by the driver's GP, these exemptions will be termed "temporary exemptions" and a driver with such an exemption would be given a temporary exemption certificate. Drivers will only be issued with one temporary exemption per medical condition on the basis of information provided by their GP. A further temporary exemption may be issued if such an exemption is supported by medical evidence from an Independent Medical Assessor. Such an exemption will only be valid for a period of up to 12 months after the expiry of the preceding temporary exemption (unless the Independent Medical Examiner confirms that a permanent exemption would be appropriate).

Prior to the expiry of a temporary exemption certificate the driver must contact the Licensing Team to either:

- Confirm that they are fit to return to normal duties and return the temporary exemption certificate; or
- Arrange for a further medical assessment to be submitted for the Licensing Manager to consider extending the exemption certificate (as described above).

In order to receive medical exemption for a period in excess of 12 months, drivers will be required to undergo a medical examination by an Independent Medical Assessor that has been appointed by the Council. This may lead to a certificate being issued for a defined period of time, or a permanent exemption certificate if the Medical Assessor is of the view that a permanent exemption is appropriate.

All costs charged by the Independent Medical Assessor must be met by the applicant.

If the driver does not agree with the decision to refuse the application for a medical exemption, Section 172 of the Act gives the driver a right to appeal the decision to the Magistrates Court. The driver has 28 days from the date of refusal to appeal.

If the driver is declared permanently unfit to carry passengers in wheelchairs and / or assistance dogs an exemption certificate will be issued. The certificate will include a photograph of the driver who has been granted the exemption and must be displayed prominently in the vehicle for public viewing.

The exemption may be reviewed at any time with reference to expert medical evidence, and each case will be reviewed on its own merits. This may result in a further referral

to independent medical assessors to determine if the driver remains medically unfit to carry passengers in wheelchairs and / or assistance dogs.

Complaints

Any person that wishes to make a complaint regarding any matter covered by this policy should address their concerns to the Licensing Manager using the contact details below:

Address : Rotherham MBC Licensing, Riverside House, Main St, Rotherham.

Email : licensing@rotherham.gov.uk

Phone : 01709 382121

Complaints will be investigated in accordance with the Council's published enforcement policy and any other relevant guidelines.



Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title:

Provision of Public Health Services - an Integrated Lifestyle & Behaviour Change Service (Integrated Wellness Service)

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

No

Strategic Director Approving Submission of the Report

Teresa Roche, Director of Public Health

Report Author(s)

Giles Ratcliffe, Consultant in Public Health

Sally Jenks, Public Health Specialist

Ward(s) Affected

All

Summary

This paper provides an overview and overall context for the design and commissioning of an Integrated Wellness Service model within Rotherham.

The following services are included in the Integrated Wellness Service model:

- NHS Health Checks Programme (statutory programme).
- Alcohol screening.
- Smoking Cessation Service.
- Smoking in Pregnancy.
- Single point of access (used for weight management services).
- Adult Weight Management Service.
- Health Trainer Service.

The Public Health Services listed support the delivery of the Health and Wellbeing Strategy, Public Health indicators in the Corporate Plan and The Public Health Outcomes Framework (PHOF). NHS Health Checks is a statutory Public Health function as specified in The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012.

Recommendations

1. That the award of the contract for the provision of the Integrated Wellness Service to Parkwood Healthcare Ltd (for the period advertised in the specification of 3 years with the option of extending for a further two years on a year by year basis, contractually defined as 3+1+1 years) be noted.
2. That the significant change to the model of delivery of Public Health lifestyle and behaviour change services brought about by the awarding of the contract be noted.

List of Appendices Included

None

Background Papers

‘Financial and service changes – proposals for consideration and public consultation prior to budget-setting for 2016/17’. Advisory Cabinet/Commissioners’ Decision Making Report, 18th January 2016.

‘Reductions to the Public Health Grant and initial proposals for the Council achieving the savings’. Cabinet/Commissioners’ Decision Making Report, 6th June 2016.

Interim report on the consultation process for the future direction of Public Health resulting from further reductions to the Public Health Grant. Cabinet/Commissioners’ Decision Making Report, 10th October 2016.

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Cabinet and Commissioners’ Decision Making Meeting – March 2017

Council Approval Required

No

Exempt from the Press and Public

No

Provision of Public Health Services - an Integrated Lifestyle & Behaviour Change Service (Integrated Wellness Service)

1. Recommendations

- 1.1 That the award of the contract for the provision of the Integrated Wellness Service to Parkwood Healthcare Ltd (for the period advertised in the specification of 3 years with the option of extending for a further two years on a year by year basis, contractually defined as 3+1+1 years) be noted.
- 1.2 That the significant change to the model of delivery of Public Health lifestyle and behaviour change services brought about by the awarding of the contract be noted.

2. Background

- 2.1 Public Health transferred into RMBC in April 2013, bringing across from the Rotherham Primary Care Trust (PCT) contracts which have since been competitively tendered: alcohol treatment, weight management and smoking cessation. NHS Health Checks remained an internal NHS contract with Primary Care (GPs) and Health Trainers are provided by Public Health.
- 2.2 Lifestyle and behaviour change services commissioned by Public Health have been considered within the All Service Reviews (ASR) as part of the efficiency savings and combined with the findings from the Public Health consultation, has directed Public Health to commission lifestyle services in a different way. This direction of travel was endorsed by Cabinet within the June and October papers (see background papers).
- 2.3 Identifying an alternative delivery model for these services working in partnership with the Rotherham Clinical Commissioning Group (CCG) to review the care pathway for weight management which has been informed by the Public Health Consultation conducted in the autumn of 2016 in addition to the soft marketing consultation events with eligible providers in February 2017.
- 2.4 The vision of one Integrated Wellness Service across the Borough has been outlined to replace the range of existing, specialist services concentrating on single lifestyle issues. Service integration should achieve consistency of support, following a set of agreed principles based upon behaviour change and enabling reduced duplication of effort and delivery as well as shifting the culture towards prevention and early intervention. By adopting a strengths based approach the service can focus on the needs and goals of the individual. Integrated approaches are the direction of travel for the Council, CCG, wider NHS and other partners.
- 2.5 The primary objective of the Integrated Wellness Model is to reduce inequalities by targeting the areas of highest deprivation. This will be a service founded on the principle of universal proportionalism, so open to all the eligible population, with a focus on our defined communities to address inequalities. The Integrated Wellness Service will provide a person centred approach, via a single point of access that links within a wider wellness network. The current individual services to be included are:

- NHS Health Checks Programme.
- Alcohol screening.
- Smoking Cessation Service.
- Smoking in Pregnancy.
- Single point of access (for weight management).
- Adult Weight Management Service.
- Health Trainer Service.

2.6 Public Health established a Members Working Group and on 26 September 2016, an illustration of an Integrated Wellness Service was presented, outlining the evidence base and rationale and risks for transferring a range of lifestyle behaviour change services into a single service model. The model reflected an approach to deliver both improved outcomes and simplified single point of access experience for the people of Rotherham, whilst delivering efficiencies from the consolidation of several contracts into one. Cabinet approved the new model as part of ASR savings put forward within 'Reductions to the Public Health Grant and initial proposals for the Council achieving the savings', Cabinet/Commissioners' Decision Making Report, 6th June 2016.

3. Key Issues

3.1 As the number of people living with long term conditions increases, a new innovative approach is required to ensure there is sustainable access to support health improvement. The wellness approach will help users access appropriate support at the earliest opportunity, focusing on their health and lifestyle needs.

3.2 Access to lifestyle behavioural support is being made simpler and easier to navigate by users by the introduction of a single point of access (SPA) and digital offer for assessment and advice thus enabling and encouraging people to become more proactive in looking after themselves, and use services more appropriately. The service provider will work in a person-centred, motivational and holistic way. There is evidence to show that this is a more effective way to increase self-efficacy and sustain behaviour change.

3.3 Service integration should achieve a consistency of approach and support, follow an agreed set of principles based on prevention, enabling the service to reduce duplication of effort and reduce the clients need to repeat their 'story' and needs. This is an opportunity for commissioners to shift culture around health towards prevention and early intervention.

3.4 The service will be expected to offer added value through the use of the Making Every Contact Count (MECC) approach, increasing social value and the use of volunteering and peer mentoring approaches.

3.5 Reducing health inequalities is a key outcome for this service, some stretch key performance indicators with equity premium payments attached have been included to target our communities of greatest need.

When service performance is above 35% a 1% increment (Equity Premium Payment) is paid.

If performance reaches 40% or above the full value of the premium is paid (at a 5% cap).

This will be achieved by targeting clients from the 7 wards of greatest deprivation, as universal proportionalism is being applied as a principle, all eligible residents could access the services across the Borough.

The 7 wards that are well above the Rotherham Local Authority Index of Multiple Deprivation (IMD) score (28.3), a higher score equates to a more deprived rate.

- Rotherham East (55.4)
- Rotherham West (41.9)
- Wingfield (41.1)
- Valley (39.1)
- Boston Castle (37.5)
- Rawmarsh (36.5)
- Maltby (36.4)

Targeting clients from these wards would be one-third of wards numerically (7 of 21) and 35% of population aged 18 or over (Mid-2015 Population Estimates, Office for National Statistics).

3.6 There are a number of potential models of best practice currently in use for this type of service provision, based on the expectation of intervention that is increased according to identified need, rather than the current 'one size fits all' approach. This approach enables the service to engage with and support a high number of clients remotely and deliver brief interventions where appropriate whilst still offering high levels of support to those with the greatest levels of need. Those who can, will be encouraged to self-manage their health behaviours whilst being provided with remote and virtual support, or through brief interventions. Those whose needs are greater may get a more intense and face to face service offer. One such model is based around three levels of service defined as 'Inform me, Enable me or Support me', and is proposed within the Integrated Wellness service Specification.

- 'Inform Me' supports service users to support themselves with an increased reliance on telephone, digital and assisted digital support thereby reducing face to face support.
- 'Enable Me' increases the level of support and provides brief intervention and the use of new technologies to support service users.
- 'Support Me' provides the more traditional intensive face to face support for those identified through the initial assessment as those with the required levels of motivation and readiness for change and:

Who require multiple lifestyle behaviour change

OR

Those within the 7 targeted wards of highest deprivation

OR

Those who have previously accessed and successfully completed an Enable Me intervention

OR

Those directly referred for a specific behaviour change programme by a recognised health professional on the basis of clinical need
OR
Those that meet eligibility criteria for a specific pathway (e.g Health Checks)

- 3.7 In order to deliver the new specification, a digital transformation of service will be required to reduce the reliance on intensive face to face support, whilst providing suitable alternative methods of support such as assisted digital technology, phone, web and app support.
- 3.8 Transforming Public Health lifestyle services by commissioning a new Integrated Wellness Service with a reduced envelope will achieve the relevant ASR (PH04) efficiencies of 25% proposed by Public Health.

4. Options considered and recommended proposal

- 4.1 The procurement process, assessment and tender scoring process have followed the relevant Council policies and best practice have been adhered to during this process, including the completion of any declaration of interest and confidentiality agreements.
- 4.2 The scoring panel consisted of a representative from RMBC Procurement, Public Health, Public Health England and Rotherham CCG. The process for independent scoring was adhered to and the individual results amalgamated.
- 4.3 The scoring summary for the Integrated Wellness Service is illustrated below.

Provider anonymised reference	Safeguarding Score	Quality Score	Price	Total Score	Rank	Minimum quality threshold score of 288 met?
Supplier 1	50	216	195	461	4th	No
Supplier 2	50	384	206	640	1st	Yes
Supplier 3	50	296	194	540	2nd	Yes
Supplier 4	50	284	197	531	3rd	No

- 4.4 Based upon the results illustrated in 4.3, the Director of Public Health will award the Integrated Wellness Service contract to **Parkwood Healthcare Ltd**.

5. Consultation

- 5.1 Public Health carried out a Public and Stakeholder consultation in the Autumn of 2016 in relation to the existing commissioned lifestyle services and Public Health funding reductions.
- 5.2 Two market testing and consultation events for the Integrated Wellness Service were held in February 2017 and included a range of national and local stakeholders plus other service providers to consider the possible options available to inform the development on the service model.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Work will commence immediately to ensure a seamless delivery of the services in the interim period and, during the transition and mobilisation over to the new service provider.
- 6.2 As part of the implementation process, a communications strategy will be developed with a clear timeline for notifications and implementation by the new provider.
- 6.3 The Integrated Wellness Service tender has identified the provider to which the tender should be awarded via means of an open Invitation To Tender (ITT). The outcome presented to Cabinet and Commissioners' Decision Making meeting (13th November 2017) for the service to commence April 1st 2018.

7. Financial and Procurement Implications

- 7.1 The contract has been advertised in accordance with public contracts regulations 2015 and EU Public Procurement Legislation via the YORTender portal closing on 4th August. The tender has been advertised for 35 days, due to the timelines required to achieve an April 1st 2018 start date for the service. This could not be extended to 45 days without impacting upon the process of returning the paper to Cabinet for approval and impacting upon the mobilisation period.
- 7.2 The budget for the service as stated in the tender was in the region of £754,000 per annum (after budget efficiency savings), and a suggested term of 3 years with option to extend for a further two years, each on a year by year basis.
- 7.3 Budget efficiencies in line with the budget setting process have been made on this contract to the value of 25%. At this stage, it is not expected that further efficiencies will be made against this contract.

8. Legal Implications

- 8.1 Public Health have agreed with RMBC Legal Services the formal Terms & Conditions for Public Health commissioned services.

9. Human Resources Implications

- 9.1 TUPE (Transfer of Undertakings (Protection of Employment) Regulations) will apply for the following services:

Existing Contract	Provider	Number of staff affected
Weight Management Service	Places for People	8 staff
Smoking Cessation Service	Smoking Cessation Service	10 staff
Health Trainer Service	Public Health RMBC	3 staff

There are no TUPE implications for NHS Health Check and Smoking in Pregnancy. The providers will manage the TUPE process as part of the mobilisation plan.

9.2 Appropriate consultation will need to take place with trade union colleagues and staff regarding the TUPE transfer.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The service will provide access in all of Rotherham's communities for residents aged 18 years and over.

11. Equalities and Human Rights Implications

11.1 Equalities and Human Rights implications are incorporated into the Councils procurement processes. Compliance with best practice procurement ensures these requirements are achieved.

12. Implications for Partners and Other Directorates

12.1 Public Health have involved existing providers of the Public Health Grant reduction proposals from which the concept of an integrated lifestyle service derives, and have informed the CCG, Local Medical Committee (LMC) and Local Pharmaceutical Committee (LPC) of any decision that would impact on elements of service delivery.

12.2 With regard to GP provision the CCG and NHS England are the main commissioners of these services. Public Health has continued to involve them in the future service modelling discussions.

13. Risks and Mitigation

13.1 EU regulations state a 10 day standstill period is required upon notification of the preferred bidders. If any provider believes they have been treated unfairly through the procurement process or, that the process is deemed unsatisfactory, they have the opportunity to submit a challenge during this standstill period. If an objection is received, no provider can be appointed until the challenge is fully investigated and resolved.

13.2 Parkwood Healthcare Ltd although experienced in providing similar services is not part of the existing local health system. They will bring innovation and a digital transformation to the service, but it marks a change of direction from the existing local providers and systems. Parkwood will need to establish strong local partnerships with existing local providers, particularly Primary Care, for whom they may in part rely on for receiving and sending referrals. This change and establishment of new systems and pathways carries a degree of risk, particularly in the first 12 months of service. Mitigation will be in the form of support from key partners including Rotherham CCG in ensuring that existing services engage in constructive dialogue with the incoming provider on systems and pathways.

13.3 A parent company guarantee has been obtained as part of the tender evaluation process to provide mitigation against any possible non delivery of the contract.

14. Accountable Officer(s)

Director of Public Health – Teresa Roche

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	24/10/2017
Assistant Director of Legal Services	Stuart Fletcher	24/10/2017
Head of Procurement (if appropriate)	Clair Brierley	11/10/2017
Head of Human Resources (if appropriate)	N/A	

*Report Author: Giles Ratcliffe, Consultant in Public Health
Sally Jenks, Public Health Specialist*

This report is published on the Council's website and can be found at:
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories>



Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Voluntary and Community Sector Infrastructure Services Provision

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

Yes

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

Jackie Mould, Head of Performance, Intelligence and Improvement
01709 823618 or jackie.mould@rotherham.gov.uk

Ward(s) Affected

All

Summary

Infrastructure services provide support that helps voluntary and community sector (VCS) organisations across the borough to become more effective and sustainable. Active and vibrant community groups and voluntary organisations are the backbone of local communities and work collaboratively with residents and with the Council to make a positive difference. The Council's funding for infrastructure support means that local groups and organisations can access capacity building support and be part of a Rotherham-wide network.

Community and voluntary organisations have an important role in helping to build resilient communities across the borough and in supporting residents - particularly the most vulnerable.

The current infrastructure services are provided by Voluntary Action Rotherham (VAR) with the engagement of Rotherham Ethnic Minority Alliance (REMA). The current arrangements run until the end of March 2018.

As part of considering arrangements for the next three years, a review into the infrastructure support needs of the VCS in Rotherham has been completed. The purpose of this review was to assess the effectiveness of the existing service and to identify future needs. The outcome of this is the recommended continuation of infrastructure support (in line with the commitments of the Rotherham Compact), with a priority focus on activity and support aligned to communities and neighbourhoods as set out in the Council and Rotherham plans. The next stage in the process is to invite bids for there to be a lead infrastructure organisation to work with the Council to develop full proposals and then lead the delivery over the next three years.

Recommendations

1. That the activities and outcomes of the review into voluntary and community sector infrastructure services be noted.
2. That approval be given to the start of the grant bidding process and to the appointment of a lead provider for voluntary and community sector infrastructure services delivery; with a grant funding agreement to be in place for the period 1 April 2018 to 31 March 2021 with a three year value of £560,578.
3. That within the generality of infrastructure services, umbrella support and communications, the grant funding agreement be to prioritise the following activity:
 - a) Supporting the move to North, South and Central community based working and the evolving council approach to neighbourhood working by providing capacity building support to current, new and emerging community and voluntary sector organisations based in the areas across the borough;
 - b) Supporting the development of active citizenship by helping to build social capital in communities through volunteering (both informal and formal);
 - c) Encouraging greater participation of the VCS at both strategic and operational level across networks and partnerships in the borough;
 - d) Providing the support and development opportunities for individuals working in the voluntary and community sectors to participate in policy development and partnership working with the Council and other local partners;
 - e) Providing external funding support to community and voluntary sector organisations, achieving increased external funding into the borough; and
 - f) Promoting equalities and tackling inequalities, including building stronger communities through helping different communities to work together (particularly those facing social exclusion) to foster community cohesion.

