

**COUNCIL MEETING
25th July, 2018**

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

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

21. ANNOUNCEMENTS

The Mayor was pleased to announce that Rotherham's Planning Service won Team of the Year at a prestigious national awards ceremony. The service was named winner in the category for Local Authority Planning Team of the Year at the Royal Town Planning Institute's (RTPI) Awards for Planning Excellence 2018 held in London in May.

The Awards were the longest running and most high-profile awards in the industry and the team should be incredibly proud of their achievements which were a testament to the hard work of service and its support staff.

One of Rotherham's key ambitions was to create the right conditions for growth and regeneration. Planning played a key role in delivering this and this award gave confidence to businesses looking to invest in jobs, homes and developments within Rotherham.

The Mayor asked the Council to join him in congratulating all the team on their success.

He invited Paul Woodcock, Bronwen Knight, Helen Sleigh and Anthony Lowe to receive the award.

The Mayor was also pleased to present his activity since the last Council meeting which was attached for information to the Mayor's letter. In doing so he wished to draw particular attention to the Armed Forces Day Event and following Sunset Ceremony which were a credit to the town. He congratulated all those involved in the arrangements.

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B. Cutts, R. Elliott, Evans, Jepson, Price, Sheppard, Short, Taylor, Tweed, Watson, Whysall and Yasseen.

23. COMMUNICATIONS

There were no communications received.

24. MINUTES OF THE PREVIOUS COUNCIL MEETING

Resolved:- That the minutes of the meeting of Council held on 27th June 2018, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Alam

25. PETITIONS

The Mayor reported receipt of two petitions, but they had not met the threshold for consideration by Council, and would be referred to the relevant directorate for a response to be prepared:-

- From the Adult Survivors Kampaign (ASK) containing 31 signatures calling on the Leader of Rotherham Council to urgently meet with members of the Adult Survivors Kampaign (ASK) to review the bid to the Home Office for additional resources for adult survivors of CSE (Child Sexual Exploitation) with the view to taking a different approach to bidding for resources for adult survivors of CSE.

Elizabeth addressed the Council as part of the presentation of the petition requesting the Leader meets with adult survivors to review the bid to the Home Office for additional resources for adult survivors of CSE.

- From the Friends of Turner Close Community Centre containing 48 signatures calling for the retention of a member of staff in their current role at Rawmarsh Joint Service Centre.

Since the last Council meeting, five petitions have also been rejected in accordance with Section 3.1 of the Council's Petitions Scheme on the basis that they were repetitive. A further petition was directed to the Commissioners, who were not covered by the Council's Petitions Scheme. The Lead Commissioner has subsequently responded to the Lead Petitioner.

26. DECLARATIONS OF INTEREST

A number of declarations of interest were reported:-

Councillor Hoddinott declared a disclosable pecuniary interest in Minute No. 38 (Council Motion – Modern Slavery) on the grounds of her employment and left the room whilst this item was discussed.

Councillor Read declared a disclosable pecuniary interest in Minute No. 38 (Council Motion – Modern Slavery) on the grounds of his partner's employment and left the room whilst this item was discussed.

Councillors Allcock, Clark, Ellis, Roche and Steele declared personal interests in Minute No. 38 (Council Motion – Modern Slavery) on the grounds of being members of the Co-operative Party.

27. PUBLIC QUESTIONS

(1) Mr. L. Harron asked did the Leader agree that if a senior RMBC officer had lied in writing in a response to a FOI request and then refused to answer a simple question seeking clarification, that nothing this officer said could be regarded as being truthful unless it was backed up with written evidence?

The Leader confirmed he was unable to comment on individual staffing matters in the Council meeting, but pointed out the Council had a Complaints Procedure. This was publicly available for investigation complaints against the Council and/or any of its Officers and Mr. Harron was advised if he believed that there had been any wrongdoing then he should lodge a complaint.

In a supplementary question Mr. Harron asked the Leader if he agreed that the failings of previous Leaders of this Council to call Chief Executives to account had caused immeasurable damage to this Council, physically, emotionally, psychologically and materially. Would the Leader show he was different by looking at the two page document Mr. Harron had sent to all Councillors today with a view to asking the current Chief Executive to apologise to those individuals "A to O" in Professor Jay's report and to do so before the fourth anniversary of that publication in August.

The Leader had not yet seen the document circulated by Mr. Harron. He would study this and come back to Mr. Harron in writing.

(2) Mrs. M. Watson asked did the Council have any information concerning a potential traffic management plan for the hydraulic fracturing site in Harthill:-

- (a) Where would the clean water come from and which route would the tankers take?
- (b) Was there a traffic management plan for the waste water from Harthill to FCC Environment on Stanhill Close, Ecclesfield?

COUNCIL MEETING - 25/07/18

Councillor Williams confirmed an application for an exploratory well at Harthill (no applications for hydraulic fracturing have been received to date) was refused by the Council. One of the reasons for refusal was traffic implications. This decision was appealed by the applicant and subsequently granted by the Planning Inspectorate following a Public Inquiry.

As part of the appeal process further traffic information was submitted to the inquiry by INEOS for the Inspector to consider and, in addition, the Inspector attached a condition to the permission which required a full Traffic Management Plan to be submitted, for the approval by the Council, prior to any development taking place on site. A Traffic Management Plan had not as yet been received.

