



CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Monday, 19 February 2018

10.00 a.m.

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

Cabinet Members:-

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

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

Commissioners:-

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, 19th February, 2018

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.

Councillors are also entitled to ask any questions under this agenda item.

4. Minutes of the previous meeting (Pages 1 - 6)

To receive the record of proceedings of the Cabinet and Commissioners' Decision Making Meeting held on 15 January 2018.

5. Exclusion of the Press and Public

Agenda Item 18 has an exempt appendix. Therefore, if necessary when considering that item, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

DECISIONS FOR COMMISSIONER BRADWELL

6. Councillor Membership of Adoption and Fostering Panels (Pages 7 - 13) Report of the Assistant Chief Executive

Cabinet Member: Councillor Watson (in advisory role)

Commissioner: Bradwell

Recommendations:

1. That two councillors be required to sit on hearings of the Adoption Panel and Fostering Panel.
2. That Councillors Allen and Elliot be appointed to the Adoption Panel.
3. That Councillors Cusworth and M. Elliott be appointed to the Fostering Panel.

7. Annual Childcare Sufficiency Report (Pages 15 - 133) Report of the Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson (in advisory role)

Commissioner: Bradwell

Recommendation:

That the 2017-18 Childcare Sufficiency Report be approved for publication.

DECISIONS FOR CABINET

8. Response to Recommendations from Improving Lives Select Commission - Alternative Management Arrangements for Children's Services (Pages 135 - 142)

Report of the Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson

Commissioner: Bradwell (in advisory role)

Recommendations:-

1. That Cabinet agree the response to the scrutiny review of Alternative Management Arrangements for Children and Young People's Services in Rotherham set out at Appendix A to this report.
2. That the response be referred to the next meeting of the Council on 28 February 2018 and to the next meeting of the Improving Lives Select Commission on 13 March 2018.

9. Special Educational Needs and Disability (SEND) Sufficiency and Increase in Educational Provision - Phase 1 (Pages 143 - 165)

Report of the Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson

Commissioner: Bradwell (in advisory role)

Recommendations:

1. That approval be given to the increase in educational provision for Special Education Needs and Disability (SEND) across the Borough following consultation.
2. That approval be given to the projects that are to be linked to the Capital Programme within the Formal Budget & Council Tax 2018-19 report.

10. Budget & Council Tax 2018-19 (Pages 167 - 282)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam

Commissioner: Ney (in advisory role)

Recommendations:

That Cabinet recommend to Council:

- Approval of the Budget and Financial Strategy for 2018/19 as set out in the report and appendices, including the need to deliver £15.1m of budget savings and a basic Council Tax increase of 2.99%.
- Approval that the £965k additional Council Tax income generated from 1% of this increase is earmarked for kerbside collection of plastic waste and that the final decision on the operational model for waste services be determined by Cabinet following analysis of the public responses to the consultation and related options.
- Approval of the Government's proposals for the maximum Adult Social Care precept of 3% on Council Tax for 2018/19 to fund additional costs in relation to Adult Social Care Services.
- Approval that the precept figures from South Yorkshire Police Authority, South Yorkshire Fire and Rescue Authority and the various Parish Councils within the Borough be incorporated, when known, into the recommendation to the Council on 28th February 2018.
- That an updated Medium Term Financial Strategy (MTFS) is brought back to Cabinet in 2018/19 after the accounts for 2017/18 have been closed.

- Approval of the proposed use of reserves as set out in Section 3.5, noting that there may be a variation subject to the Final Local Government Finance Settlement and that the final determination will be approved as part of reporting the outturn for 2017/18.
- Approval that any changes resulting from the Final Local Government Finance Settlement be reflected in the Budget report to Council on 28th February with the balance of any change being reflected in a change in the required use of reserves.
- That it notes and accepts the comments and advice of the Strategic Director of Finance and Customer Services (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the Budget and the adequacy of reserves for which the Budget provides (Section 3.9).
- That it notes the consultation feedback from the public, partners and trade unions following publication of Directorate budget savings proposals on the Council's website for public comment from 6th December 2017 to 4th January 2018 (Section 5).
- Approval that all Council Fees and Charges are increased for 2018/19 by the September CPI increase of 3% other than Fees and Charges which are determined by national statute and that lists of all proposed fees and charges for 2018/19 are submitted to Cabinet in March for approval.
- Approval to the proposed increases in Adult Social Care Provider contracts as set out in Section 3 of the report.
- Approval to use £200k of the Local Welfare Provision balance of grant funding to continue arrangements for Crisis Loan Support as set out in Section 3 of the report.
- Approval to the carry forward into 2018/19 of any unspent balances of funding for the Community Leadership Fund and Delegated Ward Revenue Budgets.
- Approval of the use of in-year Capital Receipts up to 2020/21 to maximise capitalisation opportunities arising from service reconfiguration to deliver efficiencies and improved outcomes for clients and residents, and thereby minimise the impact of costs on the revenue budget as included in the Flexible use of Capital Receipts Strategy 2018/19 (Appendix 4).