List of Appendices Included

Appendix A –Report on the Contract Review and Recommissioning of Voluntary and Community Sector Infrastructure Services

Background Papers

“Rotherham: State of the Voluntary and Community Sector 2015” – Sheffield Hallam University – available here: www.varotherham.org.uk/wp-content/uploads/2016/02/Rotherham-SOS-Report_Final.pdf

Rotherham Compact – available here:

http://rotherhamtogetherpartnership.org.uk/downloads/file/8/the_rotherham_compact

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Overview and Scrutiny Management Board – 8 November 2017

Council Approval Required

No

Exempt from the Press and Public

No

Voluntary and Community Sector Infrastructure Services Provision

1. Recommendations

- 1.1 That the activities and outcomes of the review into voluntary and community sector infrastructure services be noted.
- 1.2 That approval be given to the start of the grant bidding process and to the appointment of a lead provider for voluntary and community sector infrastructure services delivery; with a grant funding agreement to be in place for the period 1 April 2018 to 31 March 2021 with a three year value of £560,578.
- 1.3 That within the generality of infrastructure services, umbrella support and communications, the grant funding agreement be to prioritise the following activity:
 - (i) Supporting the move to North, South and Central community based working and the evolving council approach to neighbourhood working by providing capacity building support to current, new and emerging community and voluntary sector organisations based in the areas across the borough;
 - (ii) Supporting the development of active citizenship by helping to build social capital in communities through volunteering (both informal and formal);
 - (iii) Encouraging greater participation of the VCS at both strategic and operational level across networks and partnerships in the borough;
 - (iv) Providing the support and development opportunities for individuals working in the voluntary and community sectors to participate in policy development and partnership working with the Council and other local partners;
 - (v) Providing external funding support to community and voluntary sector organisations, achieving increased external funding into the borough; and
 - (vi) Promoting equalities and tackling inequalities, including building stronger communities through helping different communities to work together (particularly those facing social exclusion) to foster community cohesion.

2. Background

- 2.1 Infrastructure services provide support that helps voluntary and community sector (VCS) organisations across the borough to become more effective and sustainable. This is done through the provision of information, advice, training facilities and help with networking, partnerships, advocacy and campaigning. It includes specific support for volunteering, supporting people to set up voluntary and community organisations or social enterprises, and bringing VCS groups/organisations together in networks and forums to inform and influence strategic planning.

- 2.2 A report on existing service arrangements was presented to the Cabinet and Commissioners' Decision Making Meeting held on 12 December 2016. Subsequent to that a review into the infrastructure support needs for the VCS in Rotherham has been completed. The review report is attached at Appendix A.
- 2.3 This report now gives recommendations to seek to appoint a lead organisation for infrastructure services for the three year period 1 April 2018 to 31 March 2021. The current single infrastructure grant agreement is held by Voluntary Action Rotherham and ends on 31 March 2018. Some of the services in the current grant are delivered through Rotherham Ethnic Minority Alliance under a sub-contract arrangement. Collectively, this service supports activity in line with strategic aims based on the needs and priorities identified by VCS organisations and partner agencies. The aim of the recommended process will help to ensure a transition to the new arrangements from April 2018 without interruption to services to the voluntary sector.
- 2.4 A Sheffield Hallam University report entitled "Rotherham: State of the Voluntary and Community Sector 2015 Rotherham" (published in January 2016 and funded by the Rotherham Together Partnership) was commissioned to enable a better understanding of the sector across Rotherham and improve awareness of the issues facing VCS groups.
- 2.5 The report shows in particular the economic and social contribution of VCS groups to the borough. The sector employs around 2,100 full-time paid and 1,500 part-time paid staff; 81% of these employees being women, and many employees live in the borough. £99m is contributed to the economy per annum by paid employees of Rotherham VCS organisations. There are around 49,000 volunteer roles and 12,300 committee/board members, together providing 85,300 hours of volunteering per week; and their economic contribution being estimated at a further £88 million.
- 2.6 The Council's current grant funding for infrastructure support enables capacity building across the VCS as a whole. It helps to support the development of the VCS to thrive and deliver by building capacity and capability in individual organisations and communities.

3. Key Issues

3.1 The Review Process

- 3.2 A Steering Group was convened to oversee this review with the following membership:
 - Councillor Taiba Yasseen – Cabinet Member for Neighbourhood Working and Cultural Services
 - Shokat Lal – Assistant Chief Executive
 - Nathan Atkinson – Assistant Director, Strategic Commissioning
 - Jackie Mould – Head of Performance, Intelligence and Improvement

The group was supported by:

- Carole Haywood – Policy and Partnership Manager
- Waheed Akhtar – Voluntary Sector Liaison Officer

3.3 Methodology

3.4 The following activities have contributed to the review:

- a) Desktop research looking at the existing service provision, specifications from other areas, advice from the Local Government Association (LGA), discussion with other local authority leads and web based information on the needs of the sector.
- b) Stake-holder engagement – further details given below.
- c) Consultation workshops combined with an online questionnaire.
- d) Writing of a review report and a new grant specification in light of the feedback and the Council's needs.

3.5 Stakeholder engagement

3.6 A number of activities were undertaken to engage relevant stakeholders in the review as detailed below.

3.7 Joint sessions between the Council's Senior Leadership Team, Assistant Directors and voluntary sector representatives. In September 2016 a networking event was held between SLT, Assistant Directors and VCS groups represented in the Rotherham Together Partnership structures. At a follow on session held on Wednesday 14 June 2017 at the Unity Centre, productive discussions were held in four key areas:

- a) Commissioning, Procurement and Finances
- b) Locality and Neighbourhood Working
- c) Prevention and Early Intervention
- d) Building Stronger Communities

3.8 Single Infrastructure Grant – presentation on delivery

At its meeting of 3 July 2017, VAR and REMA gave a presentation to the Review Steering Group on achievements in the last 3 years of delivery under the grant agreement. The presentation and discussion also focussed on current demand, needs of the sector, challenges and future trends nationally and locally. Feedback was also given on a satisfaction survey carried out with local VCS groups.

3.9 Consultation workshops

Three consultation sessions were held during August 2017. Their purpose was to help inform the grant specification for the provision of infrastructure services. The sessions were designed to cover the three locality areas (North, South and Central) and were held at different times of day (morning, afternoon and early evening) to enable a range of people to be involved.

3.10 Review report

A more detailed review report has been prepared and this is attached at Appendix A.

3.12 Findings

The review found overall satisfaction from users of the existing services. The consultation process shows that VCS groups felt that the general composition of the current infrastructure priorities was correct but that it needed some adjustment and targeting. Some of the needs/issues highlighted are available through the existing services and can be addressed by further targeted communications. The feedback is summarised below:

- General - There should be more focus on bringing people together from different geographical areas and different communities. Flexibility should be retained for targeting as required through the period of the contract.
- Communication - Consider how communication can be improved especially to smaller community groups and how the new neighbourhood working arrangements can support this approach. Ensure that communication works both ways and have effective mechanisms in place to gather intelligence / information about issues and trends from the sector e.g. if a group is closing down and how it may impact on local communities.
- Equalities / Inclusion – Promote equalities and ensure continued support for BME communities and women.
- Joint working – Promote more of a culture of partnership working between all groups. Examine how we can promote mentoring roles within communities for larger/established groups to support smaller/new groups. Encourage more strategic decision making with organisations like the Big Lottery and the Arts Council.
- Support needs – VCS groups are facing pressures through increased demand on services especially as the delivery of public sector services is being cut back at the same time as funding sources are drying up. This is particularly the case for medium sized voluntary organisations. There are issues around sustainability for some groups e.g. just one month's funds being held in the account makes them very sensitive to cash flow problems. Additional issues include: opportunities for self-help, attracting more private sector sponsorship, and further development of VCS consortia.

3.13 Revised Grant specification

3.14 The main outcomes for the work will be to develop a strength based asset approach across the communities in Rotherham, ensuring both geographical and thematic areas of interest are covered.

3.14 There will be a focus on aligning this activity to the shared priorities of the Council's plan and the Rotherham Plan 2025. This approach will be to work with the VCS to develop the capacity and capability of the VCS to future proof a level of resilience against a backdrop of public sector austerity.

3.15 In addition to the above existing areas of work, and taking into account feedback from the review, there will also elements of the specification that will include:

- a) Supporting the move to North, South and Central community based working and the evolving council neighbourhood approach by providing capacity building support to current, new and emerging community and voluntary sector organisations based in the areas across the borough;
- b) Support the development of active citizenship by helping to build social capital in communities through volunteering (both informal and formal);
- c) Encourage greater participation of the VCS at both strategic and operational level across networks and partnerships in the borough;
- d) Providing the support and development opportunities for individuals working in the voluntary and community sectors to participate in policy development and partnership working with the Council and other local partners;
- e) Provide external funding support to community and voluntary sector organisations, achieving increased external funding into the borough; and
- f) Promoting equalities and tackling inequalities, including building stronger communities through helping different communities to work together (particularly those facing social exclusion) to foster community cohesion.

4. Options considered and recommended proposal

4.1 Rotherham has a large and vibrant voluntary and community sector which adds great value to the quality of life for local residents. The sector plays a wide range of roles and is made up of organisations of all types and sizes, covering all sections of the community and thematic areas of interest. The Council's continued investment in this service demonstrates a commitment to building a strong and resilient third sector.

4.2 In consideration of the issues highlighted in this report, the following options are available:

4.3 Option 1 – Stop service provision on termination of the current arrangements

The existing grant agreement will end on 31st March 2018. Without action now to make follow-on arrangements, services to support the development and sustainability of the sector will not be available. This will have a detrimental impact on the estimated 1,400 groups in the VCS who will be left without independent support to recruit and develop volunteers and their organisations. It will also contradict the consultation exercise, which the Council has undertaken to help inform the content of the new grant specification.

4.4 Under this option, a full Equality Impact Assessment would be required due to the impact on protected characteristic groups under the Equality Act. The provision of voluntary sector infrastructure services helps contribute to the development of the sector which is in line with the Rotherham Compact.

4.5 Option 2 – Undertake the grant bidding exercise and appoint a lead organisation to deliver infrastructure services for the period 1st April 2018 to 31st March 2021.

4.6 This will provide vital infrastructure services to the sector and help the Council and other public services with the implementation of further transformational change in a period of limited budgets and austerity.

4.7 To deliver the specified outcomes, the Council are looking for a lead organisation that provides a range of infrastructure support and has the ability to work across the whole of the VCS to support the development of sustainable and viable communities. The Council would welcome the lead organisation developing a collaborative approach, engaging with other organisations as appropriate in the planning for and delivery of functions, if this approach can demonstrate enhanced service delivery.

4.8 There is no identified disproportionate impact on any 'protected characteristic' group and a full impact assessment is not required.

4.9 The recommended option for Cabinet to approve is Option 2.

5. Consultation

5.1 As detailed in section 3 of this report, the review Steering Group has considered the information from:

- Performance of the existing service provider including a user satisfaction survey
- Joint discussions between senior Council officers and VCS representatives
- Three face to face consultation workshops and an online consultation.

6. Timetable and Accountability for Implementing this Decision

6.1 Should Cabinet endorse the recommended option at Section 4 above, the following outline timescales are envisaged (subject to detailed development):

Date	Description
13 Nov 2017	Cabinet
Sep–Nov 2017	Document preparation for inviting bids
20 Nov 2017	Issue invitation to bid
16 Jan 2017	Deadline for bids
30 Jan 2018	Confirm future provider
1 Feb 2018 to 31 March 2018	Detailed planning and grant funding agreement stage
1 April 2018	Start of new service delivery

6.2 The above timetable shows that the new contract arrangements could start in April or May dependent on the TUPE requirements. If the start date is after 1 April 2018, services will be maintained in the interim period by extension of the current provider's grant agreement.

7. Financial and Procurement Implications

7.1 The current grant per annum is £203,526. It has been proposed that there will be a £25k reduction in years two and three of the grant for the next three years. It is proposed grant in each of the three financial years would be:

Year 1 (2018/19)	£203,526
Year 2 (2019/20)	£178,526
Year 3 (2020/21)	£178,526
Total	£560,578

7.4 If an extension to the existing provider's grant agreement is required for a period of up to two months to allow TUPE transfer to be completed, this will be managed within the annual budget available.

8. Legal Implications

8.1 Section 11 of appendix 5 to the Council's constitution (Financial Regulations) makes provisions for entering into a grant funding agreement, as provided for in the Compact. The Financial Regulations set out the relevant requirements for awarding of the service level agreement together with monitoring, review and accountability and the compact sets out processes for dispute resolution.

9. Human Resources Implications

9.1 There are no direct HR implications for the Council. If the existing voluntary sector providers highlighted in this report do not bid, or bid and are not successful in securing the delivery contract, there will be HR implications for them. There may also be implications arising from the Transfer of Undertakings (Protection of Employment) Regulations 2006 for any new provider.

10. Implications for Children and Young People and Vulnerable Adults

10.1 Proposals in this report impact positively on children and young people and vulnerable adults through the provision of infrastructure support for VCS groups.

11 Equalities and Human Rights Implications

11.1 Equalities and Human Rights requirements are incorporated into the Council's procurement processes. The current VCS infrastructure service grant agreement includes specific delivery targets to BME organisations and communities. The future provider will be required to specify how they will apportion their work to include protected characteristic groups under the Equalities Act.

12. Implications for Partners and Other Directorates

12.1 The refreshed grant specification takes into account all relevant learning from the consultation. The approach highlighted in this report is consistent with the principles of the Rotherham Compact.

13. Risks and Mitigation

13.1 The timetable for the grant bidding is extremely tight and the process will need to be closely managed. Therefore this report is being brought in order to enable the start of the process of the grant bidding process as well as the appointment of a provider on completion of the process.

13.2 There may be implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006. These issues will be taken into account in the procurement process and planned into the delivery. If as a result, the new provider cannot start on 1st April 2018, service continuity will be managed through a short extension of existing arrangements.

13.3 The Council's relationship with the voluntary and community sector is important and as service transformation progresses the role of the sector will be even more significant. The provision of infrastructure services will help to support the sector further in this partnership and service delivery role. This work supports the delivery of the Rotherham Compact principles.

14. Accountable Officer(s)

Shokat Lal – Assistant Chief Executive

Jackie Mould – Head of Performance, Intelligence and Improvement

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Lisa Darnell	24/10/2017
Assistant Director of Legal Services	Stuart Fletcher	25/10/2017
Head of Procurement (if appropriate)	Karen Middlebrook	25/10/2017
Head of Human Resources (if appropriate)	N/A	

Report Author: Jackie Mould, Head of Performance, Intelligence & Improvement

This report is published on the Council's website or can be found at:-
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Appendix A – Report on the Contract Review and Recommissioning of Voluntary and Community Sector Infrastructure Services

1. Introduction

- 1.1 Infrastructure services provide support that helps VCS organisations across the borough to become more effective and sustainable. This is done through the provision of information, advice, training facilities and help with networking, partnerships, advocacy and campaigning. It includes specific support for volunteering, supporting people to set up voluntary and community organisations or social enterprises; and bringing VCS groups / organisations together in networks and forums to inform and influence strategic planning.
- 1.2 A review of the Single Infrastructure Grant (SIG) agreement for the provision of infrastructure services to voluntary and community sector (VCS) groups has been carried out. The purpose of this is to inform the details of a new grant specification for the three year period 1st April 2018 to 31st March 2021.
- 1.3 The review considered the suitability of existing provision in light of the needs of the VCS and the Council. It also provided information on new areas that would need to be included in a revised grant specification.
- 1.4 The Council's funding for infrastructure support enables capacity building across the VCS as a whole. It helps to support the development of the VCS to thrive and deliver by building capacity and capability in individual organisations and communities. Infrastructure support is vital to a strong, well-managed and connected VCS that can adapt to a changing world.

2. Current infrastructure services provision

- 2.1 Voluntary Action Rotherham (VAR) currently holds a grant agreement with the Council to deliver infrastructure services in Rotherham. Some of the infrastructure support services are delivered through Rotherham Ethnic Minority Alliance (REMA) under a sub-contract arrangement.
- 2.2 VAR previously held a three year grant agreement with the Council to deliver these services in Rotherham until 31st March 2017. This grant agreement was extended for a year following approval of a report on the service arrangements to the Cabinet/Commissioner Meeting held on 12th December 2016.
- 2.3 The existing VAR grant agreement supports activity in line with strategic aims based on the needs and priorities identified by VCS organisations and partner agencies. These are:

- a) Increasing individual and community engagement, resilience and self-help through:
 - Provision of co-ordinated information, communications and consultation
 - Support to increase volunteering opportunities and volunteering take up
 - Support to small community groups
- b) Increasing high quality VCS service delivery, innovation and effectiveness through:
 - VCS representation, voice and influence
 - Facilitating new forms of service delivery
 - Supporting VCS organisations to develop business planning underpinned by robust governance and evidence bases
- c) Targeted support to some of our most deprived communities and responding to the Welfare Reform agenda through:
 - Targeted activity to increase involvement and take up of services and funding to deprived communities
 - Continued involvement in the Welfare Reform Agenda and support on specific initiatives
- d) Increasing the resources to the borough and maximising value for money through:
 - Liaison with external funding bodies to increase funding opportunities to the borough on-going links with major funders e.g. Big Lottery, EU funding, Trust Funds
 - Increase in donations and giving
 - Funding and financial management advice to VCS organisations including specific support on bid writing
 - Development of consortia/ lead body joint approaches to delivery of services, contract management, commissioning and purchasing

3. The Voluntary and Community Sector in Rotherham

- 3.1 A Sheffield Hallam University report entitled “Rotherham: State of the Voluntary and Community Sector 2015” (published in January 2016 and funded by the Rotherham Together Partnership) was commissioned to enable a better understanding of the sector across Rotherham and improve awareness of the issues facing VCS groups.
- 3.2 The report shows in particular the economic and social contribution of VCS groups to the borough. The sector employs around 2,100 full-time paid and 1,500 part-time paid staff; 81% of these employees being women, and many employees live in the borough. £99m is contributed to the economy per annum by paid employees of Rotherham VCS organisations. There are around 49,000 volunteer roles and 12,300 committee/board members, together providing 85,300 hours of volunteering per week; and their economic contribution is estimated at a further £88 million.

3.3 In a time of public sector transformation, harnessing the power of the VCS is essential to helping communities remain resilient, promoting self-help, co-operation and enabling new forms of service delivery.

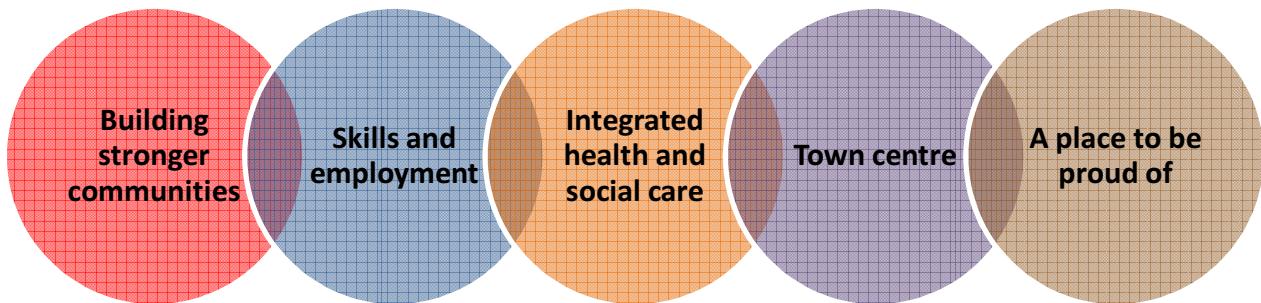
4. Review Context – strategic priorities

4.1 It is envisaged that all future infrastructure support service provision will operate within the strategic priorities for Rotherham. These are set through partnership arrangements such as Rotherham Together Partnership and through the Council's own arrangements.