In terms of the water tankers and waste water removal the route was yet to be confirmed and would form part of the Traffic Management Plan to be submitted. The removal of waste water and details of its disposal would be controlled through a relevant license from the Environment Agency.

In a supplementary question Mrs. Watson asked, when the Traffic Management Plan was approved and in the public domain, would the rescue services be provided with a copy.

Councillor Williams assumed this would be a sensible approach and would look into this further to ensure this was carried out.

(3) Mrs. M. Reed asked about the transformation of Learning Disability Services which would be a lengthy and expensive process and needed to be undertaken safely sensitively and responsibly. She asked could the Cabinet Member please explain how a saving of £3 million had been calculated given that no assessments have been completed and so predicted need was unknown.

Councillor Roche confirmed the Service was currently in the process of setting up the team who would carry out the assessments over the next two years and he gave an assurance that it would be undertaken sensitively and responsibly, recognising this was an anxious and stressful time for people and families. The assessment/review would be undertaken in partnership with the person, their family and the people that knew them best and the reviews would focus on individual assessed need. Each carer at the same time would also be offered a carer's assessment.

The expected savings identified would come from across the current Learning Disability budget and would be found by a reduction in infrastructure costs such as transport, double funding support and activities where sometimes two or more different sets of staff were supporting a Service user and obviously savings on building costs.

However, whilst there was confidence in the financial model, the important thing was the amount of money needed to spend on Service users which would be guided by the individual assessments, not be an arbitrary target.

In a supplementary question Mrs. Reed referred to the last Council meeting where Councillor Roche had said there would be an in-house building base service for those with complex needs. She asked how this could be quantified until the assessments had been completed and, therefore, how could the cost be calculated for retaining a building base service.

Councillor Roche explained the service did know the number of people with complex care at the moment so could make a forecasted estimate of those numbers. It was not possible to give an accurate forecast until the assessments had taken place.

(4) Mr. R. Symonds was unable to attend the Council so Mrs. M. Hudson, on his behalf, asked how many agency workers have worked within Adult Social Care so far this financial year and at what cost, how much did the Cabinet Member estimate would be spent in total on agency workers by the end of the financial year and how did it compare with last year?

Councillor Roche confirmed there had been 22 agency workers working within Adult Social Care so far this financial year at a cost to date of £197k.

The estimated spend on agency workers by the end of the financial year based on current contract end dates was £331k. It was expected that this would be less than half the figure spent in the last financial year.

In a supplementary question Mrs. Hudson asked why was the cost so high and did this include cost of consultants and interim managers. If not what additional cost did this account for. Councillor Roche was quick to ask for the required savings to be made, but did he accept the agency bill was a great starting place to save money.

Councillor Roche confirmed agency staff were used to fill in vacancies or long term illness and therefore, carrying out essential work of the Adult Social Care Directorate. Occasionally extra staff brought in to ensure that projects were delivered on time for Service users. In terms of the cost of contract workers a response in writing would be provided.

(5) Ms. C. Meleady was unable to attend today's meeting so a response to her question would be provided in writing.

(6) Ms. S. Healey pointed out public opinion was overwhelmingly against the proposed closures of Learning Disability Centre and she was yet to meet a service user or carer who agreed with your plans. She asked did the Cabinet Member not accept to being out of touch with vulnerable people's needs and sounding patronising telling them what was best for them.

Councillor Roche confirmed the transformation of Learning Disability Services was a two year project and gave his assurance that it would be undertaken sensitively and responsibly. The reviews would be undertaken in partnership with the person, their family and the people that knew them best, in a person centred way which would focus on individual assessed need.

Before the process had even begun, Service users were already voting with their feet and choosing not to go into day care. The Cabinet Member was confident the changes were right because Service users, who were in day care previously and have moved to the new model, had advised how much better it was and that they did not want to go back.

In a supplementary question Ms. Healey pointed out the Council were causing vulnerable adults and carers, some who were elderly and infirm, worry and anxiety due to the uncertainty about what was happening. It appeared the Council had made a decision and were not prepared to accept they were wrong and asked the Cabinet Member how he slept at night as many carers did not.

Councillor Roche was aware this was a situation which had caused a lot of concern and anxiety, but was sure that looking at other authorities and discussing with officers the Cabinet had made the right decision. The Council would do all that it could to lessen the anxiety of the Service users as it went through the process.

28. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) of the Local Government Act 1972, that should the Mayor deem if necessary the public be excluded from the meeting on the grounds that any items involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to information) (Variation) Order 2006.

29. LEADER OF THE COUNCIL'S STATEMENT

The Leader wished to report on the Secretary of State's minded to decision to withdraw Commissioners from Rotherham, subject to a further independent evaluation about progress early in the new year. In effect the Commissioners were leaving a year early and although the decision was still to be confirmed this was a great reflection on all the hard work by Members alongside staff and Commissioners and indicated that

governance was fit for purpose and up to the standard residents would expect.

The Council would continue to face difficult decisions, but it was finally at the stage where it was returning to a situation where proper democratic accountability was in place in Rotherham.

30. MINUTES OF THE CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Resolved:- That the reports, recommendations and minutes of the meetings of the Cabinet/Commissioners' Decision Making Meeting held on 9th July 2018, be received.