- Approval of the proposed Capital Strategy and Capital Programme as presented in Section 3.7 and Appendices 2A to 2E, to a value of £248m for the General Fund and £177m for the HRA. This requires prudential borrowing of £65m to fund non-HRA schemes over the five year period, for which provision has been made in the revenue budget for the associated financing costs.
- That the approved Capital Strategy budget be managed in line with the following key principles:
 - (i) Any underspends on the existing approved Capital Programme in respect of 2017/18 be rolled forward into future years, subject to an individual review of each carry forward to be set out within the Financial Outturn 2017/18 report to Cabinet.
 - (ii) In line with Financial Regulation 13.8, any successful grant applications in respect of capital projects will be added to the Council's approved Capital Programme on an ongoing basis. .
 - (iii) Capitalisation opportunities and capital receipts flexibilities will be maximised, with capital receipts earmarked to minimise revenue costs.
 - (iv) Decisions on the financing of capital expenditure for individual capital projects are delegated to the Council's Section 151 Officer.
- Approval of the Treasury Management Matters for 2018/19 as set out in Appendix 3 of this report including the Prudential Indicators, the Minimum Revenue Provision Policy, the Treasury Management Strategy and the Investment Strategy

11. December Financial Monitoring Report 2017/18 (Pages 463 - 483)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam

Commissioner: Ney (in advisory role)

Recommendations:

1. That Cabinet note the current General Fund Revenue Budget forecast overspend for 2017/18 of £992k.
2. That Cabinet note 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 Cabinet note the current forecast outturn position on the approved Capital Programme for 2017/18.
4. That Cabinet agree the changes to the Business Rates Revaluation Support Scheme as set out in paragraphs 3.67 to 3.69 of the report.

12. Recommendations from Improving Places Select Commission - Emergency Planning (Pages 485 - 493)

Report of the Strategic Director of Regeneration and Environment

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

Recommendations:

1. That the response to the recommendations of the Improving Places Select Commission scrutiny review of Emergency Planning (as set out in Appendix A) be approved.
2. That the response be referred to the next meeting of the Council on 28 February 2018 and the next meeting of the Improving Places Select Commission on 14 March 2018.

13. Monetary Penalties relating to the Housing and Planning Act 2016 (Pages 495 - 545)

Report of the Strategic Director of Regeneration and Environment

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

Recommendations:

1. That the tools, powers and policy for the Use of Civil Penalty and Rent Repayment Orders under the Housing Act 2004 as amended and Houses in Multiple Occupation Guidance and Amenity Standards (Appendix A) be adopted.
2. That the Council's General Enforcement Policy be amended to include the *Policy for use of Civil Penalty and Rent Repayment Orders under the Housing Act 2004 as amended*, referred to at 4.5 in this report.

14. The Safer Rotherham Partnership (SRP) Domestic Abuse Strategy 2017 - 2020 (Pages 547 - 564)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Hoddinott

Commissioner: Commissioner Ney (in advisory role)

Recommendation:

That the Domestic Abuse Strategy 2017-2020 be endorsed.

15. Allotment Rents 2019/20 (Pages 565 - 571)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Hoddinott

Commissioner: Kenny (in advisory role)

Recommendations:

1. That allotment rents for the 2019-20 financial year be set at levels shown in Appendix 1.
2. That the requirement for existing allotment tenants to be notified of the new rents at least 12 months in advance of their introduction on 1st April 2019 be noted.

16. Renewal of agreement with Rotherham Rugby Club Ltd, known as Rotherham Phoenix Rugby Club (Pages 573 - 587)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott

Commissioner: Kenny (in advisory role)

Recommendations:

1. That approval be given to the surrender of the existing Asset Transfer Lease and the grant of a new 25 year Asset Transfer Lease with Rotherham Rugby Club Ltd without any break clauses.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the terms of the lease; and the Assistant Director Legal Services be authorised to complete the necessary documentation.
3. That the Assistant Director of Culture Sport and Tourism be authorised to negotiate a new Service Level Agreement to monitor activities relating to sports development, community engagement and equalities.

17. Neighbourhood Planning: Neighbourhood Area Application from Dalton Parish Council (Pages 589 - 594)

Report of the Strategic Director of Regeneration and Environment

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

Recommendations:

1. That approval be given to the Neighbourhood Area application from Dalton Parish Council as the relevant neighbourhood planning body.
2. That approval be given to designate Dalton Parish as a Neighbourhood Area.

18. Business Rates Discretionary Relief Renewals in 2018-19 (Pages 595 - 616)

Report of the Strategic Director of Finance and Customer Services

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

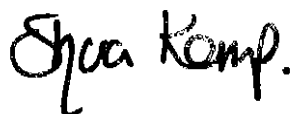
Recommendations:

1. That approval be given to the applications for Discretionary Business Rate Relief for the organisations listed in Appendix 1 of this report and in accordance with the details set out in Section 7 to this report for 2018/19.
2. That approval be given to extend Discretionary Relief in the 2018/19 financial year for qualifying rural ratepayers & qualifying public houses.

19. 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 14 February 2018:

- Annual Childcare Sufficiency Report
- Special Educational Needs and Disability (SEND) Sufficiency and Increase in Educational Provision
- Budget & Council Tax 2018-19
- Renewal of agreement with Rotherham Rugby Club Ltd, known as Rotherham Phoenix Rugby Club



SHARON KEMP,
Chief Executive.