4.2 The Rotherham Plan 2025

4.3 The Rotherham Plan 2025 was launched in March 2017 alongside the Rotherham Compact. This plan is available on the internet ([http://rotherhamtogetherpartnership.org.uk/downloads/file/7/the rotherham plan a new perspective 2025](http://rotherhamtogetherpartnership.org.uk/downloads/file/7/the_rotherham_plan_a_new_perspective_2025)) and it outlines the priorities for the borough.

4.4 It outlines a number of game changers as shown in the diagram below which will be integral to local plans. And the Council can't deliver that without all partners working together – including the voluntary and community sector. The VCS will have an impact on all of these game changers. Further information is available in the Rotherham Plan document itself.



4.5 Health and Well Being Strategy

4.6 The Rotherham Health and Wellbeing Board sets out its strategic priorities in the local Health and Wellbeing Strategy, which all partners contribute to and support delivery of; including Voluntary Action Rotherham, which helps ensure the voice of the voluntary sector is heard at the board and included in the strategy.

4.7 The strategy includes five aims which have been chosen because the delivery of them is important to all partners, and no single agency is able to tackle the issues alone, the VCS therefore have an impact on each one of these:

- All children get the best start in life
- Children and young people achieve their potential and have a healthy adolescence and early adulthood
- All Rotherham people enjoy the best possible mental health and wellbeing and have a good quality of life
- Healthy life expectancy is improved for all Rotherham people and the gap in life expectancy is reducing
- Rotherham has healthy, safe and sustainable communities and places

4.8 Further information about the board and strategy can be found here: <http://www.rotherhamhealthandwellbeing.org.uk/>

4.9 Rotherham Council's priorities

4.10 In the last two years the Council has redefined what it stands for, through a clear vision for the organisation and the borough. This includes changing how the Council makes decisions, so that it is more open and accountable than ever before; redesigning how it works with other agencies; and driving forward some of the key changes that it wants to see with a focus on delivering better services even with unprecedented financial pressures.

4.11 During the summer of 2015, the Leader of the Council and the Commissioners, supported by other leading councillors and a range of partners, met with people across Rotherham to listen to their views and their priorities for the future. The 'Views from Rotherham' consultation was based on 27 roadshow sessions as well as the Rotherham Show, a 'Chamber means Business' event and an online consultation. In total, the views of around 1,800 people were received and a 'Views from Rotherham' consultation report was published in September 2015 to summarise the key findings.

4.12 The Leader of the Council, in consultation with other elected members, has used the feedback received to define a new vision for the borough, as follows:

Rotherham is our home, where we come together as a community, where we seek to draw on our proud history to build a future we can all share. We value decency and dignity and seek to build a town where opportunity is extended to everyone, where people can grow, flourish and prosper, and where no one is left behind.

4.13 To achieve this, the Council will work in a modern and efficient way to deliver sustainable services in partnership with local neighbourhoods, looking outwards yet focussed relentlessly on the needs of residents. To this end the Council set out four priorities:

- Every child making the best start in life
- Every adult secure, responsible and empowered
- A strong community in a clean, safe environment
- Extending opportunity, prosperity and planning for the future

4.14 The VCS infrastructure services grant will help to deliver on all of these priorities.

4.15 Building Stronger Communities

4.16 'Building Stronger Communities' is Rotherham Council's strategy for community cohesion. It is central to the vision set out for the Council – emphasising that Rotherham is a shared community, which values decency, and provides opportunities so that no one is left behind.

4.17 The Building Stronger Communities strategy and a draft action plan were approved at the Council's Cabinet meeting on 15th May 2017 and are available here:

<http://moderngov.rotherham.gov.uk/ieListDocuments.aspx?CId=1003&MId=13751&Ver=4>

4.18 The Rotherham Compact

4.19 The Rotherham Compact is an agreement between public sector organisations (public services) who are members of the Rotherham Together Partnership (RTP) and voluntary and community organisations in Rotherham (referred to collectively as the voluntary and community sector). It sets out commitments on both sides to improve the way in which public organisations and the VCS work together for the benefit of communities and citizens.

4.20 The Rotherham Compact document is available online here:
http://rotherhamtogetherpartnership.org.uk/downloads/file/8/the_rotherham_compact

4.21 Locality / Neighbourhood Working

4.22 The Council and its partners are developing a place-based approach including the evolving Council Neighbourhood Strategy in Rotherham that will:

- Enable the Council, its partners and communities to work together to improve outcomes at a local level
- Make the most effective use of the available resources and local assets to achieve identified and shared outcomes for the area
- Develop innovative approaches to enable more people to help themselves and each other

5. The Review Process

5.1 Steering Group

5.2 A Steering Group was convened to oversee this review with the following membership:

- Shokat Lal – Assistant Chief Executive
- Cllr Taiba Yasseen – Cabinet Member for Neighbourhood Working and Cultural Services
- Nathan Atkinson – Assistant Director, Strategic Commissioning
- Jackie Mould – Head of Performance, Intelligence and Improvement

5.3 The group was supported by:

- Carole Haywood – Policy and Partnership Manager
- Waheed Akhtar – Voluntary Sector Liaison Officer

6. Methodology

6.1 The following activities have contributed to the review:

- Desktop research looking at the existing service provision, specifications from other areas, advice from the Local Government Association (LGA), discussion with other local authority leads and web based information on the needs of the sector
- Stakeholder engagement
- Consultation workshops combined with an online questionnaire
- Writing of a review report and a new grant specification in light of the feedback and the Council's needs.

6.2 Desktop research

6.3 The desktop research phase included discussions or information sharing on VCS support arrangements with the three other local authorities in South Yorkshire. It also included reviews of information from further afield based on officer knowledge and on advice from the LGA on good practice and from authorities that had recent experience of undertaking similar reviews.

6.4 The research raised a number of issues which would require further consideration:

- A single provider/consortium approach – other areas are using a number of approaches to providing infrastructure support. Many areas prefer a single contract approach with either a single or lead provider who deals with the Council liaison officer on the delivery of services. Where elements of the services are delivered by separate organisations, greater emphasis on coordination is often required.
- Encouragement of consortium based approaches to the delivery of services where larger VCS organisations can support smaller ones to develop their capacity.

- Demand for many council services remains high at the same time as the period of austerity and service transformation. The situation is similar for VCS providers of services. In this context prioritisation may be required in terms of the services provided or the issues/groups targeted for support.
- Developing and using digital services including opportunities for place based online crowd-funding on websites such as 'spacehive'
- Greater involvement of the private sector and the promotion of corporate social responsibility
- Enabling social value through the commissioning and delivery of services
- Understanding the 'offer' to the VCS and communities more widely and that this is not just about providing grant funding but also about effective dialogue and in-kind support such as access to meeting spaces
- Recognising that there are organisations that provide support to VCS groups other than those funded directly by the local authority and that this support should complement other providers e.g. that provided by the National Council for Voluntary organisations (NCVO) or by national/regional sports associations
- Support for grass roots community groups including faith groups
- Mobilisation of communities by working with local groups and addressing local issues

6.5 Stakeholder engagement

6.6 A number of activities were undertaken to engage relevant stakeholders in the review as detailed below.

6.7 Joint sessions between Senior Leadership Team (SLT), Assistant Directors and voluntary sector representatives

6.8 In September 2016 a networking event was held between SLT, Assistant Directors and VCS groups represented in the Rotherham Together Partnership structures. At a follow on session held on Wednesday 14th June 2017 at the Unity Centre, productive discussions were held in four key areas:

- Commissioning, Procurement and Finances
- Locality and Neighbourhood Working
- Prevention and Early Intervention
- Building Stronger Communities

6.9 The event in June was structured to help exchange ideas and experiences with the aims being to: raise awareness / share information; develop relationships and contacts; and the development of future opportunities for collaborative working. About 40 people attended with equal numbers of council and VCS representatives.

6.10 Issues raised through this workshop are being progressed through different work streams and progress will be reviewed at a follow up meeting. Voluntary Action Rotherham, as the current infrastructure service provider, will help to ensure that these issues are progressed.

6.11 Single Infrastructure Grant Agreement – review of delivery

6.12 At its meeting of 3rd July 2017, VAR and REMA gave a presentation to the Review Steering Group on achievements in the last three years of delivery under a grant agreement. Highlights include:

- Since 2014 VAR's membership has been increased by 19% to 840 organisations (out of an estimated 1400 groups in Rotherham) – the largest proportion (36%) being micro groups with an income of less than £10,000 per annum
- 5,552 volunteer enquiries were received and 4,574 volunteer applications processed
- 29 training courses were delivered to 171 volunteer managers
- 6,000 people participated in community action events
- £2,500,000 was secured by Rotherham groups following advice, funding searches and bid writing support by the infrastructure providers

6.13 This represents a significant return on the Council's investment into infrastructure services.

6.14 The presentation and discussion also focussed on current demand, needs of the sector, challenges and future trends nationally and locally. These include:

- Increased scrutiny of charities and VCS organisations
- Significant changes to funding arrangements
- The need for strong governance arrangements and business planning
- Greater use of digital platforms
- The long term sustainability of the sector

6.15 The Rotherham Infrastructure Survey is carried out annually and it has gathered evidence on the individual and collective impact of local infrastructure organisations in Rotherham since 2010. The survey aims to provide an overview of how well local VCS groups feel their development, support and representative needs have been met during the past year and how this compares to previous years.

6.16 Data from the 2017 survey is not yet available. However, the 2016 report provides the key findings of an annual survey which was carried out between May and June 2016. A questionnaire was sent to a sample of around 500 local voluntary and community organisations that had received support from VAR or REMA during 2015-16. Online and paper versions of the questionnaire were available. A total of 185 responses were received - an overall response rate of about 37 percent.

6.17 Satisfaction with services provided has increased significantly compared to previous years. 82% said they were either satisfied or very satisfied with the support local infrastructure bodies provide for the VCS in Rotherham.

6.18 Consultation workshops

6.19 Three consultation sessions were held during August 2017. Their purpose was to help inform the grant specification for the provision of infrastructure services. The sessions were designed to cover the three locality areas (North, South and Central) and were held at different times of day (morning, afternoon and early evening) to enable a range of people to be involved.

6.20 The sessions gave participants the opportunity to meet with the Cabinet Member and the Assistant Chief Executive and to discuss pertinent issues in relation to the needs of their organisations. In total 42 people representing a wide range of groups and organisations attended the sessions. The central area session had the most attendance but all three sessions provided valuable feedback and opportunity for discussion with current and potential users of the infrastructure services that are being reviewed.

6.21 The sessions were open to all community, voluntary and faith groups across the borough and publicity was sent through the infrastructure networks, partner networks, the Council's own contacts and through Elected Members. The groups that attended were included those that are working in:

- local neighbourhoods, across Rotherham, South Yorkshire and Yorkshire or with communities of interest
- diverse areas such as: sports, health, social care, arts and cultural activities, animal welfare, military veterans, cadets, welfare and general advice, refugee support, food and crisis support, support for women, residents action, children, young people and family support, training facilities, domestic violence, green spaces, older people and homelessness.

6.22 They included community groups run by volunteers as well as voluntary groups with paid employees. The sessions had a standard format which explored the background to the Council's improvement journey and the current financial situation, the state of the voluntary and community sector, and the current and future infrastructure priorities.

6.23 Participants were asked to consider the following questions:

- Is the current infrastructure support right for your group/organisation?
- What are the gaps in provision?
- What should the future priority areas of support be?

6.24 An online consultation was also carried out to support the face to face consultation workshops. This had five responses and feedback was in line with the feedback received at the face to face consultation sessions.

7. Findings

7.1 The review found overall satisfaction from users of the existing services. The consultation process shows that VCS groups felt that the general composition of the current infrastructure priorities was correct but that it needed some adjustment and targeting. Some of the needs/ issues highlighted are available through the existing services and can be addressed by further targeted communications. The feedback is summarised below:

- **General** - There should be more focus on bringing people together from different geographical areas and different communities. Flexibility should be retained for targeting as required through the period of the contract.
- **Communication** - Consider how communication can be improved especially to smaller community groups and how the new neighbourhood working arrangements can support this approach. Ensure that communication works both ways and have effective mechanisms in place to gather intelligence / information about issues and trends from the sector e.g. if a group is closing down and how it may impact on local communities.
- **Equalities/Inclusion** – Promote equalities and ensure continued support for women and BME communities.
- **Joint working** – Promote more of a culture of partnership working between all groups. Examine how we can promote mentoring roles within communities for larger/established groups to support smaller/new groups. Encourage more strategic decision making with organisations like the Big Lottery and Arts Council.
- **Support needs** – VCS groups are facing pressures through increased demand on services especially as the delivery of public sector services is being cut back at the same time as funding sources are drying up. This is particular the case for medium sized voluntary organisations. There are issues around sustainability for some groups e.g. just one month's funds being held in the account makes them very sensitive to cash flow problems. Promote more opportunities for self-help. Promote more private sector sponsorship. Development of VCS consortia should be a key priority.

8. **Revised Grant Specification**

8.1 The aim of the new grant specification is to ensure that VCS infrastructure services continue to support delivery of the Council's priorities. It will develop capacity and capability of the sector to deliver the shared priorities of the Rotherham Plan and other key strategic drivers.

8.2 The outcome of the process is the recommended continuation of infrastructure support (in line with the commitments of the Rotherham Compact), with a priority focus on activity and support aligned to communities and neighbourhoods as set out in the Council and Rotherham plans. The next stage in the process now is to invite bids for there to be a lead infrastructure organisation to work with the Council to develop full proposals and then lead the delivery over the next three years.

- 8.2 In addition to the existing areas of work listed above, new elements of the grant specification will include:
- 8.3 That within the generality of infrastructure services, umbrella support and communications, the grant funding agreement is to prioritise:
 - a) Supporting the move to North, South and Central community based working and the evolving council neighbourhood approach by providing capacity building support to current, new and emerging community and voluntary sector organisations based in the areas across the borough;
 - b) Support the development of active citizenship by helping to build social capital in communities through activities such as volunteering (both informal and formal),
 - c) Encourage greater participation at both strategic and operational level across networks and partnerships in the borough;
 - d) Providing the support and development opportunities for individuals working in the voluntary and community sectors to participate in policy development and partnership working with the Council and other local partners;
 - e) Provide external funding support to community and voluntary sector organisations, achieving increased external funding into the borough; and
 - f) Promoting equalities and tackling inequalities, including building stronger communities through helping different communities to work together (particularly those facing social exclusion) and foster community cohesion

9. Commissioning arrangements

- 9.1 In Rotherham, the experience from the 'Single Infrastructure Grant' approach – where a single agreement is in place between the Council and the lead provider linked to a consortium delivery model in which other providers can be involved - shows that effective delivery is more easily coordinated and that there are efficiencies associated with delivery and contract management. It is therefore proposed to retain this approach and any interested organisations that desire to deliver services under the single grant can decide between themselves on the composition of their consortium, their relative strengths and the delivery/ coordination arrangements.
- 9.2 Section 11 of appendix 5 to the Council's constitution (Financial Regulations) makes provisions for entering into a grant funding agreement, as provided for in the Compact. The Financial Regulations set out the relevant requirements for awarding of the service level agreement together with monitoring, review and accountability and the compact sets out processes for dispute resolution.

10. Finances

10.1 The current grant per annum is £203,526.

10.2 Given the financial budget pressures the Council face over the next three years, consideration has been given to potential budget efficiencies that may be realised as a result of this review. It has been proposed that there will be a £25k reduction in years two and three of the grant for the next three years to the value of the grant over the three years with savings being realised in years' two and three.

10.3 It is proposed grant in each of the three financial years would be that the maximum budget is:

Year 1 (2018/19)	£203,526
Year 2 (2019/20)	£178,526
Year 3 (2020/21)	£178,526
Total budget for the 3 year contract period	£560,578

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Report Title

Member Development Strategy

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

Yes

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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

Ward(s) Affected

All

Summary

The Member Development Panel has worked with councillors, officers and the Local Government Association to prepare a strategy to direct the Council's approach to learning and development for Members. This strategy has been prepared to reflect the ambitions in the Council Plan and enhance the skills, knowledge and behaviours of Members. This report seeks formal approval of the strategy by the Cabinet.

Recommendations

That the Member Development Strategy be approved.

List of Appendices Included

Appendix 1 – Draft Member Development Strategy

Background Papers

Minutes of Member Seminar – 13 June 2017

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Member Development Panel – 18 August 2017

Overview and Scrutiny Management Board – 8 November 2017

Council Approval Required

No

Exempt from the Press and Public

No

Member Development Strategy

1. Recommendations

- 1.1 That the Member Development Strategy be approved.

2. Background

- 2.1 At the beginning of 2017, the Member Development Panel reviewed the overall position in respect of learning and development activities for councillors. It recognised that much of the work in this area since the Government intervention commenced had been driven and delivered by the Local Government Association (LGA). With the continued return of decision making powers to local democratic control, the Panel felt it was necessary for the Council to take ownership of the direction of member development activity for the remainder of the current term of the Council until May 2020.
- 2.2 The Panel reviewed examples of strategies for member development from a number of other local authorities and provided direction in respect of the 'look and feel' that would best reflect Rotherham's current position and continued improvement journey.

3. Key Issues

- 3.1 The Council Plan identifies the need to embed a culture within the Council which seeks to improve the services that it delivers, by providing strong community leadership, being well governed, accountable, open and transparent. Members of the Council have a key role in ensuring that this is achieved. It is the underlying premise of the strategy that member development will lead and support the Council in achieving its objectives by enabling Members to increase and realise their potential as decision-makers, community representatives and community leaders.
- 3.2 This report sets out the Council's aims in relation to member development and how these aims will be realised. In particular it sets out how the learning and development needs of councillors will be identified, how these identified needs will be incorporated into a balanced and accessible programme of member development events and other activities and how the success of these activities will be reviewed.
- 3.3 Whilst the LGA have reviewed and supported the development of the strategy, the longer term aspiration is for the Council to seek external accreditation for member development activity. The adoption of the strategy is the first milestone towards seeking accreditation.

4. Options considered and recommended proposal

- 4.1 It is recommended that the strategy be approved to ensure that there is support for all Members to enable them to acquire sufficient knowledge and a full range of skills to maximise their ability and capacity.

5. Consultation

- 5.1 A Member Seminar was held on 13 June 2017, which was chaired by the Cabinet Member for Neighbourhood Working and Cultural Services, where all councillors were invited to express their views on the proposed content of the strategy. Amongst the feedback received was the need for the strategy to better reflect the ambition and aspirations of the Council and Members and to strike a more confident tone about how development activity would be delivered.
- 5.2 The Local Government Association have also reviewed the draft strategy and provided comments that have informed its final content. The general thrust of the feedback from the LGA was that the strategy was sufficiently robust in identifying the methods to be used to enable continued learning and development. The LGA are keen to explore with the Council how more innovative approaches to delivering learning and development can be provided. For example, discussions are continuing in respect of the use of podcasts for Members who cannot attend Member Seminars or other development events.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Formal approval of the strategy is an executive function and is subject to Cabinet's agreement to the recommendation in this report. However, the approach to learning and development set out in the strategy is already being implemented and work continues to develop a plan of activity which reflects the objectives of the strategy and the overriding themes which have emerged from personal development plan interviews with Members.
- 6.2 The Member Development Panel will be responsible for monitoring the implementation of the strategy and the delivery of the programme of learning and development. An annual Member Development report will be submitted to Council so that all councillors can reflect on the activities and progress made.
- 6.3 The Assistant Chief Executive and the Democratic Services Manager are the accountable officers for the delivery of the strategy and Member Development activity overall.