Mover:- Councillor Read

Seconder:- Councillor Alam

31. RECOMMENDATION FROM CABINET - ALLOTMENTS SELF-MANAGEMENT

Further to Minute No. 174 of the Cabinet and Commissioners Decision Making Meeting held on 9th July, 2017 consideration was given to the report which detailed the proposals for a self-management model for allotments containing recommendations to approve the new vision and specification for allotments and to transfer management of Council-owned allotments to a new borough-wide self-management body.

The Council and Rotherham and District Allotments Association have worked together to review the current Allotments Service and explore possible alternative service models to drive long-term improvement. This recognised the pressure the Service had been under since 2011 due to reduced public spending. The Review has gathered evidence to support the assessment of options, including a survey of existing plot-holders, an audit of Council-owned allotment sites, and information about management models in place elsewhere in Britain. Consequently, the Review has concluded that the adoption of a self-management model offers best prospects for Service improvement and involving allotment users more in this.

Whilst in support of the model put forward, Councillor Carter was of the view that this was of benefit to allotment holders now more appropriate management arrangements in place.

Resolved:- (1) That the new vision and specification for allotments be adopted.

(2) That the transfer of management of Council-owned allotments to a new borough-wide self-management body be approved and authorisation be given to officers to work with Rotherham and District Allotments Association, Voluntary Action Rotherham and others to establish a Community Benefit Society.

Resolved:- Councillor Hoddinott **Seconder:-** Councillor Allen

32. PROPOSED AMENDMENT TO THE CONSTITUTION - RESPONSIBILITY FOR FUNCTIONS - SCHEME OF DELEGATION AND TERMS OF REFERENCE

Consideration was given to the report which introduced a proposed new 'Responsibility for Functions' section of the Constitution, which had been recommended by the Association of Democratic Services Officers (ADSO), as part of the wider review of the Constitution. The proposals from ADSO have been reviewed by the Constitution Working Group, a body of members from both political groups in operation on the Council, and were presented for approval and adoption within the Constitution.

The proposed new 'Responsibility for Functions' was a more concise document which had been drafted with a view to Strategic Directors being required to prepare and publish sub-schemes of delegation for their Directorates, which was consistent with the previously agreed changes in respect of the publication of decision records for delegated decisions taken by officers.

Resolved:- (1) That the 'Responsibility for Functions' at Appendix 1 be approved and adopted as Appendix 9 of the Constitution.

(2) That the terms of reference for the Overview and Scrutiny Management Board and Select Commissions be deleted from the Overview and Scrutiny Procedure Rules at Appendix 3 of the Constitution.

Resolved:- Councillor Read **Seconder:-** Councillor Alam

33. PAY POLICY STATEMENT - ADOPTION OF REMUNERATION PACKAGE FOR THE STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICES

Consideration was given to the report which detailed how the Council had recently undertaken a recruitment process to fill the vacant post of Strategic Director of Children and Young People's Services. The Officer Employment Procedure Rules in the Constitution required the Council to approve the salary package for any post defined in the Pay Policy Statement as earning £100,000 or more.

This report, therefore, recommended that the Council agree the salary package for the post of Strategic Director of Children and Young People's Services at the level of remuneration detailed in the Authority's Pay Policy Statement.

Councillor Carter was unable to support the recommendation on the grounds that the public would find the salary unacceptable.

Councillor Napper supported the proposals and hoped that the specialisms of the new Strategic Director would meet any forthcoming challenges and reduce the need for consultant involvement in the future.

Resolved:- That, in accordance with the Pay Policy Statement 2018-19 and the Officer Employment Procedure Rules, the remuneration package of £145,000 for the post of Strategic Director of Children and Young People's Services be approved, with effect from 24th September, 2018.

Resolved:- Councillor Alam

Seconder:- Councillor Read

34. COMMUNITY GOVERNANCE REVIEW - ORGREAVE PARISH COUNCIL - IMPLEMENTATION OF FINAL RECOMMENDATIONS

Further to Minute No. 12 of the meeting of Council held on 27th June, 2018, consideration was given to the report which detailed the consultation with the Waverley Residents' Association and to sought approval for the making of the Reorganisation of Community Governance Order.

The effect of the recommendation in the report was to put forward a budget requirement of £43,950 based upon the calculations, but the Waverley Residents' Association had suggested a lower figure for the budget requirement of £36,025. The Waverley Residents' Association proposal was based on an assumption that the Council should forego the recharges for costs of the statutory consultation and the establishment costs incurred by the Council.

In their response the Waverley Residents' Association also suggested that if the Council was not willing to forego those recharges then the budget requirement should be adjusted by reducing the provision for reserves.

The Waverley Residents' Association have had support from the Yorkshire Local Councils Association in preparing their proposals and on that basis it was accepted that their proposals for a lower budget requirement would still result in a viable community council, albeit one with a smaller budget for 2019/20 than that originally proposed by the Council's officers.

COUNCIL MEETING - 25/07/18

A letter of objection from Catcliffe Parish asked the Council not to implement the Final Recommendations and to leave the boundary of the parish of Catcliffe unchanged

The four options upon which the formal consultation took place were identified in the modified Terms of Reference agreed by Council at its meeting on 13th December, 2017.

Taking into account the letter of objection from Catcliffe Parish Council it was proposed to approve the making of the draft Reorganisation of Community Governance Order required to implement the Final Recommendations with a budget requirement for 2019/20 for the proposed Waverley Community Council of £36,025, the figure proposed by Waverley Residents' Association, but without the Council foregoing its consultation and establishment costs.

This option put forward provided for a lower budget requirement than originally proposed and the Waverley Residents' Association supported a lower budget requirement. It would provide for greater reserves for the proposed community council than originally proposed, but would not require the Council to forego costs which have been or would be incurred.

Whilst the majority of Members supported the implementation of the final recommendations Councillor Simpson abstained from the decision and Councillor Carter, whilst supporting the general principle and the sentiments and work involved with developing a community council, was unable to vote in favour based on the recharge of the establishment and consultation costs.

Resolved:- (1) That the making of the draft Reorganisation of Community Governance Order including the associated map, which form Appendices 1 and 2 to this report be approved and that the budget requirement for the proposed Waverley Community Council, which forms part of the Order shall be £36,025.

(2) That the waiver of the re-charge of the establishment and consultation costs which has been requested by the Waverley Residents' Association be refused.

Mover:- Councillor Allen

Seconder:- Councillor Read

35. OVERVIEW AND SCRUTINY ANNUAL REPORT 2017/18

Consideration was given to the report which presented the final draft of the Overview and Scrutiny Annual Report for 2017-18 for Members' approval, having been endorsed by the Overview and Scrutiny Management Board on 20th June, 2018.

The Overview and Scrutiny Annual Report provided a retrospective summary of the work completed and outcomes achieved by the Overview

and Scrutiny Management Board and the three Select Commissions last year. It also offered a look ahead for 2018-19 in terms of future priorities through a headline work programme.

The Chair wished to place on record his thanks and appreciation to the former Chair of Improving Lives, Councillor Clark, and support staff and looked forward to working with the new Chair and Vice-Chair. He also welcomed Councillors Keenan and Sansome back to the scrutiny process.

Resolved:- That the Overview and Scrutiny Annual Report 2017-18 be approved.

Mover:- Councillor Steele

Seconder:- Councillor Cowles

36. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY - SPOTLIGHT REVIEW FOLLOWING THE OFSTED INSPECTION OF ADULT COMMUNITY LEARNING

Consideration was given to the report which presented the findings of a spotlight review following the Ofsted Inspection of Adult Community Learning in June, 2017. The purpose of the review was to seek assurance that there was a clear understanding of the issues leading to the inadequate judgement in June, 2017; that the issues arising from the inspection have been addressed and that there were clear plans in place to ensure that adult learners have pathways to secure employment or skills training. The conclusions and recommendations made by Members were based on information gathered from the spotlight review and examination of related documentation.

Following consideration by the Council, the Cabinet would be required to respond formally to the recommendations and indicate agreement or otherwise, what action would be taken to implement the recommendations, along with details of timescales and accountabilities.

The Leader welcomed this piece of work on behalf of the Cabinet and the assurances it provided. It was right that the Council should look and learn in an open and transparent a way as possible. Scrutiny were able to take on this work and it showed the maturity of the organisation.

Resolved:- (1) That the report and recommendations from the spotlight review following the Ofsted Inspection of Adult Community Learning, as outlined in Paragraph 7 of Appendix 1, be noted.

(2) That the response of Cabinet to the recommendations be fed back to the Improving Lives Select Commission.

Mover:- Councillor Clark

Seconder:- Councillor Cusworth

37. CHILDREN'S COMMISSIONER TAKEOVER CHALLENGE SCRUTINY REVIEW: WORK EXPERIENCE

Consideration was given to the report which detailed the findings and recommendations following a spotlight review undertaken by Rotherham Youth Cabinet under the auspices of the Children's Commissioner's Takeover Challenge regarding improving access to work experience opportunities for all young people in Rotherham.

This report was presented for information to share the review findings with the wider membership of the Council. Following this meeting, the Cabinet and Commissioners would be required to respond formally to the recommendations and indicate agreement or otherwise and what action would be taken to implement the recommendations, together with details of timescales and accountabilities. Schools and other external partners would also be involved.

Members welcomed this report and commended the young people's involvement, their contributions and participation in the review.

Resolved:- (1) That the report and recommendations in respect of the review of Work Experience be noted.

(2) That the response of Cabinet be reported back to Overview and Scrutiny Management Board and Rotherham Youth Cabinet.

Mover:- Councillor Steele

Seconder:- Councillor Cowles

38. NOTICE OF MOTION - MODERN SLAVERY

Proposed by Councillor Alam and seconded by Councillor Wyatt:-

This Council notes:-

- Though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.
- There were 3,805 victims of modern slavery identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office. In Rotherham a small number of victims have already been identified.
- Modern Slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes:-

- That action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK.
- That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government.
- That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.

This Council resolves:-

- That the Co-operative Party's Charter against Modern Slavery be adopted to ensure that our practices don't support slavery.
- That the Corporate Procurement Team be trained to understand modern slavery through the Chartered Institute of Procurement and Supplies (CIPS) online course on Ethical Procurement and Supply.
- That contractors be required to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- That any abnormally low-cost tender be challenged to ensure that they do not rely upon the potential contractor practising modern slavery.
- That suppliers be advised that contracted workers are free to join a trade union and should not be treated unfairly for belonging to one.
- That the whistleblowing system for staff to blow the whistle on any suspected examples of modern slavery be publicised.
- That tendered contractors be required to adopt a whistleblowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- That contractual spending be reviewed regularly to identify any potential issues with modern slavery.
- That suppliers be advised of any risk identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- That any contractor who is identified as a cause for concern regarding modern slavery be referred for investigation via the National Crime Agency's national referral mechanism.
- That a report on the implementation of this policy be published annually.