7. Financial and Procurement Implications

- 7.1 There is a budget for learning and development activity, including attendance at conferences and seminars, within the Democratic Services budget. The 2017/18 budget for Member Development is £18,910. There are no new financial or procurement implications arising from the adoption of the Member Development Strategy.

8. Legal Implications

- 8.1 There are no legal or statutory implications in respect of the approval of the Member Development Strategy.

9. Human Resources Implications

9.1 There are no new human resources implications arising from the approval of the Member Development Strategy. Officers within Democratic Services are responsible for the co-ordination of the programme of learning and development for councillors. The aspirations of the strategy and the emerging Member Development Programme can be delivered within the existing staffing arrangement.

10. Implications for Children and Young People and Vulnerable Adults

10.1 There are no direct implications for children and young people or vulnerable adults. The adoption of the strategy and activities for learning and development will contribute to enhancing Members' understanding of safeguarding issues for children and young people and vulnerable adults.

11 Equalities and Human Rights Implications

11.1 The strategy reiterates that the Council is committed to the principle of equality in their learning and development programmes for all Members – irrespective of age, disability, ethnicity, gender, race, religion, sexual orientation, marital status or working pattern.

12. Implications for Partners and Other Directorates

12.1 There are no new implications for partners or for other services across the Council. Member Development is not a new concept; learning and development for councillors has taken place for many years in a variety of ways, but most frequently through the provision of information by officers at Member Seminars or other bespoke events responding to changes in law, policy or service delivery. The new strategy seeks to build upon those foundations and directorates across the Council will continue to contribute to Members' learning and development.

13. Risks and Mitigation

13.1 The adoption of the strategy and activities arising from it will mitigate the risk of Members not having the relevant knowledge, skills and behaviours to undertake the role of councillor.

14. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive
James McLaughlin, Democratic Services Manager

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	26/10/2017
Assistant Director of Legal Services	Stuart Fletcher	26/10/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	John Crutchley	25/10/2017

Report Author: James McLaughlin, Democratic Services Manager

This report is published on the Council's website or can be found at:-
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

ROTHERHAM MBC

MEMBER DEVELOPMENT STRATEGY

Foreword

Welcome to Rotherham's Member Development Strategy.

All councillors, whether newly elected, or with many years of experience have a duty to their communities, the Council and themselves to ensure they have the skills and knowledge to carry out their wide ranging and fast changing roles as effectively as possible.

Our commitment to equipping Members with the skills to contribute to the development of our borough is directly reflected in the priorities set out in the Council Plan.

Rotherham's recent history has been turbulent following the publication of the Jay and Casey Reports and the subsequent intervention by central Government through the appointment of Commissioners in February 2015. The return of powers to local democratic control has been at the core of the Council's improvement journey since that time and we have prioritised reforming our services, practices and culture.

Following an intake of 24 new Members to the Council in 2016 and a further two in by-elections in February 2017, we are focused on ensuring all of our Members have the knowledge and skills to fulfil their roles and provide effective leadership for our communities.

All Members have had the opportunity to contribute to the development of this strategy and I believe that this document now provides a strong basis for the authority to conduct learning and development until the next whole Council election in May 2020.

***Councillor Taiba Yasseen
Chair of the Member Development Panel and
Cabinet Member for Neighbourhood Working and Cultural Services***

Statement of Principles

Equality of Opportunity

Rotherham MBC is committed to the principle of equality in their learning and development programmes for all Members – irrespective of age, disability, ethnicity, gender, race, religion, sexual orientation, marital status or working pattern.

Access to Learning and Development

All Members will be given access to development opportunities that enhance the skills and knowledge that they need both now and in the future. They will be offered support to facilitate their continual personal development, to enable them to contribute effectively to the achievement of the Council's priorities and respond to the changing needs of the borough's diverse communities.

Care will be taken to identify and remove disadvantages or barriers that Members feel prevent their taking advantage of these opportunities. In practice this means making sure that there are no physical, social, religious or cultural barriers. Where possible the Council will support Members to develop skills and knowledge that will be useful to them in preparation for enhanced roles.

Enabling Members to attend events and undertake learning and development activities is a key priority. In order to facilitate this:

- formal sessions will be programmed in advance to try to ensure that they do not clash with the committee cycle and other major events
- activities will be programmed at different times of the day to accommodate individual commitments where possible
- Electronic learning materials and other new technology will be used where appropriate

The Member Development Panel will regularly review the dates, times and location of all events and make recommendations for change if required.

Introduction

Priorities

“Rotherham is our home, where we come together as a community, where we seek to draw on our proud history to build a future we can all share. We value decency and dignity and seek to build a town where opportunity is extended to everyone, where people can grow, flourish and prosper, and where no one is left behind. To achieve this as a council we must work in a modern, efficient way, to deliver sustainable services in partnership with our local neighbourhoods, looking outwards, yet focussed relentlessly on the needs of our residents.”

We have set four ambitious priorities that will help focus our activities:

- Every child making the best start in life
- Every adult secure, responsible and empowered
- A strong community in a clean safe environment
- Extending opportunity, prosperity and planning for the future

In addition to this, we are committed to running a modern and efficient council.

Elected Members have a critical role in delivering these priorities by demonstrating their understanding of the complex challenges faced by modern local government and supporting their communities. We will endeavour to ensure that our learning and development programmes are linked to these priorities.

We define ‘Member Development’ as any development activities or training programmes specifically designed to improve the knowledge, skills and abilities of elected members in their individual or collective roles in meeting the Council’s priorities and as agreed via individual development plans

Context

From February 2015, the Government appointed Commissioners to oversee the improvement of the Council following the failings identified in the Corporate Governance Inspection by Dame Louise Casey. As part of the intervention package, the Local Government Association (LGA) provided a high level of support to the Council in developing Members. In the period since the intervention commenced, there has been a considerable change in the membership of the Council, with 38 out of 63 councillors having been elected since May 2015. The support from the LGA has therefore focused on induction and providing key information to new Members.

The development package provided by the LGA has been instrumental in giving Members the skills, knowledge and behaviours required to enable Commissioners to evidence to the Secretary of State that decision making powers should be returned to local democratic control.

This new strategy builds on the work and support provided by the LGA in identifying a long-term approach to member development which consolidates learning and reflects the ambition of Members to continue to grow their knowledge and skills to embed high standards of decision making and conduct. Whilst support will continue to be available from the LGA in the medium term, this strategy confirms that our will focus be on the in-house provision of member development activity and externally sourcing learning and development where necessary.

Objectives

Access to strong and effective Member development is therefore essential to help Members fulfil their role and will strengthen the process for good decision making. The objectives of this strategy are to help Members develop and strengthen their awareness, knowledge and understanding of:

- local and national challenges and opportunities for the Borough
- complex issues facing local government with changes to legislation; changing governance structures in associated bodies a very different funding environment
- the skills and competencies needed by elected Members in the modern world, including effective communications, community leadership and ICT competencies.

To deliver these objectives the Council will demonstrate its commitment to Member development by

- fostering and supporting a Member led approach
- taking a planned and strategic approach to Member Development
- developing and delivering, with Member involvement, an effective Learning & Development Programme.
- assisting Members to develop their capacity to fulfil their role
- supporting all Members in their development
- providing additional officer support for portfolio holders and chairs of committees.
- facilitating regular assessment of training needs and working with Members to continually evaluate the learning and development programme
- evaluation and reporting of the effectiveness of the strategy through the Council's Corporate Priorities and Performance Framework

- providing a budget and facilities for training and development
- establishing an effective Member Development Panel
- continuing to work with the Local Government Association to enable Members to access opportunities to network with Members from other councils and share examples of good practice in development activity and to support their roles.

The Member Development Panel

The Member Development Panel is a cross party working group that meets regularly throughout the year, with further meetings for specific sub groups. The Panel's terms of reference are included as Appendix B to this strategy.

Members have considered and guided the development of this Strategy, provided guidance and feedback on Member communications and provided valuable insight into the development of the Personal Development Plan process that will provide the foundation for Member training over the course of the term of the Council.

Members of the Panel

Councillor Taiba Yasseen (Chair)
Councillor Sarah Allen
Councillor Maggi Clark
Councillor Allen Cowles
Councillor Brian Steele
Councillor Gordon Watson
Councillor John Williams

Member Development Charter

The ambition of Rotherham MBC is to meet the requirements of the Yorkshire and Humber Member Development Charter. An important role for the Member Development Panel is to ensure that Rotherham MBC meets the standards required for Chartered status.

Members' responsibilities and commitments

All elected Members need to recognise the requirements to develop and maintain their skills and competencies and will be expected to meet their responsibilities in the following ways:

- newly elected Members and returning members will participate in the full induction programme
- all Members will attend training or briefings on a range of relevant local and national issues to ensure their skills and knowledge are up to date and keep pace with local and national changes
- all Members will participate in training on the Council's Code of Conduct
- all Members will attend training in respect of corporate parenting and safeguarding
- Members will participate in specific training and development sessions related to their roles – this is applicable in particular to Licensing and Planning, where

compliance is a requirement before Members can exercise decision making powers on those bodies

- supporting each other through mentoring and advice
- sharing learning (through the Members Bulletin, cascading information through training sessions and as part of the regular Member Development updates to council)
- completing pre and post training evaluation of courses and where useful providing feedback on briefings.

Members demonstrate leadership and uphold the values and behaviours of the Council in undertaking development activity. Development will be viewed as an opportunity to improve and enhance the capacity of membership of the Council to deliver against the Council Plan and for the people of Rotherham. The principles of the annex to the Code of Conduct apply to all Members when undertaking training, learning and development activity:-

Be respectful

1. Always remember the importance of those individuals and communities who need the council's services.
2. Ensure our words and actions are free from prejudice and improper discrimination.
3. Get the basics right and be courteous and reliable in all our dealings with the public.
4. Understand the legal requirements on the Council.

5. Always be mindful that we are responsible for other people's money.
6. Be clear with the staff of the council about our ambitions and expectations whilst treating them with respect.
7. Act, dress and carry ourselves in a way that invites others to respect our efforts.

Be imaginative

8. Be energetic and be ambitious; looking ahead to what needs to change.
9. Encourage others to take an interest in the Council.
10. Use evidence of what works elsewhere to improve our decision-making.
11. Advocate for those individuals and communities who need our help.
12. Widen the circle of those contributing to local life.
13. Never be complacent and try to learn from others and be open to new ideas.

Be open-minded

14. Accept if we have got things wrong and try to put things right
15. Commit to personal development to improve our understanding, skills and confidence.
16. Challenge those who fall below the high standards we believe in.
17. Avoid giving personal criticism, whilst being willing to vigorously debate ideas and principles
18. Resist taking offence too easily, recognising that politics requires resilience.
19. Understand our personal accountability and engage with the press and others to explain our work
20. Escalate any individual concerns responsibly, using agreed systems of the Council

The Learning & Development Programme

Four Year Cycle

The Learning & Development Programme is based on a four year cycle that is in line with Rotherham's election cycle. This approach also has the flexibility to meet the needs of new Members joining the Council (through by-elections) and the considerable experience of Members with long service. The Programme will be monitored and evaluated throughout the cycle to ensure it keeps pace with new priorities and initiatives.

Personal Development Plans

The foundation of the Learning & Development Programme is a robust evaluation of training needs which are matched to council priorities and are clearly based on role profiles for elected Members and the Member Skills Framework.

Every two years Members will be invited to attend a Personal Development Plan discussion with a support officer from Democratic Services. These sessions provide the opportunity for an open dialogue to identify training and development needs and a discussion on Members' interests and ambitions relative to their Council roles. These sessions also provide an opportunity to match Members for peer to peer mentoring. A copy of the PDP form and Member Skills Framework are appended to this strategy.

Timings

An election year is considered to be year one in the cycle and, PDP interviews will normally be completed between November and February in that Council year. This enables the completion of the Induction Programme and is timely to plan for the Programme of Learning for years 2 and 3,

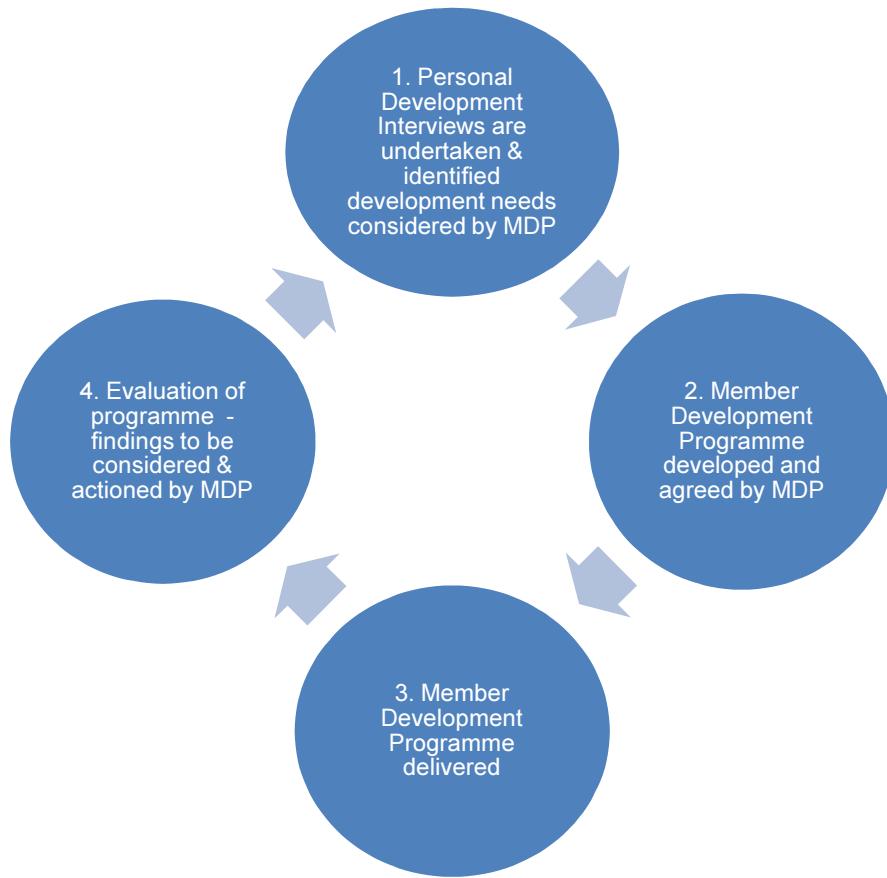
A second PDP interview will follow during year 3, again between November and February. This will involve a review of the learning undertaken to date as well as an opportunity to identify further training needs and assistance to Group leaders for identification of successors to key roles.

The completed Training Needs Assessment Summary will be shared with the Member Development Panel, who will guide the development of a Learning & Development Programme

This programme will be agreed with the Panel

The Plan will then be delivered and regularly evaluated by the Member Development Panel.

The continuous cycle of appraisal, establishing training needs, development, delivery and evaluation is illustrated below



Key Themes

The majority of learning and development themes are relevant to all Members, for example:

- new or changing legislation
- core skills such as community leadership
- major policy or service delivery changes by the Council.

Other opportunities will be relevant to specific roles (for example Cabinet Members, Committee Chair or Scrutiny). Members will also have their own individual learning needs.

The Programme will be delivered through three key themes (Core knowledge and skills, Service Specific opportunities and Council & Committee issues). Each 'theme' is reflected to varying degrees in the four year approach:

- year one (2016/17) focused on induction to provide Members with the skills and knowledge needed to understand and fulfil their role.
- years two - three (2017 – 19) will focus on enhancing Members' competencies and knowledge.
- year four (2018/19) Identifying skills and development needs for succession planning and preparation for induction and mentoring of new Members.

Core knowledge and skills

This includes:

- Democracy and governance i.e. how Council decision-making works and organisational awareness
- The legal/constitutional framework
- Diversity and equality
- IT skills, media and communications
- Managing case work/ward work
- Code of conduct and probity
- Safeguarding
- Dealing with complaints
- Local government finance and financial responsibilities
- Data Protection and Freedom of Information
- Risk and resilience planning
- Partnership working and structures
- Corporate plans

Service specific opportunities

This includes briefings and seminars on the work of individual departments and emerging issues that affect specific service delivery.

Council and Committee issues

There will be a number of issues relevant to Councillors as members of specific committees. These include:

- Planning matters
- Licensing matters
- Audit responsibilities
- Scrutiny skills
- Sitting on staffing disciplinary and dismissal appeals
- Recruitment and interviewing skills
- Evaluating reports and framing questions

- Specific training for the Cabinet (Portfolio holders) and chairs of committees

Learning Priorities

A significant level of support has been provided to Rotherham MBC by the Local Government Association as part of the package following government intervention. Whilst the LGA has delivered some of the content directly or indirectly, the Council has retained input and oversight of the delivery of the programme of support for councillors. The priorities for 2016-17 were:-

- Induction Programme
- Financial Training
- ICT skills
- Scrutiny (questioning skills, use of performance data, chairing skills etc.)
- Emergency Planning
- Safeguarding
- Equality and Diversity
- Committee training
 - Planning
 - Licensing

Delivering the Programme

The Panel recognises that learning and development must be delivered in ways that encourage Member involvement and generate strong Member participation. Opportunities will, where possible, be tailored to reflect different personal and domestic circumstances and preferred learning styles – for example:

- briefing notes and learning guides
- e-learning packages
- external conferences, seminars and network meetings
- in house briefings presented by senior managers and specialist officers
- peer coaching and mentoring
- visits to other authorities
- joint Member and officer sessions
- training with partner organisations and neighbouring authorities
- shadowing other councillors in Rotherham or in other authorities
- information from a variety of sources, including the LGA [work books](#), Local Government Information Unit [blogs](#) (LGIU) and the Institute of Local Government Studies [blog](#) (INLOGOV).

Recognising that technologies are constantly evolving, time is limited and differing preferences for learning, the Council will look to be innovative in delivering its learning and development programme for Members. This may require input from other organisations and use of the Member development budget, but this should not detract from the aspiration to enable all Members to access learning and development through innovative methods.

Promotion of Learning and Development Opportunities

Opportunities for learning & development will be included in the Members Bulletin and shared with the group whips for group meetings. Members will also be encouraged to feedback on each learning opportunity undertaken and an update on courses undertaken and forthcoming opportunities will be given on a quarterly basis to full council to provide a formal opportunity to share learning.

In promoting courses, officers will ensure that the benefits of attending each session are clearly highlighted to Members as it is important that the link between a session and Members' own interests are identified.

ICT

In today's world Members will struggle to fulfil their role unless they take on board the opportunities provided through ICT – information communications technology. A number of options are now available to Members including access to an iPad and online papers for use during meetings.

Training on ICT will focus on ensuring Members have the skills to:

- use email to communicate with constituents, officers, and other bodies
- be able to use social media effectively and know when and what it is best used for Social media
- access and use on line documents
- conduct electronic research
- use apps such as Modern.Gov
- support for new Members

In addition to the formal induction events and core skills sessions, new Members will be assigned a Member buddy who will act as their mentors to provide signposting and guidance.

Democratic Services will also take a proactive role in ensuring general issues on logistics, such as room layout, expenses etc are covered and that new Members feel ‘connected’.

By-elections

When Members join the Council as a result of a by-election, Democratic Services will arrange tailored induction courses that introduce the varied elements of the year 1 programme and ensure adequate mentoring support is available to ensure new Members do not feel ‘adrift’. Opportunities to observe committees and other operations will form part of this induction.