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

39. STANDARDS AND ETHICS COMMITTEE

Resolved:- That the reports, recommendation and minutes of the meeting of the Standards and Ethics Committee be adopted.

Mover:- Councillor McNeely

Seconder:- Councillor Clark

40. AUDIT COMMITTEE

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

Mover:- Councillor Wyatt Seconder:- Councillor Walsh

41. HEALTH AND WELLBEING BOARD

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

Mover:- Councillor Roche Seconder:- Councillor Mallinder

42. PLANNING BOARD

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

Mover:- Councillor Williams Seconder:- Councillor Walsh

43. STAFFING COMMITTEE

Resolved:- That the reports, recommendation and minutes of the meeting of the Staffing Committee be adopted:-

Mover:- Councillor Alam Seconder:- Councillor Read

44. LICENSING

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

Mover:- Councillor Ellis Seconder:- Councillor Beaumont

45. SHEFFIELD CITY REGION COMBINED AUTHORITY

Consideration was given to the minutes of the Sheffield City Region Combined Authority and the Leader provided a quarterly update on activity:-

- Appointments to the various committees for Rotherham:-

Councillor Wyatt and Councillor Cowles - SCR Audit Committee.
Councillor Steele and Councillor Peter Short - Overview and Scrutiny committee.
Councillor Lelliott Rotational Member.
Councillor Read - Vice-Chair and Deputy to the Mayor.

- Discussion on the Local Growth Fund. The programme has an acknowledged problem of approved projects failing to spend on profile. Funding could then be made available for reserve projects, which have been assessed and prioritised following a call for projects last year. Rotherham had two reserve projects - Century BIC Phase 2 and Bassingthorpe Farm Greasbrough junction – assessed as top priority, which meant they were well placed should any funding be freed up as part of the programme review.
- The Sheffield City Region one of only two places in the country to be piloting this innovative approach to help people with health problems get into or remain in employment. The focus was on tackling low level mental health problems such as stress or anxiety, as well as musculoskeletal issues.

332 people have already received support across South Yorkshire and Bassetlaw, including 68 from Rotherham (the 2nd highest).

- There was nothing further to add at this stage to the Devolution Deal.

Resolved:- That the minutes of the meeting of the South Yorkshire Combined Authority be received.

Mover:- Councillor Read

Seconder:- Councillor Lelliott

46. SOUTH YORKSHIRE POLICE AND CRIME PANEL

Consideration was given to the minutes of the meeting of the South Yorkshire Police and Crime Panel and the Vice-Chair, Councillor Sansome, was pleased to confirm that discussions had taken place with the Police and Crime Commissioner over the 101 Service.

Correspondence had been received by the Council as to why there had been a delay in the 101 Service.

Resolved:- That the minutes of the meeting of the South Yorkshire Police and Crime Panel be received.

Mover:- Councillor Sansome

Seconder:- Councillor Steele

47. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

Councillor Cowles at the last Council meeting, had asked the Vice-Chair of the Police and Crime Panel to agree to write a strongly worded letter to the Police and Crime Commissioner expressing the Council's disquiet and, requesting immediate improvement to the unfit for purpose 101 system, used by the public and asked why had this not happened?

Councillor Sansome confirmed he had not written a formal letter, but had contacted the Police and Crime Commissioner by email, which he was happy to share with Councillor Cowles.

In a supplementary question Councillor Cowles pointed out it was agreed that a letter was to be written. The Police and Crime Commissioner had now offered a date to meet, but this was not until the 10th October. After expressing some concern this had been moved to the end of August, but Councillor Cowles had offered to meet the Police and Crime Commissioner at a date/time at his convenience.

The delay of the application and implementation of a call centre system was unacceptable and Councillor Sansome was requested to write a letter as soon as possible about concerns rather than waiting for this debate.

Councillor Sansome shared the frustrations in the delay, but acknowledged the difficulty in managing to pull people together. He agreed to send a letter to the Police and Crime Commissioner and looked forward to the meeting.

48. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) Councillor Carter asked what independent legal advice had the Council taken that the service Dignity provided was not discriminatory?

Councillor Hoddinott confirmed the Council obtained independent Legal advice from Ward Hadaway in February, 2018 that the service Dignity provided was not discriminatory. This took into account the requirements of the Human Rights Act 1998 and the Equalities Act 2010.

In a supplementary question Councillor Carter believed February, 2018 was before the court case in London and asked if any subsequent legal advice in light of that Coroner's case had been obtained.

Councillor Hoddinott was happy to double check with officers to see if they had sought further legal advice.

(2) Councillor Cowles in considering the Eastwood plan, resources, tasks and timescales, was not aware of anyone who had ever seen such a plan showing the details in this way and asked could the Cabinet Member tell him when he could expect to see an acceptable end to the current cost and waste of resource?

Councillor Hoddinott wondered if Councillor Cowles was alternating each month about cost and action being taken.

The deal was on the Council website and reiterated that over the last two years:-

- Enforcement activity was up. Currently there were 115 open enforcement cases with over half of those receiving enforcement notices.
- Crime was down by 17%.
- Anti-social behaviour was down by a fifth.
- The quality of housing was up. Nearly half of all properties inspected had a Category 1 hazard with 99% being compliant with licensing conditions.

Had the advice from UKIP been followed then the Council would be looking at nearly half of the privately rented properties in Eastwood still being substandard.

In terms of the detail of activity and tasking this was agreed between officers and partners with regular meetings and in conjunction with feedback from Ward Members. The Council would continue to take action, in Eastwood, the same as anywhere else in the borough, based on the needs of each community.

In a supplementary question Councillor Cowles disbelieved the statistics and their accuracy. Baseline figures had been requested at the start to measure improvements and had never been set. In terms of selective licensing he had asked several times about individual properties and had brought these to the Cabinet Member's attention. In relation to cost there were many reasons why money was short in the Council.

Councillor Cowles referred to an extract he intended to raise at the last Council meeting and quoted "Just back from a walk around Eastwood. What I have seen around the bottom of Grosvenor Road makes you feel sick. Groups of rats feeding on waste and St. Ann's subway is the same with rats running around. This has all been reported many times and no progress."

He asked, therefore, would the Cabinet Member include a task on the plan to call for the Pied Piper or would she take up the pipes herself to get rid of the rats as nothing so far has worked.

Councillor Hoddinott found it completely unfair on the work taking place in Eastwood and in the community to say nothing had worked. Baseline figures were from the Police and the Council over the last two years. There were still issues in the community and residents were encouraged to come forward to raise concerns and the Council would continue to take action.

The recent work in St. Ann's subway between the community and Ward Councillors was transforming that area especially with the mural that had been created. Members and the community were prepared to roll up their sleeves and work for the better good and the Cabinet Member would not pull people down for working hard in that area.

(3) Councillor Carter asked if there were sanitary products freely available in schools within the borough for students to access without having to request them?

Councillor Carter would be provided with a written response to his question from the relevant Cabinet Member.

(4) Councillor Cowles pointed out some issues were considered to be important enough for public consultation, beyond those that required statutory consultation, prior to the decision being taken. He asked what criteria was used to determine whether or not public consultation was necessary for any decision that may be required?

The Leader confirmed that if statutory consultation was not required, then the need for consultation was at the discretion of the relevant service senior management (Assistant Director). There were no fixed criteria used to determine the need for consultation, but it was considered good practice to consult with the public when there was a planned service change, change in budgets or planned policy development that would have a significant impact on a community or service users.

Councillor Cowles asked this supplementary question because like many other people he had mistakenly believed that Rotherham had dispersal status imposed by the Home Office. He was in receipt of a FOI that clarified this was not so. In 2000 under the leadership of Councillor Mark Edgell Rotherham volunteered to become a dispersal town and clearly this was not up to public consultation. Due to the current position was it possible to end this contract until other leafy boroughs were prepared to share the burden as Rotherham was struggling to manage and pay for the situation.

The Leader was unable to comment on whether consultation took place eighteen years ago. Rotherham would continue to do its bit for the humanitarian efforts of this country by providing people who were in many cases fleeing for their lives looking for a home and sanctuary and he was proud to do this.

It was not possible to withdraw from the scheme; once an area had signed up and it was part of the scheme indefinitely. The Leader agreed the scheme would be much better if it was mandatory across the country and everyone was doing their bit the same as in Rotherham. If housing system was not run for profit by G4S where there was low cost housing, concentrations of people who were seeking asylum would not be put into specific places.

The Leader had issues about the way the Government ran the scheme, but Rotherham backing out now would be a retrograde step.

(5) Councillor Carter asked did the Cabinet Member have full confidence in the Parking Enforcement Team?

Councillor Lelliott confirmed, as the Cabinet Member, she had full confidence in the Parking Enforcement Team.

In a supplementary question Councillor Carter asked, given the last financial year had 10% rescinded parking tickets, did the Cabinet Member think the parking enforcement was too draconian in the town centre.

Councillor Lelliott did not agree. The Council did listen and sometimes enforcement tickets were issued, but there may be a genuine reason why someone was parked illegally. She had every confidence in the work of parking enforcement.

(6) Councillor Carter asked did the administration believe their Town Centre Parking Policy encouraged the use of the town centre?

Councillor Lelliott believed the Council's Town Centre Parking Policy encouraged the use of the Town Centre. Over the last few years, the Council had introduced a number of schemes to make parking easier and to support economic growth.

The Council simplified town centre parking charges and significantly reduced medium and long stay tariffs in April, 2016. The number of medium (4 hour) and all day parking activities have increased significantly since the tariff changes which indicated that customers were staying in town for longer periods.

Since then a range of concessions had been introduced at a number of Rotherham's car parks including:-

- Free parking all day on Saturdays in the whole of Forge Island car park and free parking for 2 hours in Forge Island car park "Red Zone" from Monday to Friday.
- Free parking for 2 hours in Drummond Street car park "Red Zone" from Monday to Saturday.
- Buy 2 hours, get 2 free offer, in Wellgate multi-storey, Drummond Street, Riverside, Clifton Hall and Scala car parks on Saturdays.
- 60 free limited stay parking spaces on Sheffield Road.
- Concessionary priced parking permits in a number of off-street car parks.
- Free parking is in place on each of the six Saturdays on the approach to Christmas.