Enhanced programme for Members of the Cabinet, Opposition leaders and Committee Chairs

It is essential that targeted development opportunities are provided for senior Members who may be currently part of the Cabinet – or have the potential and ambition to join the Cabinet. This small team of Members provide the direction and leadership of the Council and their skills needs to be enhanced and refreshed to ensure they can deliver and embrace the challenges faced by local government. Succession planning is essential to the smooth running of the council and to facilitate part of this, portfolio holders, opposition members and chairs of other key committees will be involved in learning opportunities for Members who wish to develop their role at Rotherham.

Enhanced programmes will include:

- community leadership
- community engagement
- the impact of new legislation
- vision – local and national
- political understanding
- people strategy

As part of this work, senior Members will be encouraged to contribute to the learning experiences for newer Members and where appropriate share their skills and experience at a regional and national level. Suitable opportunities will be sought through the Local Government Association’s Leadership Academy and courses by local universities and other Yorkshire and Humber councils.

Evaluation & Review and Resources

Training will be systematically evaluated and the Member Development Panel will be directly involved in encouraging feedback and considering evaluation from training opportunities. Their views will shape and determine the content of the Learning & Development Programme.

To enable full evaluation of the effectiveness of the approach to Member learning and development, we will use:

- pre and post training questionnaires – Members have a responsibility to complete these
- a short self-assessment of key skills and knowledge (Member Skills Framework).
- annual Member survey will include a section on training – seeking views on courses delivered in the year and quality of content and delivery.
- statistics on Member participation in training will form part of the annual Member Development report to Council.
- in addition, the overall strategy will be reviewed as part of the Corporate Priorities and the Performance Framework

Resources

The Council provides both financial and officer resources to support Member learning and development. The budget covers funding for training and allowances for travel and subsistence.

The budget will be discussed at each meeting of the Member Development Panel and when preparing the budget advice will be sought from the Panel on funding needs.

Political group leaders or whips will be advised of all training opportunities and will be kept informed about the attendance and non-attendance of Members on courses, along with the potential cost implications associated with not attending events which the Council has paid for.

Authorisation to attend any learning or development opportunities (which incur a cost) will need to be granted in accordance with the protocol for Member Attendance conferences, seminars, overseas travel and external training events (enclosed at Appendix A

PROTOCOL FOR THE APPROVAL OF COUNCILLOR ATTENDANCE AT CONFERENCES, SEMINARS, OVERSEAS TRAVEL AND EXTERNAL TRAINING EVENTS

As part of Rotherham MBC's improvement journey we have committed to ensuring that councillors have access to appropriate learning and development to ensure that Members are able to best represent the people of the borough and effectively discharge their decision making responsibilities. The Council, through its Member Development Panel, will formulate a strategy and programme for Member Development covering each term of office between elections to the authority. The programme of activity will predominantly focus on the internal delivery of learning and development to Members through a variety of approaches. However, it is recognised that attendance at conferences, seminars, fact-finding visits, external training events can be useful sources of learning and this protocol details how the Council will consider and approve councillor attendance at such events.

For the sake of clarity, attendance at party political conferences are specifically excluded from this protocol and all expenses associated with attendance at these events will be met by the relevant group or the individual concerned, not the local authority.

Applying to attend

Any Member wishing to attend an external conference or course must complete an application form and return it to the Member Support Team in Democratic Services. The application must detail the reasons for attending the course or conference and how it will help them in their role as an elected member. An example application form is annexed to this protocol.

All applications by Members for external courses or conferences must be agreed and supported by the Cabinet Member responsible for the appropriate portfolio, or where appropriate by the Chair of the Overview and Scrutiny Management Board. Where a Cabinet Member makes an application this will need to be agreed and supported by the Leader.

The application will then be considered by the Member Development Panel for approval guided by the following principles:

- The course/conference must either:
 - a) have been identified within a Member's Personal Development Plan or
 - b) be judged by the Member Development Panel to be a reasonable learning and development opportunity for a role they hold within the council, or
 - c) be judged by the Member Development Panel to be a reasonable event to attend as a representative of the council in line with the member's other council responsibilities
- The event must be of reasonable cost according to the budget set aside for training and development for members. The cost of the course should directly link to the priorities for council expressed either within the Council's Corporate Plan or any other strategic plan.

- The event must be offered by an accredited training body, such as the Centre for Public Scrutiny, Local Government Association or Local Government Information Unit and, as a general point of principle, must not be organised by any political group. Any exceptions to this principle will be agreed on a case-by-case basis at the discretion of the Assistant Chief Executive in consultation with the Chair of the Member Development Panel.
- A maximum of one place should be offered on any course unless specifically authorised by the Assistant Chief Executive following consultation with the Chair of the Member Development Panel. If any external event attracts more than one application for attendance, places are likely to be prioritised in order of relevance to the role of the applicant, date of submitting the application and the number of previous courses attended.

Travel

Travel will be by private car (costs reclaimable in line with the council's staff policy) or by standard class public transport.

Overseas Travel

Overseas travel funded by the council should only be considered in exceptional circumstances.

The process and guiding principles are as identified within this document but the approval for any overseas visits will be authorised by the Leader and endorsed by the Chief Executive.

The criterion for the Leader to use is whether the benefits are "functional", that is, whether they are likely to help achieve the work of the Cabinet Member/Cabinet and/or the priorities of the Council.

Post Attendance

After attending a conference, seminar and external training event, Members will be required to provide a short briefing on the event to other members on their committee or political group to cascade the learning.

Following the event, members must complete a feedback form and return it to Democratic Services, the data of which will be reported to the Member Development Panel on a quarterly basis.



**APPLICATION FOR COUNCILLORS TO ATTEND
CONFERENCES, SEMINARS AND EXTERNAL
TRAINING EVENTS**

Name of Councillor:-

Conference/Seminar/Course

Title:-

Subject Matter:-

*(Briefly list and attach event
outline)*

Benefits of Conference/Seminar/Course to Elected Member

Benefits of Conference/Seminar/Course to Committee/Council

Cabinet Member/OSMB Chair Recommendation

Date from:-

 Date to:-

Venue and Address:-

Method of Travel:-

Train Car Sharing Car
Other (please specify) _____

Total Cost:

Elected Member Signature:

Print Name

OFFICE USE ONLY

Authorised by ACX?	YES <input type="checkbox"/> NO <input type="checkbox"/> (Tick as appropriate)	Chair of Member Development Panel in agreement?	YES <input type="checkbox"/> NO <input type="checkbox"/> (Tick as appropriate)
Date of booking on:-		Travel arrangement & cost:-	
Order Number:-		Invoice Number:-	

Member Development Panel: Terms of reference (TOR)

The following TOR have been compiled to reflect the changing role of elected members; the greater diversity in political representation; to ensure greater alignment of activity to Council priorities and reiterate members' role in evaluating and monitoring activities effectively to ensure best use of resources.

- To develop and implement a learning and development programme to equip councillors with the skills, knowledge and confidence to represent their communities effectively relating to their Council role;
- To disseminate learning and development information to councillors within each political group and /or non-aligned councillors;
- To ensure each member receives a personal development planning interview;
- To ensure that learning programmes are prioritised effectively, reflecting the Council's improvement agenda and regional and national objectives;
- To develop and implement a comprehensive induction programme for newly elected members;
- To monitor and evaluate member learning and development activities and outcomes;
- To ensure that members are fully engaged in member learning and development activities (including mandatory programmes);
- To monitor the member learning and development budget and ensure that resources are allocated effectively;
- To formulate future policies and strategies for member development.

PERSONAL DEVELOPMENT PLAN	
Name: Year elected to Council:	Ward:
Position(s) currently held as a Councillor:	
<i>Have you received training to support you in these roles?</i>	
My main achievements in my Ward/Community in the previous 12 months (or since elected):	
My main achievements in my wider Council role in the previous 12 months (or since elected):	
Training and development attended in the previous 12 months which is relevant to your role (including independent study):	

Looking forward – what do you want to achieve in your role as a councillor?

Community:

Council:

Based on your self-assessment do you need any skills development or training to help you be more effective in your role as a ward councillor? (e.g. undertaking casework, organising community meetings, mediation)

Do you need any skills development or training to help you perform your other Council roles/responsibilities more effectively?

Do you have any comments about other topics that should be included in the member development programme (e.g. health reforms, devolution etc?)

How do you prefer to learn?	
Small group sessions	
E-learning/ self-directed learning	
Coaching/ one-to-one	
Seminars	
Outside events or conferences	
Other (please specify)	
Signature:	Date:
Interviewer's Signature:	Date:

Member Personal Development Plan Skills Framework**Details**

Name _____

Ward _____

Which Council positions do you currently hold? (tick all that apply)

	tick
Cabinet Member	
Chair/Vice-Chair of a Council Committee	
Overview and scrutiny member	
Member of Planning Board	
Member of Licensing Board	
Audit Committee Member	
Standards and Ethics Committee Member	
Council Representative on an outside body	
Member on appeal, staffing or appointment panel	
Member of Corporate Parenting Panel, adoption or fostering panel	

Have you received training and support to assist you in your role?

tick	Yes	No	Unsure

Other (please specify)

How to fill in this form:

You are asked to complete a short self-assessment (which has been designed by members and based on the LGA Political Skills Framework). This will prompt you to self-evaluate your skills/knowledge in key areas and identify your learning and development requirements. It will be used as a basis of your Personal Development Plan discussion. You are also asked for your thoughts on how we can address the areas that you've identified for further development.

Your response will not be shared with other councillors, although your suggestions, comments and general issues raised will be used to inform the wider member development programme.

1. Local Leadership**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I see myself as a ward member?**

Councillors engage with members of their community in order to learn about areas of concern for the local area and help to build a vision for the locality. This involves encouraging trust and respect between individuals and groups, mediating fairly and constructively between different organisations and community sectors.

How up to date am I on local issues?

How easy is it for constituents, partners and local groups to contact me?

How confident am I in handling casework and advocating for individuals who need my help?

How effectively do I work and communicate with my ward colleagues (including those in other parties)?

How aware am I of my personal safety and the safety of others (public meetings, surgeries etc)

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

2. Partnership Working**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I see myself at partnership working?**

Councillors build good relationships with others by identifying and working collaboratively to achieve shared goals. Recognising and valuing different contributions, delegate or provide support as required and take a long term view in developing partnerships.

How well do I know the different networks and community groups in my area (e.g. parish councils, luncheon clubs or faith groups)

How well can I demonstrate that my work has made a difference in my area?

How effectively do I include people from different backgrounds and communities?

How well do I resolve conflict or deadlock?

How well do I maintain good relationships with colleagues, officers and community groups?

How confident am I to develop and implement my ward plan?

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

3. Communication Skills**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I communicate with others?**

Councillors demonstrate excellent communication skills across many different settings, including the ability to listen sensitively and use appropriate language. Communicating regularly and effectively with all parts of the community is an essential part of the role.

How well do I speak and write, using clear and appropriate language?

How well do I deliver difficult messages that people may not want to hear?

How confident am I when speaking in public?

How confident am I when speaking to the media (including when speaking on difficult issues)?

How confident am I to communicate using social media (Facebook, twitter, Instagram) or email etc?

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

4. Political Understanding**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I view my political understanding?**

Councillors need to develop a range of political skills in order to communicate their values, promote a political vision and encourage democratic processes and public engagement.

- How well do I work to build confidence in the Council and the role of Councillors?
- How effectively do I work in other political environments (e.g. outside council)?
- How well developed is my political awareness (e.g. local and national developments and how they affect my area/the Council)?
- How well do I encourage others to take an interest in the Council?
- How well do I understand the current context in Rotherham and the steps that are being taken to improve the way the Council works?

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

5. Scrutiny, Monitoring and Challenge**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I view my approach to scrutiny and challenge?**

Councillors need to act as a critical friend by identifying opportunities for scrutiny both inside and outside the Council and by providing constructive challenge and feedback to others

- How effectively do I raise issues of local concern and engage the public through the scrutiny process?
- How well do I quickly understand and analyse complex information?
- Are my questions and contributions always concise, meaningful and easily understood?
- How well do I hold decision makers to account?
- Are my judgements based on evidence?
- How well do I contribute to the identification and mitigation of risk?

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

6. Legal responsibilities, standards and ethics**Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development****How do I view my approach to my legal responsibilities, standards and ethics?**

Councillors are required to understand their legal responsibilities and follow protocol when evaluating arguments and making decisions.

- How well do I understand the Council's Codes of Conduct and how these apply to my role?
- How well do I understand the relevant equalities legislation and how these relate to my role?
- How well do I understand and act on my different statutory roles? (e.g. licensing, planning or emergency planning)
- How well do I understand my role as a Corporate Parent to looked after children and care leavers?
- How well do I understand the Council's safeguarding responsibilities to vulnerable children?
- How well do I understand the Council's safeguarding responsibilities to vulnerable adults?
- How well do I understand my role on appeal panels?
- How well do I understand my role as a representative on an outside body?
- How well do I understand my responsibilities in data protection and keeping information safe and secure

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

7. Understanding how the Council Works?

Ratings 1 = Very confident, 2 = Confident, 3 = Average, 4 = Unsure/ Area for Development

- How well do I understand the legal requirements and responsibilities of the Council
- How well do I understand the way that Council meetings are run?
- How well do I understand the rules of debate and speaking at Council meetings?
- How well do I understand how decisions are made by Council and its committees?
- How well do I understand the different roles and responsibilities of Council Committees

Please can you comment further on the issues that you are unsure of or have identified for further development. How can we support you to become more confident in these areas?

8. Are you confident using IT in your council role?

Yes or No

What would help you to become more confident

9. When do prefer sessions to be held?

	tick
Morning (e.g. 9.30-11.30am)	
Afternoon (e.g. 1.00-3.00pm)	
Early evening (6.00-8.00pm)	
No preference	

Any other comments about session timings?

10. Any other comments about your learning and development needs?



Public Report with Exempt Appendix
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name and Date of Committee Meeting

Cabinet and Commissioner Decision Making Meeting - 13 November 2017

Report Title

Proposed Rother Valley Country Park Caravan Site

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment

Report Author(s)

Phil Gill - Leisure and Green Spaces Manager
01709 822430 or philip.gill@rotherham.gov.uk

Ward(s) Affected

Wales directly but wider impact across the borough.

Executive Summary

Extensive work has been undertaken to develop outline proposals for a new caravan site at Rother Valley Country Park and to assess its business potential. Financial projections suggest that such a development could enable the park to generate a significant net revenue stream for the Council, particularly if it were operational by the time that Gullivers opens in 2019. It would also improve greatly the availability of affordable overnight accommodation in Rotherham, and enhance Rotherham's reputation as a welcoming and enjoyable visitor destination. In particular, it would meet Gulliver's requirement for a caravan site within the vicinity of their major new visitor attraction on the adjacent Pithouse West site.

Recommendations

1. That Council be recommended to include the Rother Valley Country Park Caravan Site project within the approved Capital Programme as an invest-to-save initiative.

2. That the project be developed further in accordance with the preferred options detailed in the report, including obtaining planning and any other required permissions, and obtaining tender prices for construction of a caravan site with additional pitches for tents, both with and without an optional second toilet and shower block.
3. That, following receipt, tenders be evaluated to identify which option is most economically advantageous and, following consultation with the Cabinet Member, the preferred contractor to build the caravan site be appointed.

List of Appendices Included

Appendix 1 Outline Business Case (exempt)

Appendix 2 Site Layout Plan- Recommended Option

Appendix 3 Summary of Recommendations in Independent Business Case Review

Background Papers

Briefing Note and Executive Summary, 31 July 2017

Rother Valley Country Park - Caravan Site Proposals and Business Case Review, Smith Craven Chartered Accountants, June 2017

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

*An exemption is sought for **Appendix 1**; under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive commercial information with regards to costing for works and commercial agreements which could disadvantage the Council in any negotiations if the information were to be made public.*

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of commercial information.

Proposed Rother Valley Country Park Caravan Site

1. Recommendations

- 1.1 That Council be recommended to include the Rother Valley Country Park Caravan Site project within the approved Capital Programme as an invest-to-save initiative.
- 1.2 That the project be developed further in accordance with the preferred options detailed in the report, including obtaining planning and any other required permissions, and obtaining tender prices for construction of a caravan site with additional pitches for tents, both with and without an optional second toilet and shower block.
- 1.3 That, following receipt, tenders be evaluated to identify which option is most economically advantageous and, following consultation with the Cabinet Member, the preferred contractor to build the caravan site be appointed.

2. Background

- 2.1 At the Cabinet and Commissioner Decision Making Meeting held on 26 May 2016, Commissioner Kenny approved the sale of the Pithouse West site for development as 'Gulliver's Valley' resort, a major new family attraction for South Yorkshire. At this point it was noted that, by agreement with Gulliver's, officers were developing a business case to look at the potential provision of caravanning and camping facilities on the adjacent Rother Valley Country Park.
- 2.2 Rother Valley Country Park (RVCP) is the largest green space in the Borough, and plays an important role in the provision of affordable outdoor recreation for local people. Such a facility would complement the accommodation offer at Gulliver's and make a substantial contribution to the development of Rotherham as a tourism destination, stimulating the local economy and jobs, and projecting a positive and welcoming image of the Borough to visitors from across the whole of the UK.
- 2.3 The net cost of running Rother Valley Country Park has decreased significantly over recent years. The net budget has reduced from £458,725 to £104,189 over the past 5 years, largely as the result of increased income generation from a number of capital investments. The aim now is to move the park into a cost-neutral or profit-making position to help secure its future when local authority revenue budget support can no longer be relied upon.
- 2.4 As well as contributing to the wider holiday accommodation needs in South Yorkshire, a caravan site has been identified as having the potential to generate substantial profits. Details are given in the attached Outline Business Case that has been prepared in accordance with the Council's capital project procedures. This is included as the exempt Appendix 1.

3. Key Issues

- 3.1 Gulliver's has stated that they require a caravan site to be available within the vicinity of their new visitor attraction at Pithouse West, and have the option of developing one on their own land if the Council fails to build one. This is further evidence of demand for overnight accommodation and enhances the viability of the proposed caravan site.
- 3.2 The Council is well-placed to build and operate a caravan site at the park as it already owns the land. It has made good progress in developing project proposals and financial forecasts. The park is in a good location relative to the motorway network, Sheffield and the Peak District and there is limited alternative provision within the area. The park has proven business systems and expertise that would equip it to operate the site efficiently and effectively.
- 3.3 Critical success factors have been identified for the project as follows:-
 - Average annual net income (net of loan repayments) over the first five years of operation to be sufficient to deliver a planned budget saving.
 - Completion and opening before the end of the 2018/19 financial year.
 - Site to achieve AA 5 Pennants standard, in accordance with research findings which suggest a quality offer is more likely to be successful.
 - Facility to be safe, secure, durable and easy to maintain, to ensure high levels of customer satisfaction and to minimise the risk of increasing running costs over time
- 3.4 The role of income generation through key assets such as Rother Valley Country Park is increasingly important in achieving necessary Council-wide savings because it can help to reduce the pressure to implement cuts to services.