The Council had also made paying at car parks easier with the introduction of a 'pay on foot' system at Wellgate multi-storey car park and whilst finances remained tight options for further discounts remained limited, but the service would continue to see what could be done.

In a supplementary question Councillor Carter pointed out he had in the past six weeks received two Fixed Penalty Notices, both of which had been rescinded as it could be proven the appropriate parking charge had been paid. If this had happened twice to him did it not cause a distraction for people coming to the town centre and may lead to residents preferring to shop elsewhere. Would the Cabinet Member agree these charges detracted from people coming to the town centre.

Councillor Lelliott found the question confusing, but confirmed the Service listened to comments from residents and business and had a number of initiatives ongoing. Rotherham also benefitted from sustainable transport and clean air zones and with the improvements to the interchange this would assist in getting more people back into the town centre.

(7) Councillor Cowles reiterated during the budget setting process savings of £100k were proposed by the Strategic Director based on a contract directly with Kingdom for a future enforcement programme. He asked if the Council now contracted via a third party would these savings still be fully realised, if not, what mitigation was proposed?

Councillor Hoddinott confirmed the details of the proposed SLA with Doncaster were currently being finalised. Officers from Rotherham and Doncaster were working alongside their lawyers to conclude the legal drafting as soon as possible. This was new money into the Council and those that littered should pay to assist with clearing up.

Whilst that process was not yet complete, it did seem that the surplus generated may well be less than £100k a year and if this was the case then measures to address the budget position would be agreed through Cabinet.

In a supplementary question Councillor Cowles referred to the discussions in scrutiny and the attempts to reconcile where savings have been proposed and not realised. It would seem that the savings proposed were never likely to be realised based on the Cabinet Member's answer and asked that this be kept under review. Scrutiny would want answers from the Strategic Director and the Cabinet Member as to why £100k of savings were brought forward which were accepted and would not be achieved. There was no wonder the Council could not balance the budget if these actions were taken.

Councillor Hoddinott agreed the savings should be tracked and monitored. The savings were around enhanced enforcement and not specifically around this contract and in looking back through the papers all the figures were estimates and projections. If the savings did not hit the estimated target officers have to find the savings and come up with ways this could be mitigated. This would come back through Cabinet. This was good budget management.

(8) Councillor Brookes asked would the Council consider adopting bee-friendly grass cutting as well as implementing a pollinator action plan? Councils that have introduced these were not only discharging their duty to conserve biodiversity in the most comprehensive way, but were saving between £35,000 - £93,000 a year.

Councillor Allen confirmed yes the Council would be more than happy to consider Councillor Brooke's suggestion. The Council's approach to grounds maintenance was constantly under review.

The Council already had a number of areas across the Borough where grass was cut less often, in order to encourage wildlife and save taxpayers money and the Council was willing to consider whether the number of areas could be increased. A number of central reservations across the Borough also had bee-friendly wildflowers in place, instead of the short grass that had historically been in place. This had saved the Council money and encouraged biodiversity.

Given Councillor Brookes' passion and knowledge on this subject the Cabinet Member wondered if she would be prepared to meet herself and relevant officers about what further possibilities could be implemented.

In a supplementary question Councillor Brookes referred to a recent poll where the public were calling on Councils to cut grass less frequently to encourage bees. Given how easy and cost effective this would be with the public would the Cabinet Member agree that this should be a priority for the upcoming budget?

Councillor Allen pointed out there would be a whole raft of priorities for the budget. As part of the grounds maintenance provision there was a Members' Working Group around Streetpride Services and it could take recommendations to the Budget Working Group. Councillor Brookes was invited to work with the group and join them in taking this issue forward.

(9) Councillor Carter referred to the Council already accepting that Bawtry Road was so dangerous that it needed a puffin crossing, but asked how could they justify axing the lollipop lady this summer when the Cabinet Member had said there would not be a puffin crossing until summer 2019?

Councillor Carter would be provided with a written response to his question from the relevant Cabinet Member.

(10) Councillor Cusworth asked could the Cabinet Member please provide an update on the 2020 Roads Programme?

COUNCIL MEETING - 25/07/18

Councillor Hoddinott explained this was a key pledge of the Labour Group and it was a common complaint from residents. This Three Year Programme would deliver an extra £10m of investment in local estate roads across Rotherham and would aim to bring roads up to the national standard. Progress was good.

In 2017/18 the Council repaired an extra 90 local estate roads, covering over 13 miles and in 2018/19 122 local estate roads would be repaired, covering approximately 17 miles.

The 2020 Roads Programme would also deliver £1m of investment in footpaths in 2018/19. This would focus on improving the condition of pavements, based on highways inspections, customer reports, and feedback from Ward Councillors. This year 104 footways would be repaired, amounting to around 23 miles.

It was also worth noting that, across all road classifications and all funding streams, the Council would have repaired over 350 roads over the course of the last year and this.

In a supplementary question Councillor Cusworth confirmed it was apparent that it was not the odd isolated road that required some repairs. Residents in Swinton were delighted not only with the standard of repair, but also the communication from the teams ahead of time and consideration by staff out there doing the job. She asked had the comments received in Swinton been echoed across the borough.

Councillor Hoddinott confirmed the service did receive compliments and it was important to share these with staff. The road repair service was provided in-house and the satisfaction rates were positive, despite the disruption and noise caused by the work taking place. The Cabinet Member was proud of the work undertaken by in-house staff.