4. Options considered and recommended proposal

- 4.1 A wide range of options have been considered, including doing nothing, pursuing alternative invest to save projects, inviting an external body to develop and operate a caravan site at the park under a long lease, developing and operating a caravan site on other Council-owned land elsewhere, and developing and operating a caravan site on land within the park next to Delves Lane. Consequently, the option of developing and operating a caravan site on land at Delves Lane has been identified as being most likely to fulfil the project's identified critical success factors.
- 4.2 Further detailed options have been considered involving different numbers of caravan pitches and toilet and shower blocks, to optimise the visitor experience and likely income. It was found that options with 129 caravan pitches, 34 pitches for tents and either one or two toilet and shower blocks are similar in terms of their expected financial and other benefits. Details of the evaluation of options are provided in Appendix 1.

4.3 It is therefore recommended that firms be invited to tender for a site with 129 caravan pitches and 34 pitches, both with and without a second toilet and shower block, so that a final decision can be taken on which is the most economically advantageous option, once actual capital costs are known. A plan showing the proposed site layout for both these options is included as Appendix 2. The designs and specifications for these two options will not differ greatly from one another, meaning that the production of tender information for both options will not incur significant additional time or cost.

5. Consultation

5.1 External consultation has included other caravan sites, the Caravan and Camping Club, prospective customers and a desk-based review of available trade intelligence such as Visit England, IBIS and Mintel. Additionally, an independent review of the business case was commissioned from Smith Craven Chartered Accountants who delivered their report in June 2017.

5.2 Internal officer consultation has included colleagues from Planning, Transportation, Asset Management, Highways, Drainage and Licensing.

5.3 The Cabinet Member for Neighbourhood Working and Cultural Services and Commissioner Kenny have been briefed about the proposal in July 2017, and again during the finalisation of this report in September 2017.

6. Timetable and Accountability for Implementing this Decision

6.1 The Assistant Director, Culture, Sport and Tourism will be accountable for this project and will act as project sponsor. The Leisure and Green Spaces Manager will act as client project manager, and project implementation will be co-ordinated by the Building Design Team in Asset Management.

6.2 The anticipated timescale for implementation is as follows:-

- November 2017: Site surveys completed
- January 2018: Planning and Building Regulations applications submitted
- February 2018: Building Regulations application determined
- March 2018: Planning application determined
- April 2018: Technical design completed
- April 2018: Tender period commences
- May 2018: Tenders receipt, evaluation and approval
- June 2018: Contractor appointment
- March 2019: Completion and handover
- March 2019: Caravan site opens.

7. Finance and Procurement Implications

- 7.1 Capital expenditure estimates, shown in the exempt Appendix 1, are based on figures provided by a commercial contractor within the YORbuild framework. It is proposed that this will be an invest-to-save initiative. Interest rates are currently at a historically low level, making this an attractive option.
- 7.2 It is expected that loan repayments and all day-to-day running costs will be paid for entirely from caravan site income once the facility becomes established. For modelling purposes, a 20 year loan period has been assumed, on the basis of the commercial nature of the development. In addition, the Capital Strategy will incorporate a future requirement for lifecycle expenditure to maintain the asset in an excellent condition, in order to ensure that occupancy rates are maintained.
- 7.3 Operating cost estimates are based on trade data and, where appropriate, experience gained from operating similar facilities elsewhere in the park. All such costs, including any additional staff required, will be met entirely from caravan site income. The modelling in the exempt Appendix 1 indicates that the proposed caravan park will generate profits to support the Council's wider revenue budget.
- 7.4 Income forecasts are influenced mainly by proposed rates for pitch hire and projected occupancy levels. Proposed charges for pitch hire and sundries have been benchmarked with similar sites elsewhere and assessed by independent consultants as being reasonable. Occupancy projections take into account published advice by Visit England, and informal discussions with operators of comparable caravan sites elsewhere, including two located within country parks.
- 7.5 Financial return figures have been calculated for a range of shortlisted options identified as being most likely to meet critical success factors for the project. These are shown in Appendix 1.
- 7.6 A range of procurement routes have been evaluated. Consequently, a traditional full design, specification, tender and fixed price contract route is proposed, as this combines quality assurance, value for money, and familiarity of Council officers with this option. This will reduce risk and help to ensure a successful outcome. It is proposed that tenders be invited from firms within the YORbuild framework.

8. Legal Implications

- 8.1 There are no direct legal implications arising from this report. The necessary legal agreements will be completed in due course by Legal Services.

9. Human Resource Implications

- 9.1 There are no immediate Human Resource implications arising from this report.

9.2 Any new staff will be integrated into the existing park staffing structure where adequate management and administration resources are already in place to ensure compliance with Council HR and financial procedures, and to provide the necessary oversight and direction of the business.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The project will support the delivery of Rotherham's ambition to be a child-centred borough, by creating family-friendly holiday accommodation. This will also widen access to Gulliver's for children, families and vulnerable adults by providing an affordable accommodation offer. The project will support the continued operation of Rother Valley Country Park, which provides recreational, educational and employment opportunities for children, young people and vulnerable adults.

11. Equalities and Human Rights Implications

11.1 The project will comply with all planning and building regulations with regard to meeting disabled access requirements. The project increases the availability of affordable holiday accommodation, supporting access to leisure for those of limited means.

12. Implications for Partners and Other Directorates

12.1 There are no direct implications for partners and other directorates.

13. Risks and Mitigation

13.1 A Risk Register has been prepared and is appended to the Outline Business Case (Appendix 1). Principal risks and associated mitigation measures are as listed below.

13.2 **Site Conditions:** The proposed development site, like most of Rother Valley Country Park and Pithouse West, is made ground resulting from restoration of open-cast coal workings. This affects its load-bearing properties and also increases the risk of soil contamination.

13.3 Mitigation: Detailed site investigations have been undertaken to inform the inclusion in costings of allowances for ground stabilisation and other works needed to allow construction to take place.

13.4 **Planning Permission** – Physical development cannot start unless planning permission is in place.

- 13.5 Mitigation: Discussions were held with Planning officers at an early stage, highlighting the need for various surveys and other evidence to support an application. Much of this work has been completed, and Planning's pre-application service is now being used to identify any outstanding requirements prior to submission of a full planning application. Planning has also advised that, in principle, a touring caravan site would not be seen as an inappropriate development in the proposed green belt location.
- 13.6 **Capital cost:** The profitability of the caravan site would be reduced if the capital cost (and loan repayments) were greater than estimated.
- 13.7 Mitigation: Outline proposals have been issued to a contractor on the YORbuild framework to obtain commercially tested cost estimates. The Council's quantity surveyor believes that, with firmed up designs and a competitive tendering process, the final tender figure is likely to be lower than the estimates provided.
- 13.8 **Programme:** It is important that a caravan site is operational by early 2019 to benefit from the publicity and associated demand arising from the opening of Gullivers in that year. In addition, submitted budget savings proposals assume profits from a site will start making a contribution to the Council's financial position by then.
- 13.9 Mitigation: A large amount of survey and design work has already been completed, helping to reduce the time it will take to prepare a detailed tender pack and planning application. A detailed project programme will be developed and the project team will meet regularly both pre and post tender to review progress against this.
- 13.10 **Income projections:** Income levels will be sensitive to a number of factors including weather, the quality of the facilities and service at the site, competition, general tourism trends, major events in the vicinity and the development of other attractions at the park and Gullivers.
- 13.11 Mitigation: A marketing plan will be developed and implemented to maximise income and to ensure synergy between the caravan site and the wider offer at Rother Valley Country Park and Gullivers. The site is to be built to a good standard providing durable, attractive and easily maintained facilities. This will reduce the risk of customer dissatisfaction and help the site to remain competitive.

14. Accountable Officer(s)

Polly Hamilton - Assistant Director, Culture, Sport and Tourism.
Phil Gill - Leisure and Green Spaces Manager.

Approvals obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	25/10/2017
Assistant Director of Legal Services	Stuart Fletcher	25/10/2017
Head of Procurement (if appropriate)	Karen Middlebrook	07/09/2017
Head of Human Resources (if appropriate)	John Crutchley	07/09/2017

Report Author: Phil Gill, Leisure and Green Spaces Manager

This report is published on the Council's website or can be found at:
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Appendix 2

Meeting:	Cabinet/Commissioner Decision Making Meeting
Date:	13 th November 2017
Item No. & Title:	Proposed Rother Valley Country Park Caravan Site
Ward	Wales

Site Layout Plan for Recommended Options (overleaf)

129-pitch caravan site with 34 tent pitches, with or without a second toilet and shower block.

Additional Items

- Grey water disposal and drinking water points to be located throughout the site (within 90m of any unit).
- Roads to be mainly one way, approximately 3m wide allowing for turning circles of users and delivery/emergency vehicles.
- Timber fencing with naturalistic/native planting to site boundaries where feasible.
- Fire points located within 90m of any unit throughout site.

101

- **Standard Pitches:**
All weather pitching surface. Hardstanding 10x10m (Gravel). Shared electrical hook up bollard
- All weather pitching surface. Hardstanding 10x10m (Gravel). Illuminated electrical hook up bollard
- Booter TV aerial outlet
- F-cameras for drinking water
- Ground level inlet to accept grey water

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- Pitch numbers

36No. (8x8m pitches)
93No. (10x10m pitches)
34No. (tent pitches)

Refer to Architects drawings for building details.



Damien Wilson BA(Hons), MA, MIED



Appendix 3

Meeting:	Cabinet/Commissioner Decision Making Meeting
Date:	13 th November 2017
Item No. & Title:	Proposed Rother Valley Country Park Caravan Site
Ward	Wales

Summary of Recommendations in Independent Business Case Review by Smith Craven Chartered Accountants

Recommendation.	Response
1. The Council must confirm that Gulliver's will not be including a caravan site of its own on the purchased land, if this project is to go ahead.	Discussed and agreed with Gullivers prior to final decision.
2. Financial projections should be adjusted to reflect the impact of the timing of Gulliver's opening with respect to occupancy levels and pricing structure.	Current aim is to open by 2019 to co-incide with Gullivers opening. Impact of 5%, 10% and 15% reduction in occupancy has been included in projections.
3. The opening of Gulliver's, the type of accommodation their site will offer and the prices levied for that accommodation, will have a significant effect on the viability of this project. As such, it also needs to be accounted for within the financial forecasts.	Already agreed in principle with Gulliver's to discuss issues such as joint/reciprocal pricing and marketing arrangements.
4. The Council needs to understand with certainty what (if any) involvement will be required from the Environmental Agency? What time frames are realistic if intervention is required? Will specific licences need to be obtained? It is appropriate that these aspects are understood now, to ensure nothing is encountered at a later date that will significantly impact on the costs already accounted for.	Discussed the issue with Environment Agency advisor and they confirm a permit would not be required if we are discharging clean rainwater from roofs, public roads, small parking areas etc. Currently preparing to submit application for local authority caravan site licence. This will not impact on overall delivery timetable.
5. Whilst it appears that much of the	Request submitted to Planning

Recommendation.	Response
<p>investigation work has been carried out and indeed an agreement in principle obtained. The Council should establish how long it will take to obtain planning permission, so that this can be built into overall programming. Any significant delay could have implications on a proposed opening date and the future budgets of RVCP.</p>	<p>to use their formal pre-application service to ensure all timescales and requirements are understood and factored into implementation programme.</p>
<p>6. The timing of the proposed site at RVCP is critical to its success. If it opens to coincide with Gulliver's Theme Park opening, then RVCP would benefit from the marketing activity Gulliver's carries out. This will considerably reduce the initial pre-launch marketing spend necessary to raise awareness that the caravan site exists.</p>	<p>Implementation programme assumes opening by 2019 to coincide with Gulliver's opening. Marketing plan will factor in shared communications opportunities.</p>
<p>7. Before any site plan and costings are finalised, further exploration should be undertaken as to the likelihood of any change in legislation in respect of this standard. An increase in the spacing regulations could obviously have a significant impact on the proposed site, as the current business case has been drafted on the basis of a caravan site with a 3 metre spacing between pitches. Any increase would necessitate a reduction in the proposed number of pitches, which would ultimately impact on cost and income projections.</p>	<p>Confirmation received from Licensing department that proposed specification exceeds requirements.</p>
<p>8. Pre-launch marketing of the site will be key, in order to stand any chance of meeting the assumed occupancy rates and therefore serious consideration should be given to marketing/advertising/promotional activity and the associated costs prior to the commencement of trade on the site.</p>	<p>Initial marketing budget has been increased by a factor of 5. Subsequent years' budgets doubled .</p>
<p>9. Whilst the capabilities of the Council running the proposed site can be demonstrated, given that Thrybergh is also a caravan site under the Council's control, lessons should be learnt to ensure the positives are replicated and the negatives eradicated.</p>	<p>RVCP would have competitive advantages compared to TCP:</p> <ul style="list-style-type: none"> • 5 pennant site offering new and better facilities. • Wide range of activities e.g. cycling, watersports, train, play areas, golf and cable ski. • High profile events • 2 miles from junction 31 of

Recommendation.	Response
	<p>the M1 motorway.</p> <ul style="list-style-type: none"> • 20 mins drive from Sheffield Arena, Ponds Forge, Ice Sheffield, Meadowhall and Magna • 24 hour coverage by staff or security. • Larger size of proposed site appeals to many. • Existing estate management capability • Existing management and admin capability <p>Recent improvements at Thrybergh include better site security and amended booking procedures.</p>
10. The Business Case Review should include details of the main people who will run and manage the caravan site. Supporting Curriculum Vitae's and examples of how they will be trained and the budget allocated to this, should be included.	<p>Person specifications will be produced for each of the proposed new job roles. Some current casual staff already have the necessary capabilities, so it is expected that it will be possible to recruit people of the required calibre. Performance would be monitored through existing PDR arrangements, and training provided as required. Costs for this are not expected to have a significant impact on the business case.</p>
11. As it is already in excess of two years since the capital costs were estimated, it would be advisable to confirm with the Architect etc. what variance there is likely to be (if any) at today's cost and what future increases could be if, for example, work commenced on the project in 2019.	<p>Up to date capital cost estimates have been provided in September 2017 by a commercial contractor.</p>
12. Smith Craven would recommend that clarification is sought from the professionals in relation to the percentages that have been applied for preliminary, design cost risk and internal Council costs. This will establish if the figures are realistic or if they should be revised upwards.	<p>Up to date capital cost estimates have been provided in September 2017 by a commercial contractor.</p> <p>Fee estimates have been confirmed by Asset</p>

Recommendation.	Response
	Management.
13. Staff recruitment and pre-launch marketing, promotion and website costs should be included in any updated financial forecasts.	Increased marketing allowance now included (see Rec.8). Recruitment costs factored in to estimates.
14. A detailed forecast should be prepared to substantiate the decision not to proceed with the reduced scheme.	Detailed economic appraisals of three options, including two reduced schemes, have been included in the Outline Business Case. Consequently, it is recommended that tenders be obtained for the full scheme, and the reduced scheme.
15. Review the ratio of super and standard pitches with clear rationale. Revise cost projections and financial forecasts accordingly.	Application of higher rates for super-pitches (see Rec. 16) suggests these will significantly enhance income. However, can be reviewed again as part of any value engineering exercise.
16. The income projections need to split site fees between standard pitches and super pitches of which there are 96 proposed at RVCP. Section 2.4.1 of Appendix 1 suggests that a super pitch will typically levy an additional charge.	Financial projections have now been amended to include higher rates for super pitches.
17. Research into the demand for super pitches should also be obtained as justification for additional cost of super pitch over a standard pitch. (It is interesting to note that from the information supplied in Appendix 1.2.6, only one of the six sites listed (Chatsworth) actually offers the option of a super pitch, which is quoted at a higher rate than a standard pitch.) Research into the demand for the different types of pitches will also enable occupancy levels on the assumptions to be more realistic.	There is limited evidence from other sites due the relatively low number currently offering super-pitches. However, published market analysis states "Camping and caravanning is gradually repositioning itself. Rather than just being the default option for those looking for an affordable way of holidaying, it is starting to be seen as an activity which offers people a high standard and wide choice of accommodation" (Michael Oliver, Senior Leisure and Media Analyst).
18. A revision of the peak and off peak projections is needed. At present, peak is	Financial projections have now been amended to include peak

Recommendation.	Response
<p>quoted as school holidays only. No provision has been made to include weekends outside of school holidays but within the summer months, within RVCP's peak occupancy rates.</p>	<p>rates over summer week-ends.</p>
<p>19. A broader review of site tariffs should be taken, as it would appear that many of the assumptions made by RVCP have been against Caravan Club sites. Care should be taken when benchmarking fees against the Caravan Club alone, as their brand attracts a guaranteed standard of site with consistent facilities and a perception that they can demand a higher price.</p>	<p>2017 benchmarking with 7 other local authority-run sites suggests proposed rates above average, but within range of charges elsewhere. This would reflect high standard of modern facilities at RVCP.</p>
<p>20. The case for an on-site café needs to be reviewed, including a clear indication of the capital costs of providing one. It would also be advisable to provide assumptions that show direct income in line with demand for pitches as evidence that the café will 'pay for itself'.</p>	<p>Architect and QS advise it depends on the scale of works anticipated (ie. a simple coffee machine or fully equipped barista coffee bar), but suggest there would not be a significant impact on the overall capital cost assuming the building is fit for retro fitting. This can be reviewed as part of any value engineering.</p>
<p>21. A detailed Marketing Plan is required to incorporate activities both pre and post launch. A significant allowance should be made for marketing pre-launch once activity has been carefully researched and planned.</p>	<p>Marketing plan would be prepared if project is to be developed further (i.e. as part of detailed pre-launch business plan), and the budget allowance for marketing has been increased.</p>
<p>22. The occupancy rates / financial forecasts need to be adjusted once the timeframe of opening has been determined.</p>	<p>See response to recommendation 2.</p>
<p>23. The financial forecasts need to provide for the following:</p> <ul style="list-style-type: none"> • Wages costs to bring them in line with the minimum wage legislation and appropriate wage inflation rates for the jobs envisaged. • Marketing costs as per the recommendation in section 3.4 above. • Associated costs for the removal of commercial waste. • Ongoing costs for the septic tank licence if required. 	<p>Amended to include living wage</p> <p>Now included Continuing to develop reliable estimates for commercial waste and septic tank licence.</p>

Recommendation.	Response
<ul style="list-style-type: none"> • Repairs (maintenance and sundries) should be reviewed in the financial forecasts. 	Done.
<p>24. The Designer/Architects' opinion should be sought as to whether they feel that the caravan site proposed, along with the specifications intended and the repairs envisaged, would have an economic life of 40 years and beyond.</p>	Adjusted loan repayment period to 20 years, as agreed by Strategic Director, Regeneration and Environment.
<p>25. Confirmation is needed that the interest rate of 4.6% quoted is still realistic and that the Council's lending policy has not changed, specifically given the fall in the Bank of England's Base Rate during 2016.</p>	Finance advises interest rate is now 4.09% - projections amended accordingly.
<p>26. It is evident that revenue is being lost by virtue of the fact that several facilities which attract visitors to the park are leased out to private companies. RVCP are only therefore able to benefit from the secondary spend that occurs from elsewhere in the park in areas they control outright such as those documented within Appendix ii. A review of all lease arrangement is recommended before they are renewed.</p>	This does not affect business case for caravan site. A timetable for review of lease arrangements is in development.



Public Report with Exempt Appendix
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name of Committee and Date of Committee Meeting:

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017

Council Report:

Review of District Heating Charges

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 for Adult Care and Housing

Report Author(s)

Paul Elliott, Business and Commercial Programme Manager
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Kath Andrews, Principal Finance Officer

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Executive Summary

A review of district heating has been undertaken following capital investment made to infrastructure that has improved the efficiency and concerns raised by tenants on the Swinton Fitzwilliam Estate about the high cost of heating.