(11) Councillor Carter asked, given the strength of feeling from day care centre users at the last Council meeting, would the Cabinet Member agree to meet with the lead campaigners?

Councillor Roche confirmed he had already met and quite regularly met with carers from a range of services including two recent meetings with the committee from Deaf Futures and with people concerning disability access.

In relation of the day care closures for example he regularly went to a pre-meeting of the Carers Forum where questions have been put to him and points made about the day care closures both during the consultation and further, once the decision had been made.

Councillor Roche had also recently attended a meeting at Rotherham Trades Club where there were approximately fifteen people present. He regularly met with carers including some this week. He was not aware of

the people who were leading the campaign, but assumed that some of them had attended the meetings he referred to above and raised questions/put their points of view.

The decision concerning day care centres had been taken by Cabinet and he strongly believed the Cabinet's decision was right.

Councillor Roche was more than happy to meet with carers concerning day care centres on an individual basis and strongly believed that in terms of meetings the priority now must be meeting carers in such meetings where they have questions, concerns to raise, to try to support and re-assure those people with concerns as the process went forward. This was rightly where his priority needed to be.

In a supplementary question Councillor Carter asked, given the Cabinet Member had met so many residents, service users and carers involved why was there still so much anger about how they felt in the dark about the changes made and the Cabinet Member had not been able to adequately explain the rationale for the decision.

Councillor Roche explained the Service was putting in place the assessment process and once in chain people would start to see progress and their anxieties would be lessened. Councillor Roche was unable to answer for the service users and carers themselves.

(12) Councillor Cusworth asked how did RMBC compare with our local neighbours when it came to housebuilding?

Councillor Beck confirmed Rotherham generally compared well with its municipal neighbours and was on a par with places like Doncaster, Barnsley and Bassetlaw. Over the last three years the Council had brought 1600 new homes into the social rented sector of which about 20% the Council had directly contributed towards.

The Council was committed to replace as many Council homes as possible lost through the Right to Buy and so has allocated £50m of Housing Revenue Account to fund the construction of 443 more new homes over the next three years as a direct result of getting involved. As a result of this nearly 40% of the new homes being delivered were as a direct result of the Council's involvement through direct delivery or projects like the one at Braithwell Road, Maltby or with Housing Associations.

The Council was progressing, but wanted to do more. It was remarkable from where it started and when comparing against other Local Authorities Rotherham should be proud that it was doing all it could to try to replace homes lost through the right to buy scheme which was 202 during 2017/18.

COUNCIL MEETING - 25/07/18

The Cabinet Member also wished to place on record his own thanks to the Housing Team and the officers that worked very hard on behalf of residents providing a good quality service.

(13) Councillor John Turner asked after the current house building programme had been completed and we began to experience the effects of this on road congestion, loss of green space, lack of doctors' services and lack of school places etc., what plans were the Council making to resist future demands on our space?

Councillor Lelliott confirmed the growth proposed by the Local Plan would be supported by an infrastructure delivery plan that highlighted such road improvements, school places, local facilities and improved green spaces required, which would be part of the planning process.

When the plan was drafted and consulted on, all the proposed development sites were assessed to look at the impact they may have and a sustainability appraisal carried out. The sites chosen were those with least impact, or where mitigation could be put in place.

Having a plan in place ensured that there would not be unrestricted sprawl. Growth would be planned so that developers knew where they could and could not build – and local communities knew which areas were protected.

At the last meeting the Cabinet Member confirmed only a small amount of green belt was expected to be lost over the next fifteen years, meaning that residents could look forward to hundreds of years of green belt land in the borough.

In a supplementary question Councillor Turner asked would the Council be aware he was seriously concerned about the future consequences about traffic congestion with unrestrained building with very little amenity and grass left. The Planning Board would become an enforcement agency.

Councillor Lelliott pointed out that 70% of the borough was green. The Local Plan protected green belt and green spaces. This would stop the unrestrained development. Traffic congestion was not always caused by housing developments, but with people wanting cars and not using public transport. Infrastructure needed improvement, but this was a national issue.

(14) Councillor Cusworth confirmed she grew up on Bramwell Street in Eastwood and some of her happiest memories were of visiting Clifton Park on hot summer days throughout my childhood and she asked how did Clifton Park rate when compared with other parks and green spaces across the Region?

Councillor Allen confirmed she too had similar memories about visiting Clifton Park. This enduring fondness by many people had contributed to the Park being voted as being one of the country's top ten parks in a popular vote organised by the Green Flag scheme.

On regional basis it was the only park in Yorkshire that had the Green Flag Award scheme recognised. Not only had Clifton Park achieved this award every year since 2011, but it had also received special recognition in both 2016 and 2017 when it was selected as one. It was one of only two parks in the north to win in 2017, and one of only six parks nationally to retain the title. Furthermore, the Park had been accredited as a Green Heritage Site for the first time in 2018, recognising the high quality of care given to the historic character of the Park and available for many generations to come.

(15) Councillor John Turner asked if he could be assured that future trips to the continent with the Police Band, of which suitable explanations were resolutely not given, would not take place again such that neither would the consequences?

The Leader confirmed yes Members could be assured that this would not happen again during his term as Leader.

49. URGENT ITEMS

There were none.