A previous report to Cabinet in July 2017 recommended that a weekly standing charge of £2 be introduced to enable a reduction in kwh charge to 5.65p so mitigating a payment spike for residents on the Swinton Fitzwilliam Estate who are on pre-payment meters. The equivalent charge per kwh if no standing charge was levied would have been 7.09p per kwh. There were concerns expressed by some tenants and ward Members that prompted a further review of charges to be undertaken.

Subsequently, the review has focused on anticipated costs for 2017-18 based on full year operating costs for 2016-17 now being available and the known cost reductions from significant investment in district heating infrastructure over the last 3 years now coming to fruition.

This report recommends the reduction of the kwh charge to 6.28p per kwh with no standing charge for 2017-18 which will be applied retrospectively from 1 April 2017. These cost reductions will mean that charges for district heating in Rotherham for 2017-18 are comparable to both Sheffield and Doncaster.

Recommendations

1. That the content of the report be noted.
2. That the Council be recommended:-
 - a) To approve the revised district heating cost model.
 - b) To reduce the unit Kwh charge across all district heating schemes to 6.28p per kwh (incl. VAT) and apply retrospectively from 1 April 2017.
 - c) To reduce weekly pre-payment charges on all pooled schemes as detailed in Option 3 of the report.

List of Appendices

Appendix 1 – Options Analysis (Exempt)

Background Papers

Review of District Heating Charges, 10 July 2017

District Heating Scheme Charges 2017/18 (9 January 2017)

Self-Regulation Select Commission – Review of RMBC's District Heating Schemes (November 2012).

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 8 November 2017

Council Approval Required

Yes – 13 December 2017

Exempt from the Press and Public

An exemption is sought for Appendix A under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive commercial information with regards to the potential acquisition of land and negotiation strategy which could disadvantage the Council if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of this commercial information.

Review of District Heating Charges

1. Recommendations

- 1.1. That the content of the report be noted.
- 1.2. That Council be recommended:-
 - a) To approve the revised district heating cost model.
 - b) To reduce the unit Kwh charge across all district heating schemes to 6.28p per kwh (incl. vat) and apply retrospectively from 1 April 2017.
 - c) To reduce weekly pre-payment charges on all pooled schemes as detailed in Option 3 of the report.

2. Background

District Heating Charges

2.1 The Council operates two distinct district heating schemes:

- A pooled metered scheme and;
- A pre-paid card meter scheme at Swinton.

Over the last few years charges for each scheme have been brought into line with a phased increase in the kilowatt hour charge towards achieving full cost recovery.

2.2 District heating charges are based on a metered charge per kilowatt hour of heat used. A weekly charge is paid by tenants through their rent account for all schemes with the exception of Swinton Fitzwilliam which is via pre-payment meter. Weekly charges for most pooled schemes exceed the actual metered costs and hence 19% of all income received from weekly charges was returned to customers via a refund in 2016/17. This refund is calculated on each individual tenant's kwh usage and does not represent a reduction in kwh charge rate. The Cabinet in January 2013 recommended that the cost of district heating is fully recovered on a phased basis and therefore charges are set at the appropriate level. For 2016-17 there was no increase in charges at 8.72p per kwh. This was the second consecutive year that charges had been unchanged.

2.3 In July 2017 the Cabinet agreed to recommend to Council that charges for District Heating should be reduced to 5.65p per kwh and a weekly standing charge of £2 payable from the 2nd October 2017. Subsequent to this decision a number of tenants at Swinton Fitzwilliam and local Members expressed concerns that; the standing charge element is confusing and removes choice and they questioned whether staffing and administration costs should be passed onto tenants as they created financial difficulties. As a result a further review of the cost model has been undertaken with the aim of trying to address these concerns.

Investment in District Heating

- 2.4 Over the past 3 years there has been considerable investment upgrading the district heating infrastructure. This has included replacement boilers, distribution pipework and heat meters. Total investment funded through the Housing Revenue Account over the period has been £3.2m.
- 2.5 Given this significant investment in new infrastructure it has resulted in some district heating schemes being more energy efficient so reducing the Council's running costs. This has been particularly evident at the Swinton Fitzwilliam Estate where new boiler installations have reduced operating costs and new heat meters have ensured heat use is now recorded and billed accurately.

Swinton Fitzwilliam Estate

- 2.6 Tenants on the Swinton Fitzwilliam Estate, supported by ward Members have raised concerns about the difficulties they were having in being able to afford the costs of heating their homes. Many tenants were experiencing difficulty paying to heat their homes during the winter period based on the prevailing 8.72p per kwh charge rate. This rate had been agreed by Council in January 2016 for the 2016-17 financial year.
- 2.7 Given the upgrade to the district heating system was ongoing at the time of 2016-17 budget setting, potential cost savings from installation of new infrastructure were not known and so the previous decision by Cabinet in January 2012 to pursue full cost recovery across the district heating schemes the charge rate of 8.72p per kwh was retained for 2017-18 pending a review.
- 2.8 Within the budget setting report a commitment was made that after a full year of operation any over recovery of income would be refunded to tenants. This was also confirmed in writing to tenants living on the estate.
- 2.9 An interim refund was issued to tenants prior to the year-end based on known income and expenditure between April – December 2016. The refund was issued to all tenants, with the exception of those with historic district heating debt, in February 2017.
- 2.10 A further refund was issued to tenants in April 2017 covering the date of heat meter installation until 31 March 2016. A final refund was issued 22 May 2017 based on known income and expenditure for the entirety of 2016-17.

3. Key Issues

- 3.1 Following the review of the prevailing charge rate for district heating at Swinton Fitzwilliam a full review of the cost model and subsequent charging rates was undertaken across all district heating schemes. The Cabinet recommended to Council at its meeting of 10 July 2017 that charges be reduced to 5.65p per kwh (applied retrospectively from 1 April 2017) and a weekly standing charge of £2 from 2 October 2017.

3.2 Following this recommendation tenants on the Swinton Fitzwilliam Estate along with local Councillors expressed further concerns about district heating charges. Their concerns included:

- The confusion and merit of implementing a weekly standing charge
- The equity of treating Swinton Fitzwilliam and Pooled schemes as one for charging purposes when the Swinton Fitzwilliam Estate has different metering and is more efficient following recent investment
- Including staffing, administration and metering costs in the cost recovery calculations makes the proposed charging rate still unaffordable for many tenants

3.3 As a result of these concerns a further review of the cost model has been undertaken. This report now details a further option for district heating charges that reduces costs for tenants on district heating whilst being fair to other tenants who are on mains gas fuelled heating systems. As previous, this review will ensure a charging structure that is fair to all tenants on district heating throughout the borough is adopted.

3.4 In calculating the revised kwh rate the following assumptions have been made:

- Forecast 2017-18 expenditure is based on actual 2016-17 costs of operating the district heating schemes and not the budget that was originally set in January 2017. The original budget was based on actual operating costs for 2015-16 as these were the only actual full year costs available at the time of budget setting.
- Forecast income is based on the actual number of kwh purchased by tenants in 2016-17.
- Throughout 2017-18 further investment will continue to improve the efficiency of district heating systems. No allowance has been made for further reductions in the Council's operating costs that may result.
- The kwh charge the Council pays for utilities is assumed to remain the same. Utility costs used in calculating the cost of district heating include electricity and gas.
- Income from the Renewable Heat Incentive subsidy scheme has been included based on actual income received in 2016/17. This reduces the amount to be recovered via tenant charges.

3.5 In completing this work Sheffield City Council have undertaken a review of the principles behind the cost model and are satisfied that the costs have been calculated fairly. The basis is similar to those used for the modelling in Sheffield taking into account the economies of scale that Sheffield can rely on.

3.6 The cost models are based on all properties on district heating schemes across the borough being pooled and treated as one scheme. As a result there will be a cross subsidy between individual district heating scheme locations i.e. one location may make a loss and another profit, but all tenants throughout the borough will pay the same kwh rate. However, all tenants will see a reduction from the current charge rate of 8.72p per kwh. The details of each option previously recommended along with the new recommended option are set out below:

**Option 1 – Reduced kwh charge and £2 per week standing charge
(Recommendation to Cabinet 10 July 2017)**

	2017-18 (current)	Average Bill £ (7,200 kwh)	2017-18 (proposed)	Average Bill £ (7,200 kwh)	Reduction £
Unit Cost per kwh	8.72p	627.84	5.65p	406.80	
Standing charge	0	0	£2 per week	104	
Total £		627.84		510.80	-117

3.7 This would ensure all costs of operating district heating are recovered including administration. It is proposed to include a weekly standing charge to mitigate against seasonal payment spikes.

3.8 The administration costs include the cost of service charges for heat meters, staffing costs for management and administration of accounts, postage and printing for billing. All charges would be applied retrospectively from 1 April 2017 and relevant refunds placed on the rent account and issued as part of district heating quarterly billing cycle. It is anticipated this would take until mid-January 2018 to action.

Advantages

- Full cost recovery including administration and metering costs
- Consistent charging across all schemes
- Reduced costs for tenants

Disadvantages

- Does not address tenants concerns in relation to levying a standing charge and recovery of administration costs.

Option 2 - Reduced kwh charge and £2 per week standing charge from 2 October 2017 (Approved by Cabinet 10 July 2017)

	2017-18 (current)	Average Bill £ (7,200 kwh)	2017-18 (proposed)	Average Bill £ (7,200 kwh)	Reduction £
Unit Cost per kwh	8.72p	627.84	5.65p	406.80	
Standing charge	0	0	£2 per week	52	
Total £		627.84		458.80	-169

3.9 This would ensure all costs of operating district heating are recovered. It is proposed to include a weekly standing charge to mitigate against seasonal payment spikes.

3.10 The administration costs include the cost of service charges for heat meters, staffing costs for management and administration of accounts, postage and printing for billing. All charges would be applied retrospectively from 1 April 2017 with the exception of the standing charge which would have been applied from 2 October 2017. Relevant refunds would be placed on the rent account and issued as part of district heating quarterly billing cycle. It is anticipated this would take until mid-January 2018 to action.

Advantages

- Full cost recovery including administration costs for future years
- Consistent charging across all schemes
- Reduced costs for tenants

Disadvantages

- Under recovery of full costs by £65k in 2017-18.
- Does not address tenants concerns in relation to levying a standing charge and recovery of administration costs.

Option 3 – Charge fuel cost only with no standing charge – recommended

	2017-18 (current)	Average Bill £ (7,200 kwh)	2017-18 (proposed)	Average Bill £ (7,200 kwh)	Reduction £
Unit Cost per kwh	8.72p	627.84	6.28p	452.16	
Standing charge	0	0	0	0	
Total £		627.84		452.16	-176
Weekly pooled meter charges:	£		£		
Bedsit	11.81		9.66		-2.15
1 Bed	13.76		11.25		-2.51
2 Bed	15.78		12.90		-2.88
3/4 Bed	18.26		14.93		-3.33

3.11 This would limit cost recovery to fuel costs only. All staffing, administration and metering costs have been omitted and would in future be funded through general HRA resources which is the same as staffing costs associated with Gas Servicing and Safety inspections for individual central heating systems. All charges would be applied retrospectively from 1 April 2017 and relevant refunds placed on the rent account and issued as part of district heating quarterly billing cycle. Tenants on pre-payment meters would be issued with refunds for the period 1 April to 30 November 2017 following decision by the Council. The remaining refund for the period 1 December to 13 December 2017 would be applied as a credit to the heat meter. By processing the refunds in this way it will ensure tenants receive a refund prior to Christmas. The new charge rate will be applied to the meter remotely on 14 December 2017.

Advantages

- Reduced costs for tenants. The average bill will reduce by £176.
- Consistent charging across all schemes so is equitable for all tenants
- Is a positive response to tenant and member concerns

Disadvantages

- Does not deal with winter payment spike for tenants and residents on pre-payment meters.

- It would result in a cost under recovery of £73k in respect of not recovering the costs of staffing, administration and metering charges which would therefore be a general cost to the HRA.

4. Options considered and recommended proposal

4.1 The options detailed in the main body of the report outline the cost to tenants and forecast deficit to the HRA depending on the option chosen. To ensure that all tenants on district heating pay at the same rate it is recommended that the Council move to district heating scheme (Option 3). This will result in an average bill reducing by £176 in 2017-18 assuming the average 7,200 kwh usage remain unchanged.

4.2 There will continue to be an annual review each year as part of the budget setting cycle. This will continue to increase or decrease the kwh charge depending on total income and expenditure forecast for the forthcoming year. Any forecast over-recovery of income in the current financial year would lead to a price adjustment in the subsequent financial year.

4.3 By adopting the recommended option this would mean for 2017-18 charges were comparable to other Local Authority district heating providers in the sub-region as illustrated in the table below:

Charge Rate	Rotherham	Doncaster	Sheffield
Pence per kwh	6.28	6.09	3.04
Standing charge/ credit	0	0	£4 per week (over 50 weeks) (£14.54 monthly amenity charge for leaseholders and RTB properties only)
Total based on 7,200 kwh per annum	£452	£438.48	£418.88

4.4 It should be noted Sheffield currently offer a subsidised rate, if this was not offered the charge rate would be 3.72p per kwh or £467.84 per year based on 7,200 kwh.

5. Consultation

5.1 The Improving Places Select Commission has been briefed on the options review.

5.2 A series of consultation events have been held on district heating schemes during August and September 2017. The feedback has been included in developing this report

6. Timetable and Accountability for Implementing this Decision

6.1 Cabinet is asked to consider the proposals at its meeting on 13 November 2017 and to recommend final approval by the Council on 13 December 2017. Assuming Council agreement, Tenants will be advised of revised charges week commencing 18 December 2017.

- 6.4 Pooled schemes will have relevant refunds placed on the rent account and issued as part of district heating quarterly billing cycle. It is anticipated it will take until mid-January 2018 to update all pooled metered accounts.
- 6.5 Tenants on pre-payment meters will be issued with refunds for the period 1 April to 30 November 2017 during the w.c.18 December 2017. The remaining refund balance for the period 1 December to 13 December 2017 will be applied as a credit to the heat meter. The new charge rate will be applied to the meter remotely on 14 December 2017.

7. Financial and Procurement Implications

- 7.1 The financial implications of each option are outlined in sections 3 and 4 of the report. The new unit rates have been calculated using the 2016/17 actual financial and usage data for district heating.
- 7.2 In 2016/17 the actual average annual usage of all tenants was approximately 7,200 kwh. This has been used to model the average costs for all tenants. However, individual charges to tenants could be higher or lower than this value dependent upon their actual usage.
- 7.3 The average cost per tenant in 2016/17 was £628 per annum. Option 3 would see this average cost fall to £452 per annum. Appendix 1 shows the details for each option.
- 7.4 The proposed option would result in a potential cost under-recovery of £73k for the HRA which would therefore fall as a general cost to the HRA. This would be funded from emerging revenue underspends in the current year and in future years would be absorbed within the HRA business plan to ensure the future sustainability of the HRA.

8. Legal Implications

- 8.1 Section 24 of the Housing Act 1985 allows local authorities to make such reasonable charges as they may determine for a tenancy or occupation of their houses. Further, it requires the local authority from time to time to review rents and other charges (such as district heating charges) and make such changes, as circumstances may require. The changes proposed in the recommendations to this report would fall within the ambit of the Council's discretion as set out in section 24 of the Housing Act 1985.

9. Human Resources Implications

- 9.1 There are no Human Resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The reduction in district heating charges will assist families and vulnerable adults living in properties on district heating. This will mean they have more money for other living expenses such as their rent, thereby reducing the risk of being evicted due to rent arrears.

11. Equalities and Human Rights Implications

11.1 There are no direct implications in approving the recommended option. However if the option to subsidise the heating charges of tenants on district heating was pursued this would create inequality with other tenants who are on mains gas and do not have the option to receive a subsidy from the Council towards the cost of their heat and hot water.

12. Implications for Partners and Other Directorates

12.1 There are no direct implications for partners and other directorates.

13. Risks and Mitigation

13.1 Through reducing the rate charged the Council may not be able to recover any additional costs it incurs so inadvertently operating at an even greater deficit. This may occur if kwh charges for utility cost were higher than budgeted or Renewable Heat Incentive Income is lower than budgeted. These risks are minimal and the financial impact would be borne by HRA reserves if required.

13.2 There is also a reputational risk that the Council may be criticised for not investing further in district heating infrastructure, such as Biomass which can reduce costs to the tenant due to grant income received.

14. Accountable Officer(s)

Tom Bell, Assistant Director of Housing and Neighbourhoods Services.

Approvals Obtained from:

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	26/10/2017
Assistant Director of Legal Services	Neil Concannon	06/09/2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

Report Authors: *Paul Elliott, Business and Commercial Programme Manager*
Kath Andrews, Principal Finance Officer

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Public Report with Exempt Appendix
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 13 November 2017.

Report Title

York Road Redevelopment – Development Brief.

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

No, but it has been included on the Forward Plan as a non-key decision.

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment.

Report Author

Louise Murray, Strategic Asset Manager
01709 254050 or louise.murray@rotherham.gov.uk

Ward(s) Affected

Rotherham East.

Executive Summary

This report requests that Cabinet approves the Development Brief for York Road, Eastwood and its proposed submission to developers.

Recommendations

That approval be given to the content of the Development Brief for York Road, Eastwood and its proposed submission to developers with a view to obtaining design submissions/development proposals.

List of Appendices Included

Appendix A – Plan of York Road, Eastwood development site.

Appendix B – Development Brief for York Road, Eastwood.

Appendix C – Plan to be included in Development Brief pack showing adopted highway to the site.

Appendix D – Exempt Addendum to report with details of potential disposal price.

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

An exemption is sought for Appendix D under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive commercial information with regards to the potential disposal of land and negotiation strategy which could disadvantage the Council if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of this commercial information.

York Road Redevelopment – Development Brief

1. Recommendations

- 1.1 That approval be given to the content of the Development Brief for York Road, Eastwood and its proposed submission to developers with a view to obtaining design submissions/development proposals.

2. Background

- 2.1 The site at York Road, Eastwood, shown edged red on the plan at Appendix A, has been identified as being suitable for residential development. The site comprises two car parks and a garage site which provides a largely cleared site which is almost ready to be redeveloped.
- 2.2 The main intended outcome of the development will be the delivery of new homes in a range of sizes and tenures though it is expected that the redevelopment of the site will result in an enhancement of the area and improved amenity for residents and visitors.
- 2.3 A Development Brief has been prepared with the intention that this is provided to developers and design proposals requested. The Brief is attached at Appendix B. An additional plan which will be included in the Development Brief pack showing the adopted highway adjacent to the site, is attached at Appendix C.

3. Key Issues

- 3.1 The redevelopment of York Road, Eastwood by the Council, in partnership with a developer, will enable control of the nature and quality of the development to be retained, ensuring that all needs are met.
- 3.2 In addition, the Brief requests that developers approach the proposal with a focus on creativity and a view to providing a catalyst for further improvements in the area. It is expected that the redevelopment will be innovative in design and quality terms and that the homes provided will enhance the community further, creating a new customer base for existing businesses and increasing the viability of the area. However, the detail of the eventual development will depend upon its viability and on developer's views on deliverability.

4. Options Considered and Recommended Proposal

Option 1

- 4.1 The site to remain in its present state with no action or intervention – the site's present use as a car park and garage site would continue and no new homes would be built. To leave the site in its present state will not support the delivery of new housing, the regeneration of Eastwood or the viability of further developments in the area in the future, potentially depressing surrounding property values.

Option 2

4.2 Sale on the open market - An analysis of this option is included in Exempt Appendix D.

Option 3

4.3 Development through a potential Special Purpose Vehicle (SPV) for Housing and Regeneration – exploration of the options in respect of the SPV is underway though if it is decided to proceed, its creation will take some time. The timescale therefore does not accord with the need to develop the site in the near future but, also, it is not considered that placing the site within the SPV will deliver any additional benefits.

Option 4

4.4 Development of grant-funded affordable housing, rather than mixed tenure provision – the development of a large number of affordable homes on the site may be sustainable though the overall viability of the site will be diminished. In addition, the limiting of tenure provision will exclude those who wish to own their own home outright and therefore reduce community integration through a lack of tenure mix.

Option 5

4.5 Submission of Development Brief to Developers - this will allow the market to propose a scheme which meets all requirements, ensuring viability but with the Council retaining control of the outputs, especially in terms of quality and design. The Brief requests that developers include 25% affordable provision in their proposals, along with consideration of landscaping, design, use of materials, public open space and car parking. While the intention is to generate 25% affordable housing from the scheme this will be dependent on viability and there is the prospect of a lower percentage of affordable housing. This is the preferred option.

5. Consultation

5.1 Consultation has taken place with local Ward Members. Soft market testing has also been undertaken with developers and architects.

6. Timetable and Accountability for Implementing this Decision

6.1 If approved, the Development Brief will be submitted to developers for consideration by mid-December 2017 with a return date of mid-February 2018. It is intended that options together with a recommended proposal will be placed before Cabinet in May 2018.

7. Finance and Procurement Implications

- 7.1 Any financial implications arising from proposals submitted following the issuing of the Development Brief, will be considered in the report that is timetabled to be taken to the Cabinet and Commissioners' Decision Making Meeting in May 2018. Exempt Appendix D provides information on the estimated open market value of the site.
- 7.2 The proposed recommendation will be subject to the public procurement regime and will be undertaken in accordance with the Public Contract Regulations 2015 and the Council's own Contract Procedure Rules.

8. Legal Implications

- 8.1 There are no direct legal implications arising at this stage from the recommendations.

9. Human Resource Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The proposal will provide a range of market and affordable housing options which are likely to enhance the lives of children, young people and vulnerable adults who access them.

11. Equalities and Human Rights Implications

- 11.1 There are no Equalities and Human Rights implications relevant to this report.

12. Implications for Partners and Other Directorates

- 12.1 The proposal may enable the provision of additional affordable housing which will be managed by Housing and will also support the delivery of overall housing numbers of all tenures in the Borough.

13. Risks and Mitigation

- 13.1 There is a risk that the offering of the site to developers in the marketplace may not result in a suitable, viable proposal or indeed result in the submission of any proposals at all. If this happens the options above will be reconsidered and an alternative proposed way forward determined.
- 13.2 Soft market testing in relation to the redevelopment of York Road, Eastwood has been undertaken with developers and architects and this has indicated that there appears to be demand for the site from the development market.

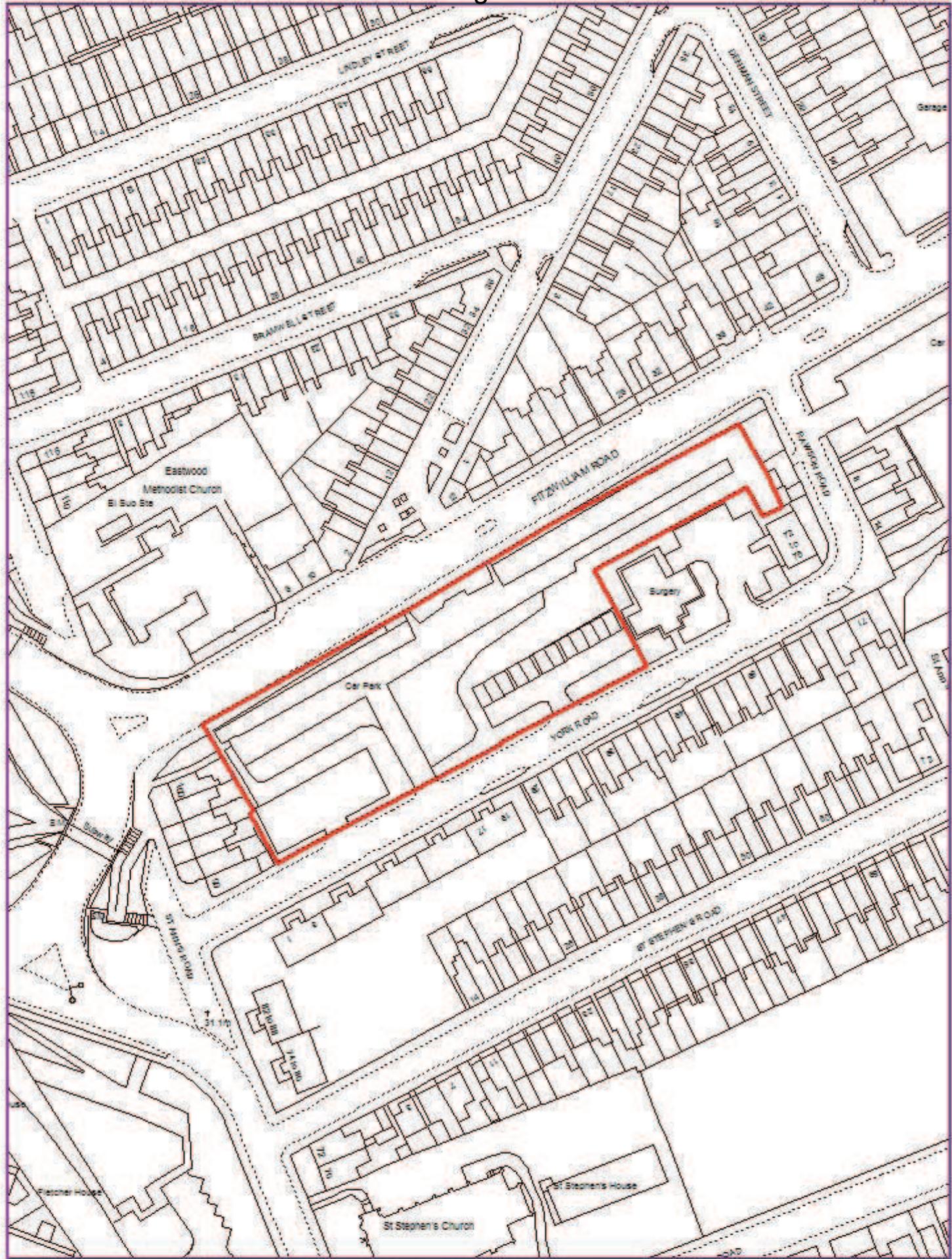
14. Accountable Officer(s)

Damien Wilson – Strategic Director of Regeneration & Environment.
 Paul Woodcock – Assistant Director - Planning, Regeneration & Transport
 Paul Smith - Head of Asset Management
 Louise Murray – Strategic Asset Manager

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	25/10/2017
Assistant Director of Legal Services	Stuart Fletcher	25/10/2017
Head of Procurement (if appropriate)	Karen Middlebrook	20/09/2017
Head of Human Resources (if appropriate)	N/A	

Report Author: Louise Murray, Strategic Asset Manager

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York Road Redevelopment

Introduction

Eastwood is located in east-central Rotherham, on the edge of the town centre. The subject site is presently a car park and garage site which is within a mixed-use area comprised of residential properties, retail and commercial businesses. The area also benefits from varied local amenities and good public transport links.

It is expected that the redevelopment of the area identified in this brief will enhance the offer of Eastwood to residents and visitors alike, providing a new housing product to suit the needs of a range of potential customers wishing to move home within the area or to set up home in the area for the first time.



The proposal

Rotherham Metropolitan Borough Council wishes to find ways to improve the Eastwood area and intends that this development will support that ambition.

So that all potential options can be explored, it has been decided to invite interested parties to present proposals which meet the aims outlined in this brief. Though the proposals must ultimately prove to be viable, creativity is encouraged with a view to the redevelopment of the site. It is hoped that this proposal and the introduction of new housing will provide a vision of what can be achieved.

Aims and objectives

Proposals should be bold, providing a different aesthetic to inspire, to challenge and change beliefs in what is possible. A focus on innovative design and liveable spaces which enable transformation is encouraged.

Residential – all units should be to dimensions in accordance with the South Yorkshire Residential Design Guide (SYRDG) and provide a varied offer of accommodation, see below for more detail of the identified housing need in the area.

A link to the SYDRG can be found below:
http://www.rotherham.gov.uk/corestrategyexamination/downloads/file/371/reb12_south_yorkshire_residential_design_guide_2011

Parking – sufficient to serve the provided residential accommodation, in accordance with planning guidelines.

Landscaping – to meet Planning requirements, a positive contribution to, and improvement of, the visual quality of the area and to provide an enhanced experience for all residents.

Location and site description/ characteristics

The site is shown edged red on the attached plan A and comprises 1.17 acres/0.47 hectares.

It is presently constituted of two car parks and a garage site in a mixed use environment.

Topographically, the site is flat. It lies alongside a main arterial road affording good links to all areas of the Borough and beyond via easily accessible roads and bus links.

It is an area popular with local and national retailers and includes a BP petrol station, an Aldi grocery store and a medical centre. There is also a primary school nearby, open green space and play areas within short walking distance. It is an area distinct from the town centre but also one which allows proximity to all the amenities offered in the centre of Rotherham and, importantly, closeness to what will soon be the newly designed and regenerated town centre with all the cultural and leisure opportunities that will afford.



Neighbourhood

York Road is a well-positioned site in the centre of the Borough of Rotherham with direct bus links to all major local conurbations and an easily accessible road system.

It is well-serviced by retail and varied commercial outlets and other facilities making it a convenient place to live.

Opportunities and constraints

Opportunities

To create a focal point for residents through the innovative re-design of this key part of Eastwood.

To meet some of the identified housing need in Eastwood.

To include an element of affordable housing in the scheme in accordance with the usual 25 % required by the Council under its Affordable Housing Policy. The Council to be granted an option to purchase the affordable housing element at a suitably discounted rate.

Constraints

The land which is presently used as a car park houses approximately 110 car parking spaces.

There are also 12 garages on part of the site, served by a tarmacadam access road. These are held by way of short term licences and the Council will work with any developer to seek potential other areas to relocate the licensees at the appropriate time.

As the land adjoins housing there may be utilities running through the site and this will need to be checked with the various authorities concerned.

Planning policy

The Planning service has confirmed that the site is currently allocated for residential purposes in the Council's adopted Unitary Development Plan (UDP) and is also a designated housing site in the Council's proposed Rotherham Sites and Policies Document (RSPD) which is due to be adopted by autumn 2018. The site is numbered as H20.

The supporting text states that it is suitable for approximately 30 dwellings. It is further stated that the site is within an Air Quality Management Area and therefore any application will require the submission of an Air Quality Assessment.

This redevelopment is expected to enhance the area appropriately providing an aspirational example of development in this part of Rotherham.

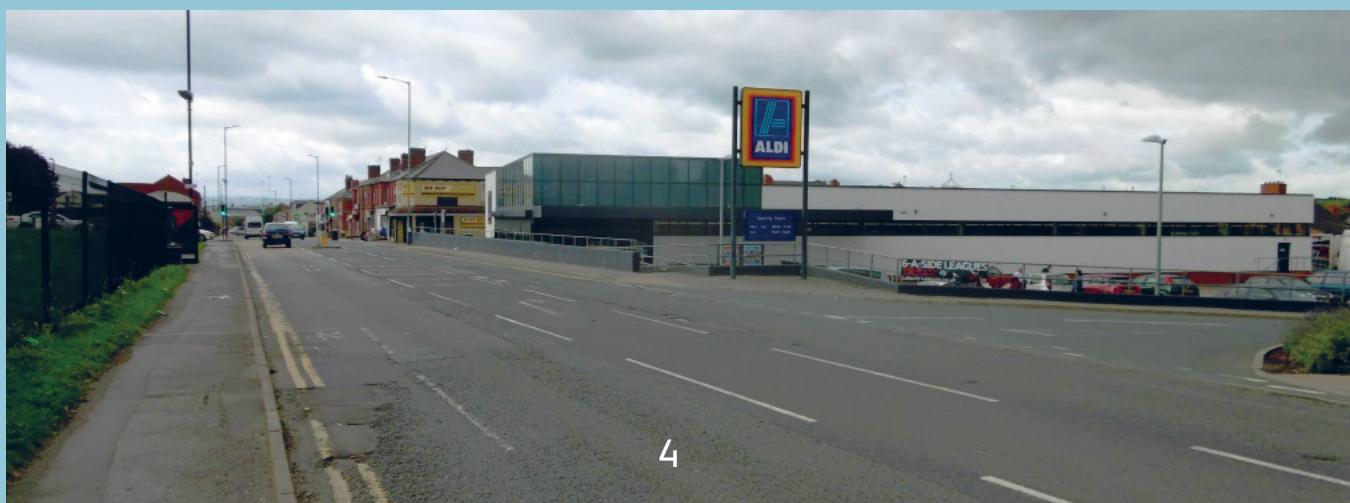
It should be noted that the site is in CIL charging zone 3. A link to further information can be found below:

<http://www.rotherham.gov.uk/cil>

Transportation issues

Vehicular access should not be taken from Fitzwilliam Road but can be derived from York Road. The Council's minimum car parking standards will apply and measures to promote sustainable travel should be provided.

Notwithstanding the above, any redevelopment proposal will need to be supported by a Transportation Assessment (TA), the scope of which should be agreed in advance.



Design, materials and external appearance

Planning have strongly advised that any prospective developer enters into pre-application discussions at an early stage so that issues such as layout, design, scale, design and appearance can be resolved as much as possible.

The redevelopment of the site presents an ideal opportunity to achieve a high standard of design, using materials which tie in with the surrounding area, and to a scale which enhances the existing offer.

Specification and suggested materials information should be submitted with the brief. The detail of this will be agreed at a later date.

Public open space and footpaths

There is an adopted footpath adjacent to the highway which runs along the north, east and south edges of the site and this is shown on Plan B. There appear to be no designated footpaths crossing the site.

Housing density

The housing market in Eastwood comprises a mix of two bedroom Victorian terraced style housing, one and two bedroom flats and two and three bedroom semi-detached properties which still are, or have previously been local authority housing.

The Strategic Housing Market Assessment states a requirement for family-sized housing, particularly three bedroom homes. The inclusion of housing for older people, especially bungalows, would also be beneficial.

Sustainable development

The residential properties will be expected to be built to current building regulations/Code for Sustainable Homes 3.

Proposals which include an element of custom build housing will be welcomed.

Affordable housing

There will be a requirement for 25 % affordable housing to be included in the development (subject to viability) This is in addition to any Section 106 or Community Infrastructure Levy (CIL) liability in respect of the development.

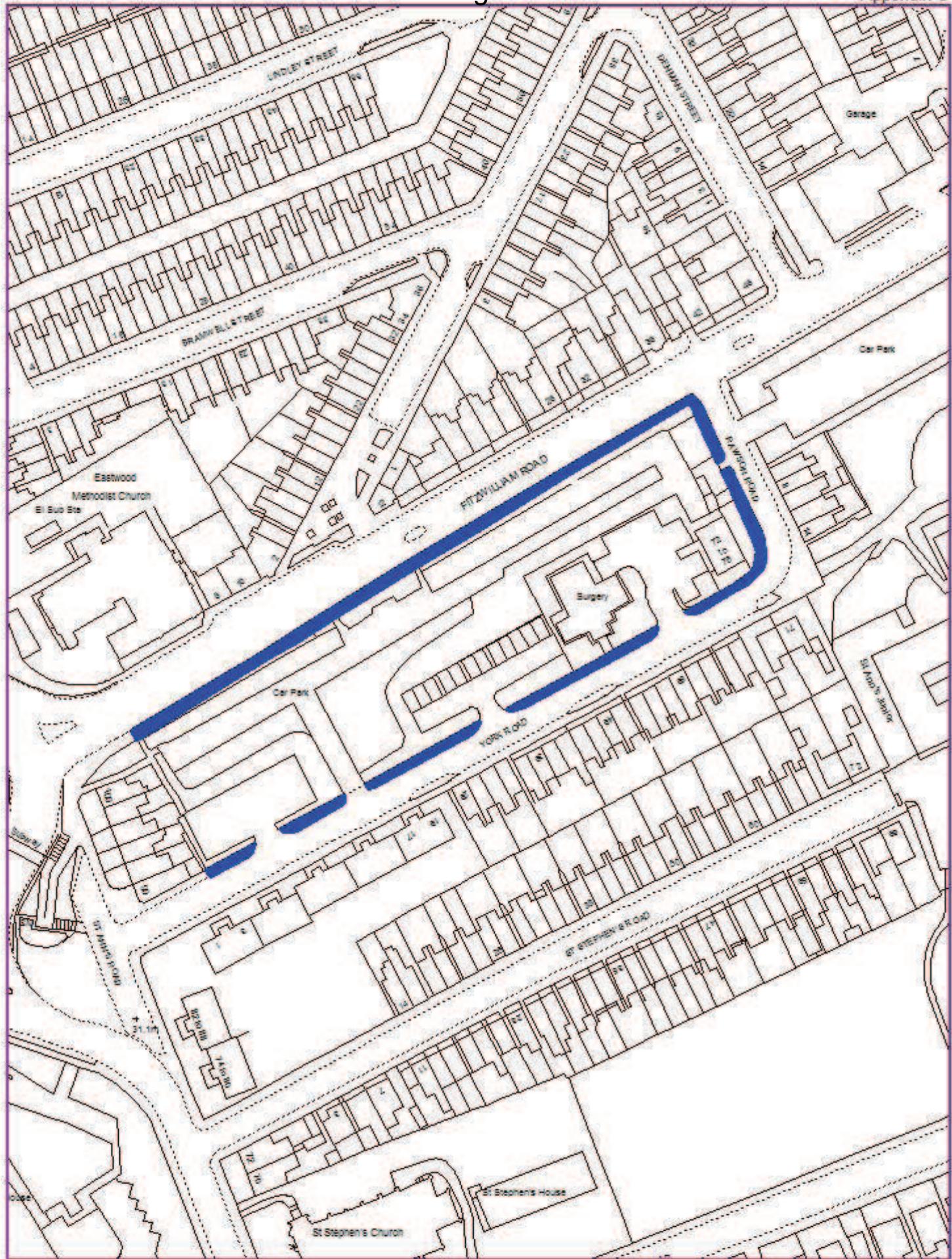
Demand information from bids for current affordable accommodation shows that there is a particular need for smaller properties, especially two bedroom apartments. Any ground floor apartments would need to be suitable for wheelchair users or those with mobility issues.

Demolition

Removal and/or demolition of the garages will need to be included in any proposal though the Council will work with any developer in the termination of licences and relocation of any licensees, if possible.

Caveats – noise and contamination

The designer/developer will be expected to make their own enquiries in respect of the potential impact of contamination at the site.



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Scale 1:1250



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